



FEDERAL ELECTION COMMISSION  
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# Cumberland Baptist Church

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*Wm 2761*

R. Hershel Chevallier  
Pastor

Eugene M. Fleming  
Associate Pastor

Robert Uhl Lawson  
Minister of Music/Youth

October 31, 1988

General Counsel  
Federal Election Commission  
999 E Street N.W.  
Washington, D.C. 20463

Dear Sir/Madam:

My name is Robert Uhl Lawson and I am a minister at Cumberland Baptist Church in Knoxville, Tennessee. Recently we received the enclosed letter from Sevier Heights Baptist Church in Knoxville- Hollie Miller pastor - concerning the upcoming presidential election.

I believe this letter is in violation of our constitutional rights concerning the separation of church and state. Please check and advise. Thank you.

Sincerely,



Robert Uhl Lawson

RUL/ab  
Enclosure

Sworn to and subscribed before me this 31  
day of October, 1988.

Betty Bowling

NOTARY PUBLIC

My commission expires (My Commission Expires Feb. 25, 1992)

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FEDERAL ELECTION COMMISSION

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Sevier Heights  
Baptist Church  
— Knoxville

HOLLIE MILLER, PASTOR

October 26, 1988

Dear Fellow Pastor,

Greetings in the wonderful name of our Lord. I'm sure you have received an abundance of material concerning the issues of the Presidential election, November 8th. However, some of the people in our own congregations are still uninformed concerning the critical nature of this election.

Enclosed are two documents from Dr. Tim LaHaye: a Presidential Position Report and Dr. LaHaye's special expose' of the ACLU. Perhaps you will find these documents helpful as you prayerfully and courageously address the issues in the days to come.

May God richly bless you as you stand for righteousness.

In Christ,

*Hollie Miller*

Hollie Miller

HSM/dec

encl.

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1988 Presidential Position Report

In order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you, for once he is in office a president will lead our country according to his philosophy. That philosophy is usually revealed in advance by his positions on important issues stated during pre-election campaigning.

Most reports cover only those issues which pertain to economics and national defense. However, since the entrance in 1980 of evangelical Christians into the political process (almost 20% of the electorate), there has developed more interest in the social and family issues. These are given priority in this report.

Every attempt has been made in my research to be fair and objective by quoting specific statements of both candidates or comments from the candidates' own literature, issue position papers, or from press interviews and televised debates.

If you feel this report would be of interest to your friends and fellow church members, feel free to reproduce and distribute it. Most of all, be sure to vote on November 8, 1988! — Dr. Tim LaHaye, Author, Minister, Lecturer



Gov. Michael Dukakis



V.P. George Bush

SOCIAL-FAMILY ISSUES

ABORTION

"I support the 1973 Supreme Court decision . . . I believe in the sanctity of human life. . . . I don't know when life begins"<sup>2</sup> . . . The only way I believe we can deal with this issue is to permit a woman in the exercise of her own conscience and religious beliefs to make that decision"<sup>3</sup> . . . I believe that women who are poor should have the same right to choose legal medical procedure as do women who . . . have a decent income or private health insurance"<sup>4</sup>

"I am opposed to abortion except in cases of rape, incest, or when the life of the mother is in danger."<sup>1</sup> "I support a Constitutional Amendment that would reverse the Supreme Court decision made in 1973. I also support a Human Life Amendment."<sup>2</sup> "In addition, I oppose the use of federal funds to pay for abortion except when the life of the mother is threatened."<sup>3</sup>

AIDS

"AIDS is the most serious threat to public health we have faced in our lifetime . . . We need to teach America's children about AIDS beginning in the early grades. I strongly support the efforts of Senator Teddy Kennedy and Congressman Waxman to increase funding for AIDS research and education to over a billion dollars this year."<sup>1</sup>

"We must do all we can to stop the spread of AIDS . . . those at high risk must be educated on how to avoid contracting the disease. The only guaranteed way to halt the spread of AIDS, given what we know, is a change of behavior . . . There must be more testing (with confidentiality) . . . of military, those with sexually transmitted diseases and those who seek marriage licenses. We will spend one billion dollars on AIDS next year."<sup>2</sup>

CHILD CARE

Would use his Massachusetts program, which Time magazine calls "The country's most comprehensive state-supported day care system" as a model. "Will create a new office of child care in the federal government to assure "the quality, affordability and availability of child care."<sup>6</sup> (cost unknown)

"Opposes a federal child care bureaucracy with a standard setting . . . proposes a child care program that permits parents the widest choices possible, including private child care centers, synagogues or relative and neighbor care . . . funded by tax credits or special government assistance for the poor."<sup>5</sup>

CRIME

After being criticized nationally for his furlough program which resulted in released prisoners committing additional crimes, he stated, "I support the furlough program because it's an important part of any modern and effective correctional system."<sup>7</sup>

"Fighting crime must be a high priority . . . I intend to appoint judges who will crack down on criminals, both to make sure that just punishment is given out to deter future crimes. Let's close loopholes that let criminals go free to repeat their offenses, I want to stop hamstringing our police . . . Let's strengthen the laws to protect the victim, not the criminal."<sup>6</sup>

"I have always opposed capital punishment and will continue to do so. My feeling on this issue is based both on my view that capital punishment is not a deterrent to crime and on my personal, moral belief that killing for any reason is wrong."<sup>8</sup>

Favors death penalty for certain violent crimes.<sup>7</sup>

"I have always opposed capital punishment and will continue to do so."<sup>10</sup>

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**HOMOSEXUALITY**

"Sexual orientation should not . . . be cause for denying security clearance or constitute grounds for employment review."<sup>11</sup>  
"We don't prohibit the placing of children in gay and lesbian households and when I was presented with legislation by my legislature to do that, I vetoed it."<sup>12</sup>

"I don't think American society should be asked to accept that homosexuality is a standard which should be held up for acceptance. I just don't believe that, and I'm not going to push for it."<sup>13</sup>

**PORNOGRAPHY**

Dukakis' headquarters refused to make an official statement on this issue.

"We will vigorously enforce Constitutional laws to control obscene materials which degrade women and depict the exploitation of children . . . and will strictly enforce the law regarding cable pornography and the abuse of telephone service for obscene purposes."<sup>14</sup>

**SCHOOL PRAYER**

Dukakis' headquarters refused to make an official statement on this issue.

"As a congressman from Texas (1969), I co-sponsored the 'prayer-in-school amendment.' I favor a voluntary prayer in school as an extension of teaching values. I believe that students should have the right, if they wish, for a momentary reflection, meditation or prayer."<sup>15</sup>

**ACLU**

"I am a card-carrying member of the American Civil Liberties Union."<sup>13</sup>

" . . . I have never joined the ACLU, nor do I have any plans to join the ACLU."<sup>11</sup>

**ECONOMIC ISSUES**

**THE BUDGET**

Dukakis' headquarters refused to make an official statement on this issue.

"I support a Constitutional amendment requiring a balanced budget. I support a line-item veto . . . we must hold the line on taxing and spending."<sup>12</sup>

**TAXES**

"No responsible candidate for president can rule out raising taxes as a last resort."<sup>14</sup>

"I am opposed to tax increases . . . I will not raise taxes, period. I pledge to keep the economic expansion moving . . . by cutting spending, not raising taxes."<sup>13</sup>

**NATIONAL DEFENSE**

**MILITARY PREPAREDNESS**

"Instead of spending \$6 Billion next year for Star Wars and MX, and \$50 Billion over the next 15 years for a midgetman missile we don't need, we should invest in . . . strong, modernized mobile conventional forces that will provide security and deterrence in Europe."<sup>15</sup>

"As President I will not make the mistake our predecessors made of neglecting defense." He favors production of strategic weapons such as the B-1 Bomber, and SDI.<sup>14</sup>

**NICARAGUA**

"The U.S. must end military support of the Contras and throw its support behind the Arias plan."<sup>16</sup>

"We support freedom fighters in this hemisphere who are trying to establish a free and democratic government in Nicaragua—and freedom fighters elsewhere in the world—Afghanistan, Angola . . ."<sup>15</sup>

**SDI**

"Star Wars is an unworkable fantasy which would not make our nation more secure." Recently agreed to spending \$1 Billion on SDI research."<sup>17</sup>

"Successful research on SDI can lead to an effective defense shield, one that lifts from the shoulders of mankind the fear of nuclear annihilation."<sup>14</sup>

For more detailed information regarding the candidates' positions write the Presidential Biblical Scoreboard, P.O. Box 10459, Costa Mesa, CA 92627 or call (714) 545-8905.

**Gov. Michael Dukakis**

1. Town meeting, Newton, Main, 1977.
2. Maine Right to Life News, 1987.
3. Des Moines Register, December 9, 1987.
4. Message to Massachusetts Legislature, 1988.
5. Dukakis Policy Summaries, 1988.
6. Dukakis Policy Summaries, 1988.
7. The Washington Times, March 22, 1988.
8. The Washington Times, March 22, 1988.
9. Dukakis Policy Summaries, 1988.
10. Human Events, May 14, 1988.
11. Human Events, August 2, 1988.
12. Dukakis Policy Summaries, 1988.
13. Policy Summaries, 1988, p.27.
14. Policy Summaries, 1988.
15. Policy Summaries, 1988.

**V.P. George Bush**

1. Conservative Digest, January 1986.
2. Bush response to Biblical Scoreboard '87.
3. Bush policy statement, 1988.
4. Bush policy statement, 1988.
5. Bush policy statement, 1988.
6. Bush policy statement, 1988.
7. Pat Robertson.
8. Los Angeles Times, January 24, 1987.
9. Bush response to Presidential Biblical Scoreboard 1987.
10. Bush policy statement, 1988.
11. UPI, June 25, 1988.
12. Bush response to Presidential Biblical Scoreboard 1987.
13. Bush policy statement, 1988.
14. Bush policy statement, 1988.
15. Conservative Digest, Jan. 1988.
16. Bush response to Presidential Biblical Scoreboard 1987.

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# CAPITAL REPORT



SPECIAL EDITION

by Dr. Tim LaHaye  
(author, minister, lecturer)

## The ACLU: One of the Most Harmful Organizations in America

Ever since it was reported that Governor Michael Dukakis admitted that he "was a card-carrying member of the ACLU,"<sup>1</sup> I have been besieged by the question, "What is the ACLU and what does it stand for?" For over 35 years I have carefully observed the American Civil Liberties Union (ACLU) and have watched it attack almost every traditional value in this country. Years ago I came to believe it was one of the most harmful organizations in the history of America. I am even more convinced of that today.

The ACLU has caused the removal of almost every traditional Judeo-Christian value from our nation's schools and from public life and has contributed to the abortion holocaust, pornography plague, and increase in child molestation.

Some of their legal cases have handcuffed our police until crime is so rampant that our public streets are no longer safe after dark. They have attacked pornography laws until the U.S. has become the porn capital of the world.

Among the 250,000 members of the ACLU, there are nearly 5,000 activist lawyers. It is comprised of 300 local chapters, one in every state of the Union. (Many liberal law firms supply volunteer defense attorneys, who handle approximately 6,000 ACLU cases each year.) No organization has done more to turn the original meaning of the First Amendment upside down!

The Union is well organized and well financed. It has received considerable funding from the Playboy Foundation, along with the Carnegie, Rockefeller, and Ford Foundations. The Playboy Foundation has generously supported the ACLU and provides leadership. Both Burton Joseph, President of the Playboy Foundation, and Christy Hefner, daughter of Playboy founder Hugh Hefner, have served on the Illinois Civil Liberties Union board of directors.<sup>2</sup>

This, of course, is consistent with its long history of fighting laws that oppose pornography. It is safe to say that, had there been no ACLU these past 68 years, America today would be a better and safer place to live. From their own official statements and actions the following facts and policies will tell you what you and your friends need to know about this influential organization.

### The Background of the ACLU

The ACLU was founded in 1920 by Roger Baldwin, "a Communist sympathizer, a self-avowed soldier in the march of socialism."<sup>3</sup>

Although Baldwin himself was never identified as a card-carrying Communist, members of his first board of directors were: Max Eastman was editor of a Communist newspaper, *The Masses*; William Z. Foster later became president of the U.S. Communist Party; and Helen Gurley Flynn was long associated with the *Daily Worker*. Baldwin himself, in his 30th Reunion Harvard Classbook, wrote: "I am for socialism, disarmament, and ultimately for abolishing the state itself as an instrument of violence and compulsion. I seek social ownership of property, the abolition of the propertied class, and sole control by those who produce wealth. Communism is the goal."<sup>4</sup>

The California Senate Fact Finding Committee on un-American Activities stated that "the ACLU may be definitely classified as a Communist front or transmission belt organization."<sup>5</sup> A Special House Investigative Committee has said, "...fully 90% of its efforts are on behalf of Communists who have come into conflict with the law."<sup>6</sup>

During the 40's the ACLU tried to rid itself of the Pro-Communist label and, among other things, ousted Communist board member Helen Gurley Flynn. (However, in 1976 she was "rehabilitated.") It has opposed almost every effort of our government to halt the spread of Communism into other countries—even in our own hemisphere. It has all but eliminated "covert action" as an effective tool against organized crime, making it difficult for agencies of our government to defend against the spread of Communism inside our own country. In some cases they have bound the CIA, FBI, and other agencies with so many legal restrictions they have become almost ineffective in protecting the security of this nation. One of their own members said:

The ACLU opposes, and has fought in either Congress or the courts, virtually all "covert action," most "clandestine intelligence" gathering (i.e. spying), and in one case aid to an important U.S. ally with a poor human rights record. The net effect of these efforts has been to hinder U.S. opposition to Communist expansion. The ACLU may, at some point, have undertaken some major initiative that advanced U.S. interest and hindered Communist

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expansion, but our research never turned one up and no ACLU leader ever mentioned one to us.'

Further indication of the ACLU attitude toward protecting the security and future of America is seen in the following quotes:

"Federal campaign laws that require political parties to disclose the names of their contributors violate constitutional guarantees of privacy and freedom of association, the American Civil Liberties Union charged today." Specifically, the ACLU was siding with the Socialist Workers Party, a Communist organization dedicated to Leon Trotsky. (*New York Times*, 9/12/74)

The ACLU opposes as contrary to democratic liberties any ban or regulation which would prohibit the employment as a teacher of any person solely because of his views or associations, such as Communists or Fascists. (*Academic Freedom and Academic Responsibility*, published by the ACLU, revised 1956)<sup>8</sup>

### Hostile to Christianity

For years the ACLU has used its legal skills to attack religion in general and Christianity in particular. Bill Murray, Madalyn Murray's son who has become a Christian, is quoted as saying it was ACLU lawyers who advised his mother in 1961 to file the suit that ultimately started the snowball of secularization of our public schools—totally opposing 150 years of previous policy. This culminated in the infamous Supreme Court decision of June 17, 1963, that has expelled the recognition of God in school prayer, Bible reading, and ultimately any moral values from the curriculum—because they are based on religion. At a time when children need to hear "just say no!" from their public school teachers the ACLU has so intimidated many of these teachers, they remain silent—and one million teenage unwed girls get pregnant each year.

Even the teaching of history had to be falsified in our public schools to accommodate, in part, ACLU intimidation. Dr. Paul Vitz' exhaustive studies found that nearly 60% of our nations' school textbooks omitted even mentioning the religious roots of America in the study of American history. Even the Great Awakening of 1738, without which many historians believe there would have been no Declaration of Independence or Revolutionary War, has been omitted. That is either academic deception or ACLU intimidation.

### Influenced by Intimidation

All across the country, school principals are intimidated by ACLU lawyers, or the threat of their appearance, into excluding any mention of Christmas or the religious nature of the holiday during the Christmas celebrations.

A measure of their hostility is seen in a newspaper report:

The display in public schools of Christmas cribs, nativity scenes or other religious holiday symbols violates the constitutional separation of

church and state, the American Civil Liberties Union says. (*Chicago Sun-Times*, 12/8/71.)<sup>9</sup>

The Illinois division of the ACLU admitted:

We believe that the attention given to Christmas in the public schools has often gone beyond what is legal and proper under our Constitution and system of government...The celebration of Christmas as a religious holiday obviously has no place in the Illinois public school. (*Policy Statement on Christmas in The Public Schools*, issued by Illinois Division, ACLU.)<sup>10</sup>

### Christmas Losing to ACLU

Richard and Susan Vigilante, both members of the ACLU, who think it has gone way too far wrote:

If the ACLU is not hostile to religion, the objective effect of its efforts has been to reduce the place of religion in American life and to restrict religious speech in a way the ACLU would never allow other forms of speech to be restricted. And on occasion the ACLU's scrupulous pursuit of the separation of church and state has led it to the point of the absurd.

A perfect example is the ACLU's view of Christmas celebrations. Most cities and towns in the United States give Christmas some kind of public nod—wreaths on office buildings, fir trees strewn with colored lights, city sidewalks dressed in holiday style, silver bells, and so on. But the ACLU is constantly vigilant lest these holiday celebrations violate the establishment clause. In 1981 the Rhode Island affiliate of the ACLU sued the City of Pawtucket to stop the display of a creche of the Christmas nativity scene. The ACLU lost the case this spring, when the U.S. Supreme Court ruled that portraying a historical event does not constitute an establishment of religion. In 1979 the ACLU sued the public schools of Sioux Falls, Iowa, to stop the singing of "Silent Night" at the annual Christmas assemblies.

The ACLU is relentless even outside the Christmas season.

In Minnesota the organization sued a high school to force it to cancel plans to have a prayer recited at its graduation ceremonies. (The school backed down, as do many potential defendants faced with ACLU lawyers.) In April 1982 the superintendent of a school district in Spanaway, Washington, was lectured, if not threatened, by the local ACLU chapter for permitting a high school to put on *Jesus Christ, Superstar* as its spring play. The ACLU president informed him that Bethel High School was "engaging in religious instruction," and that "further violations of this kind may result in more direct and more drastic action by the ACLU."<sup>11</sup>

### They Do Not Hate Only Protestants

Patrick Buchanan, a highly respected conservative columnist wrote, "In recent decades the Supreme Court, responding to ACLU lawsuits, has turned our First Amendment upside down."<sup>12</sup>

While the ACLU protests that it only seeks to keep church and state separate, its track record is that of an organization steeped in anti-religious

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bigotry and motivated by an implacable hostility to Christianity in general and Catholicism in particular. As William Donohue of the Heritage Foundation writes in the January issue of *Crisis*, the "Anti-Catholic Liberties Union" has lately sought to:

- A. Deny tax-exempt status to all churches and synagogues;
- B. Terminate all military and prison chaplains;
- C. Deny parochial school children access to publicly funded counselors;
- D. Eliminate Nativity scenes from public property;
- E. Repeal all blue law statutes;
- F. Halt government funding of religious foster-care programs;
- G. Prohibit Bible reading in public schools even after school hours;
- H. Prevent the singing of "Silent Night", and posting of the Ten Commandments in public school classrooms;
- I. End the practice of allowing public school children to leave class to attend religious services;
- J. Halt public funding of buses for Catholic school children;
- K. Terminate all voucher programs and tuition tax credits;
- L. Prohibit census questions about religious affiliation;
- M. Purge the words "In God We Trust" from our coins and "under God" from our Pledge of Allegiance.

That is not a record of tolerance. While the ACLU contends its lawsuits... are simply upholding the First Amendment prohibition regarding an "establishment of religion," their effect has been to confine and constrict the "free exercise" of religion, as guaranteed by that amendment.

Clearly, the ACLU's purpose is nothing less than the de-Christianization of the United States.<sup>13</sup>

Unless an army of Christian activist attorneys is mobilized to oppose these ACLU secularizers every time they try to use our courts to remove all vestiges of God, moral values and religious freedom, this nation's public policy will be as secular as the Soviet Union by the year 2000.

### Three Major Criticisms of the ACLU

1. That many members of the organization are anti-religious, with some carrying their hostility toward conservative religious denominations to the point of bigotry; and that the organization itself has sought to intimidate or penalize the exercise of religious belief;

2. That in the sphere of social conduct the ACLU has gone beyond advocating tolerance and now works to actively undermine traditional moral standards;

3. That in its foreign-policy cases the ACLU has consistently worked to hamper U.S. efforts to contain Communism.<sup>14</sup>

## The ACLU Assault on Morality

The ACLU's lawsuits which have weakened our laws against immoral acts are legendary. Consider some of the following...

**ABORTION:** For more than a decade, the American Civil Liberties Union Foundation has been the leading legal advocate of the right to obtain safe and legal abortions and the only organization litigating nationwide to fight restrictive abortion statutes and defending against other threats to reproductive rights. (*Abortion: A Fundamental Right Under-Attack*, published by the ACLU Foundation, 1981)

The American Civil Liberties Union began distributing an abortion law guidebook to nearly 17,000 obstetricians and gynecologists Friday. (*Chicago Sun-Times*, 4/16/75)

Something new has hit the auction block in America. On a recent Sunday afternoon in New Orleans, it went to the highest bidder. For \$30 and the slam of the auctioneer's gavel, they sold an abortion. The abortion was sold by the American Civil Liberties Union at their "Adventure Auction," an annual event to raise money for the ACLU's Louisiana chapter. (*Chicago Tribune*, 6/22/77)<sup>15</sup>

**SODOMY:** Twenty-four states still have sodomy laws, which criminalize certain sexual acts, even by consenting adults in private. Except in two states, these laws also apply to heterosexuals, but enforcement is virtually limited to gay males. The ACLU, which helped get the laws thrown out elsewhere, is continuing to challenge the sodomy statutes in the remaining states. (*Civil Liberties in Reagan's America*, published by ACLU, 1982)<sup>16</sup>

**PROSTITUTION:** A Nevada house of prostitution will be investigated for allegedly refusing to accept black customers, the executive director of the Nevada Equal Rights Commission said Tuesday. The action was initiated because a black resident of Tucson, Arizona, filed a complaint with the ACLU. (*Miami Herald*, 2/16/72)<sup>17</sup>

The greatest plague in the United States today is not AIDS, it is pornography. It has destroyed more lives, marriages, and families, brought more grief to children and caused a catastrophic increase in child molestation more than any other single entity. Government reports indicate that one out of every four girls has been molested by the time she reaches 18 years of age. In most cases, print or video porn are the culprits and the current permissive laws on pornography can be laid at the door of the ACLU.

Ann Hibbard wrote in the March issue of *Focus on the Family Citizen*:

It is not normally reported that the ACLU stands alone in its defense of child pornography.

The ACLU's 1987 Policy Guide states that "...all limitations of obscenity, pornography, or indecency are unconstitutional." It concedes that "much expression may indeed have a

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harmful impact on some." Nonetheless, it concludes that "this is no reason to sacrifice the First Amendment."

The ACLU's defense of pornography extends so far as to defend the production and distribution of materials "even when some of the producers of these materials are punishable under criminal law." In other words, the ACLU believes the photographing of illegal acts such as child abuse, molestation, or murder, is protected under the free speech clause of the First Amendment.

This is the official policy of the national chapter of the American Civil Liberties Union, a position which ACLU lawyers argued at length before the Attorney General's Commission on Pornography.

The standard ACLU defense for child pornography is that although the acts which are portrayed may be illegal or harmful, the taking of pictures is protected under the Constitution. And once these pictures are taken, freedom of speech demands that they be distributed without restriction. The authorities should go after (and already have the legal means to go after) those who commit the crimes against the children, not those who film, distribute or sell the pornography, they say.<sup>18</sup>

#### ACLU Policy Guide: 1987

Dr. William A. Donohue, author of *The Politics of the ACLU*, is a scholar at the Heritage foundation. He has studied the official *ACLU Policy Guide* and their own writings show them militantly opposed to the following laws, limiting pornography, film classifications for movies (G, PG, X, etc.), curtailing the use of drugs including "crack", curfews for juveniles, or restrictions on prostitutes. On the other hand, they oppose laws that permit school officials to search high school students' lockers for drugs, or police to give sobriety tests to drunken drivers, or allowing tax deductions for churches and synagogues, or tuition tax credits or vouchers so parents can choose the school for their children, and they want the words "under God" taken out of our national pledge of allegiance.

These are only some of the society-changing values the ACLU wants to impose in their attempt to change America into a secularistic state. And now they have become so strong and influential (together with a media that shares many of their goals and values, which is why they get so much good press), they know the opposition is so weak and disorganized that they have published all 270 of their proposed issues for the future in their official policy guide. You would probably oppose every one of them!

#### It is Time to Pray!

It is clear that in the next decade, the ACLU and other secularizers of our society will launch the greatest attack on religious freedom, Christianity, traditional moral values, and parental rights in American history. If we sit idly back, they will use our courts against us, as well as our families and our churches, and strip from us the freedoms our founding fathers tried to guarantee us in the U.S. Constitution.

We need to pray that God will raise up an army of 25,000 or more Christian activist lawyers who will aggressively use their professional skills in our courts and legal system to defend all individuals and causes against these unwarranted attacks by the ACLU and other secularizers, who seem bent on destroying the religiously based values of our nation. For 68 years only one side has been fighting—the ACLU. During the past decade a handful of Christian attorneys have begun to oppose them and have enjoyed some significant victories. We now need that handful to increase a thousandfold in defense of historic Judeo-Christian values.

#### What You Can Do

1) Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly to the Presidency, from which Supreme Court Judges and approximately 200 other Federal Court Judges are appointed.

2) Give this ACLU exposé to all the Christian attorneys you know and urge them, if they are interested in learning more about an aggressive Christian army of lawyers to defend religious freedom under the Constitution, to write to...

Dr. Tim LaHaye  
122 C Street, N.W.  
Suite 850  
Washington, D.C. 20001

1. Donohue, William A. "Where does the ACLU Stand on the Issues?" *Human Events Magazine*, Vol. XLVIII, No. 29, July 16, 1988, p. 1
2. Hibbard, Ann "The Unbelievable Beliefs of the ACLU," *Focus on the Family Citizen Magazine*, Vol. 2, No. 3, March 1988, p. 3
3. Vigilante, Richard & Susan. "Taking Liberties: The ACLU Strays from its Mission," *Policy Review*, No. 30, Fall 1984, p. 34
4. Vigilante, p. 34
5. Vigilante, p.34
6. Vigilante, p. 34
7. Vigilante, p. 35
8. Rowe, Ed. "The ACLU and America's Freedoms," *Southern Baptist Advocate*, March 1985, p. 14
9. Doner, Colonel V. "The American Civil Liberties Union (ACLU) or the Anti-Christ Lawsuit Union (ACLU)," (*A special report from the American Christian Voice Foundation*), 1987
10. Doner.
11. Vigilante, p. 28-29
12. "Only Secular Birds and Bees Need Apply," Buchanan, Patrick. *AFA Journal*, May 1988, p. 11
13. Buchanan, Patrick. May 1988, p. 11
14. Vigilante, p. 28
15. Rowe, pp. 13-14
16. Rowe, p. 14
17. Rowe, p. 14
18. Hibbard, p. 1

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 3, 1988

SPECIAL DELIVERY

Mr. Robert Uhl Lawson  
Cumberland Baptist Church  
5600 Western Avenue  
Knoxville, TN 37921

RE: MUR 2761

Dear Mr. Lawson:

This letter acknowledges receipt on November 2, 1988, of your complaint against Hollie Miller, Dr. Tim LaHaye, the Sevier Heights Baptist Church, and the Presidential Biblical Scorecard, alleging violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 24 hours. You will be notified as soon as the Commission takes final action on your complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. Sections 437g(a)(4), (6) and 437g(a)(5)(A) unless the respondents notify the Commission in writing that they wish the matter to be made public.

Sincerely,

Lawrence M. Noble  
General Counsel

By: Lois G. Lerner  
Associate General Counsel

Enclosure  
Proceduras

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 3, 1988

SPECIAL DELIVERY

Presidential Biblical  
Scorecard  
PO Box 10459  
Costa Mesa, CA 92627

RE: MUR 2761  
Presidential Biblical  
Scorecard

Gentlemen:

This letter is to notify you that on November 2, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2761. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact Robert Raich at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner

Associate General Counsel

Enclosures  
Complaint  
Procedures  
Envelope  
Form

92040894212



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C., 20463

November 3, 1988

SPECIAL DELIVERY

Sevier Heights Baptist Church  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Sevier Heights Baptist Church

Gentlemen:

This letter is to notify you that on November 2, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2761. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

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This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact Robert Raich at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner

Associate General Counsel

Enclosures  
Complaint  
Procedures  
Envelope  
Form

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 3, 1988

SPECIAL DELIVERY

Dr. Tim LaHaye  
122 C Street, NW  
Suite 850  
Washington, DC 20001

RE: MUR 2761  
Dr. Tim LaHaye

Dear Dr. LaHaye:

This letter is to notify you that on November 2, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2761. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

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This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

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

If you have any questions, please contact Robert Raich at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner *LGL*

Associate General Counsel

Enclosures  
Complaint  
Procedures  
Envelope  
Form

92040894216



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 3, 1988

SPECIAL DELIVERY

Hollie Miller, Pastor  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Holly Miller

Dear Pastor Miller:

This letter is to notify you that on November 2, 1988, the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2761. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. You are encouraged to respond to this notification promptly. In order to facilitate an expeditious response, we have enclosed a pre-addressed, postage paid, special delivery envelope. If no response is received within 15 days, the Commission may take further action based on the available information.

The complaint may be dismissed by the Commission prior to the receipt of your response if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, you will be notified by overnight express mail.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 unless you notify the Commission in writing that you wish the matter to be made public.

92040894217

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

If you have any questions, please contact Robert Raich at (202) 178-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner

Associate General Counsel

Enclosures  
Complaint  
Procedures  
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Form

92040894218

FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, D.C. 20463

88 NOV -3 PM 3:34

**EXPEDITED FIRST GENERAL COUNSEL'S REPORT**

**SENSITIVE**

MUR: 2761  
STAFF MEMBER: R. Raich

COMPLAINANT: Robert Uhl Lawson  
RESPONDENTS: Sevier Heights Baptist Church  
Hollie Miller  
Presidential Biblical Scorecard  
Tim LaHaye

**SUMMARY OF ALLEGATIONS**

The complaint concerns a letter with enclosures sent to the complainant by Hollie Miller, Pastor of Sevier Heights Baptist Church. Although the complainant's concern is that the letter may be a violation of constitutional rights concerning the separation of church and state, the letter and enclosures do suggest potential violations of an Act within the Commission's jurisdiction.

The letter, dated October 26, 1988, is on church stationery and states, "I'm sure you have received an abundance of material concerning the issues of the Presidential election, November 8th. However, some of the people in our own congregations are still uninformed concerning the critical nature of this election." The letter accompanies two enclosures. The first is a "CAPITAL REPORT . . . 1988 Presidential Position Report," which purports to describe the positions of two clearly identified presidential candidates and urges readers to write Presidential Biblical Scorecard for more information. The second enclosure is "CAPITAL REPORT . . . The ACLU: One of the Most Harmful Organizations in America" by Dr. Tim LaHaye. It states, "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU,' . . . . Years ago I came to believe it was one of the most

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harmful organizations in the history of America. I am even more convinced of that today." In a "What You Can Do" section, the enclosure exhorts readers to "Pray . . . that the right people will be elected to public office, particularly the Presidency . . . ."

The connection between Presidential Biblical Scorecard and Tim LaHaye is unclear. Moreover, it is unknown how much any of the respondents spent producing and distributing the materials. Neither the letter nor either of the enclosures contains a disclaimer.

#### PRELIMINARY LEGAL ANALYSIS

##### A. The Law

Every person who makes independent expenditures aggregating in excess of \$250 must report that activity to the Commission. 2 U.S.C. § 434(c). Whenever any person makes an expenditure for the purpose of financing a direct mail communication expressly advocating the election or defeat of a clearly identified candidate, that communication must include a disclaimer. 2 U.S.C. § 441d(a). Context is relevant to a determination of express advocacy. FEC v. Furgatch, 807 F.2d 857 (9th Cir. 1987), cert. denied, \_\_\_ U.S. \_\_\_ (1987). To be express advocacy under the Act, speech must, when read as a whole and with reference to external events, be susceptible of no other reasonable interpretation but an exhortation to vote for or against a specific candidate. Id.

The term "political committee" means any group of persons that makes expenditures aggregating in excess of \$1,000.

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2 U.S.C. § 431(4)(A). Each committee must file a Statement of Organization within ten days after becoming a political committee. 2 U.S.C. § 433(a). Each political committee must file reports of receipts and disbursements. 2 U.S.C. § 434(a).

B. Application of the Law

The respondents may have violated 2 U.S.C. § 441d(a) by failing to include disclaimers on the communications.

If the costs of the communications exceeded \$250, the respondents may have violated 2 U.S.C. § 434(c) by failing to report those costs as independent expenditures.

If the costs of the communications exceeded \$1,000, the respondents may have violated 2 U.S.C. §§ 433(a) and 434(a) by failing to register and report as political committees.

Accordingly, the respondents must be given an opportunity to respond to the factual allegations before this Office makes recommendations in this matter.

Lawrence M. Noble  
General Counsel

11-3-88  
Date

BY: Lois G. Lerner  
Lois G. Lerner  
Associate General Counsel

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: *MW* MARJORIE W. EMMONS/JOSHUA MCFADDEE *JM*

DATE: NOVEMBER 4, 1988

SUBJECT: MUR 2761  
FIRST GENERAL COUNSEL'S REPORT  
SIGNED NOVEMBER 3, 1988

The above-captioned report was received in the Secretariat at 3:34 p.m. on Thursday, November 3, 1988 and circulated to the Commission on an expedited no-objection basis at 4:00 p.m. on Thursday, November 3, 1988.

There were no objections to the report.

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OGC#1029

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

Sevier Heights Baptist Church

Hollie Miller, Pastor

88 NOV 14 PM 1:50

3706 Sevier Heights Rd. • Knoxville, TN 37920 • 615-577-4222

November 8, 1988

Ms. Lois G. Lerner  
Associate General Counsel  
Federal Election Commission  
999 E. Street, N.W.  
Washington, D.C. 20463

88 NOV 14 PM 4:38

RECEIVED  
FEDERAL ELECTION COMMISSION

Dear Ms. Lerner:

Thank you for your letter of notification regarding a complaint against me, numbered MUR2761. In response to the complaint, I believe the evidence submitted by the plaintiff will show that no law has been violated. The letter I sent to the pastor was simply an attempt to encourage a fellow minister to keep his congregation informed on the national issues of our day. It was a letter to him, not to his congregation, as the evidence clearly shows. I am certainly not aware of any law against one minister offering personal encouragement to another.

Sincerely,

Hollie Miller

HM/jsg

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DGC 1165

# Biblical NEWS Service

PRESIDENTIAL BIBLICAL SCOREBOARD • CANDIDATES BIBLICAL SCOREBOARD  
FAMILY PROTECTION SCOREBOARD

November 18, 1988

Miss Lois G. Lerner  
Associate General Counsel  
FEDERAL ELECTION COMMISSION  
999 "E" Street, N.W.  
Washington, DC 20463

Dear Miss Lerner:

I'm in receipt of your November 3, 1988 letter referring to our Presidential Biblical Scoreboard -- MUR 2761.

Regarding our answer to this complaint, we state the following:

- o The Presidential Biblical Scoreboard (PBS) mentioned in MUR 2761 is a regularly published magazine since 1980. Since when does the FEC get involved in freedom of the press issues?
- o The material submitted by Rev. Lawson is not the Presidential Biblical Scoreboard but rather a publication by Dr. Tim LaHaye sent to his newsletter subscriber list. One must ask, does a comparison of candidates for public office violate election laws?
- o The PBS is merely footnoted in Dr. LaHaye's newsletter, as well as recommended to his readers wishing "detailed information regarding the candidates' positions." Has Rev. Lawson also filed complaints against the other mentioned publications -- Des Moines Register, Washington Times, Human Events, Conservative Digest, Los Angeles Times, United Press International, etc.?

I hope this letter provides the necessary answers to resolve this complaint. If I can be of further help, do not hesitate to contact me.

Sincerely,

*David W. Balsiger*  
*by Rolayne Betzold*

David W. Balsiger  
PRESIDENTIAL BIBLICAL SCOREBOARD  
Publisher

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**STATEMENT OF DESIGNATION OF COUNSEL**

**MUR** 2761

**NAME OF COUNSEL:** ALAN DYER

**ADDRESS:** Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, NW, #1000  
Washington, D.C. 20006

**TELEPHONE:** 202-785-9500

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.

November 30, 1988  
**Date**

  
**Signature**

**RESPONDENT'S NAME:** Dr. Tim LaHaye

**ADDRESS:** 370 L'Enfant Promenade, S.W.  
Suite 801  
Washington, D.C.

**HOME PHONE:** \_\_\_\_\_

**BUSINESS PHONE:** 202-783-1377

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LAW OFFICES  
WEBSTER, CHAMBERLAIN & BEAN

1747 PENNSYLVANIA AVENUE, N.W.

WASHINGTON, D. C. 20006

(202) 785-9500

FAX: (202) 835-0243

GEORGE D. WEBSTER  
J. COLEMAN BEAN  
ARTHUR L. HEROLD  
ALAN P. DYE  
BURKETT VAN KIRK  
C. MICHAEL DEESE  
FRANK M. NORTHAM  
GERARD P. PANARO  
JOHN W. HAZARD, JR.  
CHARLES M. WATKINS  
ROBERT M. SKELTON  
HUGH K. WEBSTER  
ANNE B. POPE

OF COUNSEL  
CHARLES E. CHAMBERLAIN  
CONSULTANT  
A. L. SINGLETON

December 2, 1988

BY HAND

Robert Raich, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2761

Dear Mr. Raich:

This is to confirm my November 23, 1988, request for a 20-day extension of time to respond to the allegations contained in your November 3, 1988 letter to Dr. Tim LaHaye. As I told you in our initial conversation, Dr. LaHaye's address is no longer 122 C Street, N.W., and he received the Complaint on November 13. A 20-day extension would require a response on December 19.

Very truly yours,



Alan P. Dye

APD/bkd

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FEDERAL ELECTION COMMISSION  
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88 DEC -2 PM 1:43



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 6, 1988

Alan P. Dye, Esquire  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 2761  
Tim LaHaye

Dear Mr. Dye:

This is in response to your letter dated December 2, 1988, requesting an extension until December 19 to respond to the complaint in this matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on December 19, 1988.

If you have any questions, please contact Robert Raich, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

92040894227

rlm

FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, D.C. 20463

88 DEC 15 AM 11:53

FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

MUR #: 2761  
DATE COMPLAINT RECEIVED  
BY OGC: 11/2/88  
DATE OF NOTIFICATION TO  
RESPONDENTS: 11/3/88  
STAFF MEMBER: R. Raich

COMPLAINANT: Robert Uhl Lawson  
  
RESPONDENTS: Sevier Heights Baptist Church  
Hollie Miller  
Presidential Biblical Scorecard  
Tim LaHaye

RELEVANT STATUTES: 2 U.S.C. § 441d(a)  
2 U.S.C. § 434(c)  
2 U.S.C. § 433(a)  
2 U.S.C. § 434(a)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

As the attached letters indicate, one of the respondents has requested and received an extension of time until December 19, 1988 to respond to the complaint in this matter. After receiving that response, this Office will prepare a report with recommendations to the Commission.

Lawrence M. Noble  
General Counsel

12/14/88  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

- I. Request for Extension
- II. Letter Granting Extension

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FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: *for* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: DECEMBER 16, 1988

SUBJECT: MUR 2761  
FIRST GENERAL COUNSEL'S REPORT  
SIGNED DECEMBER 14, 1988

The above-captioned report was received in the Secretariat at 11:53 a.m. on Thursday, December 15, 1988 and circulated to the Commission on a 24-hour no-objection basis at 4:00 p.m. on Thursday, December 15, 1988.

There were no objections to the report.

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LAW OFFICES  
WEBSTER, CHAMBERLAIN & BEAN  
1747 PENNSYLVANIA AVENUE, N.W.  
WASHINGTON, D. C. 20006

GEORGE B. WEBSTER  
J. COLEMAN BEAN  
ARTHUR L. HEROLD  
ALAN P. DYE  
BURKETT VAN KIRK  
C. MICHAEL DEESE  
FRANK M. NORTHAM  
GERARD P. PANARO  
JOHN W. HAZARD, JR.  
CHARLES M. WATKINS  
ROBERT M. SKELTON  
HUGH K. WEBSTER  
ANNE B. POPE

(202) 785-9500  
FAX: (202) 835-0243

OF COUNSEL  
CHARLES E. CHAMBERLAIN  
CONSULTANT  
A. L. SINGLETON

December 19, 1988

Robert Raich, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2761  
Dr. Timothy F. LaHaye

Dear Mr. Raich:

I write on behalf of Dr. Timothy F. LaHaye, President of Family Life Seminars, and in response to the Federal Election Commission's ("FEC") November 3, 1988 letter notifying Dr. LaHaye that a complaint had been filed regarding certain of his activities. Though the complaint failed to identify what provisions of the Federal Election Campaign Act had allegedly been violated, in a telephone conversation on December 8, 1988, you represented to us that the FEC is concerned that a newsletter entitled "Capital Report" and discussing the American Civil Liberties Union ("ACLU") might constitute "express advocacy of the election or defeat of a candidate", and that the cost of the Report may represent an in-kind contribution to the campaign of Vice President George Bush or an unreported independent expenditure on his behalf. This response is submitted based on these representations.

The Report does not expressly advocate the election or defeat of a candidate.

In order to be considered express advocacy, words must constitute "an exhortation to vote for or against a specific candidate". Federal Election Commission v. Furgatch, 807 F.2d 857, 864 (9th Cir. 1987). The words in the Report that you identify as possibly constituting such an exhortation are the following:

Pray for those in authority and that the right people will be elected to public office, particularly to the Presidency, from which Supreme Court Judges and approximately 200 Federal Court Judges are appointed.

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WEBSTER, CHAMBERLAIN & BEAN

Robert Raich, Esq.  
December 19, 1988  
Page Two

To appreciate why these words are not an exhortation to vote for or against a specific candidate, two facts must be understood. First, the Capital Report in question is a discussion and criticism of the ACLU's attack on Christianity and religion in general with one major theme: the ACLU advances its agenda through the use of a well-financed cadre of activist lawyers. The ACLU, according to the Report, achieves its anti-Christian and anti-religious purposes in the courtroom, both by challenging state and federal laws and by challenging certain governmental and individual conduct to which it is opposed. The second fact which must be understood is that the Report was intended for and distributed to conservative, fundamentalist Christians whose sincerely-held religious belief is that all things can be accomplished through prayer.

It is only in light of these facts that the words in question can be properly analyzed. It is important in this regard to consider the Report as a whole, rather than isolating words or phrases and construing them independently. Furgatch, 807 F.2d at 857. Governor Dukakis' name is mentioned in the first sentence of the Report only because certain of his statements raised questions about the ACLU, and make the ACLU a current subject of interest, but the Report itself is solely about the ACLU and how it attains its goals through the courts. Governor Dukakis' candidacy and party affiliation are never referred to, nor is there any directive, explicit or implied, to vote against him or for another candidate. The reference to the Presidency is made in the context of challenging the ACLU within the court system, not with regard to the election or defeat of a specific candidate.

Indeed, the only "exhortation" in the Report is for prayer. Readers of the Report are urged to pray, not to vote for or against any candidate. This directive is not a hollow one, nor is it simply some sort of "disguised" command to vote. For those reading the Report, prayer is the primary and necessary means of obtaining one's objectives in life. This is not a situation, therefore, such as that in Furgatch, where the only action that the defendant could reasonably have been urging was to vote against a candidate.

The Report is a periodical.

Even if the Report in question were deemed to be express advocacy, however, it would not constitute an impermissible

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Robert Raich, Esq.  
December 19, 1988  
Page Three

expenditure, because the Capital Report is a periodical publication exempted from the FECA prohibitions by 2 U.S.C. §431(9)(B)(i). This provision reads as follows:

The term "expenditure" does not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine, or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate.

That a newsletter can qualify for this so-called news exemption is clear. Federal Election Commission v. Phillips Publishing Co., 517 F.Supp. 1308, 1313 (D.D.C. 1981). Family Life Seminars has published the Capital Report newsletter on a regular monthly basis since 1986. It is a legitimate, bona fide Christian news publication sent to the supporters of the ministry who contribute at least \$25.00 per year. In other words, the Capital Report is "a publication in bound pamphlet form appearing at regular intervals ... and containing articles of news, information, opinion ... of ... specialized interest which ordinarily derive their revenue from subscriptions ...," Advisory Opinion 1980-109, and is therefore a periodical publication pursuant to 2 U.S.C. §431(9)(B)(i).

Additionally, even though the Capital Report in question is labelled a "special edition", unlike the special edition in Federal Election Commission v. Massachusetts Citizens For Life, 479 U.S. 238 (1986), this Capital Report was prepared through the same facilities and by the same individuals as the regular newsletter, was distributed only to subscribers, and is identified as a Capital Report newsletter prepared by Dr. Timothy F. LaHaye. Other editions of the Capital Report newsletter are enclosed for comparison.

Finally, neither Family Life Seminars nor the Capital Report are owned or controlled by any political party, political committee, or candidate (Affidavit of Dr. Timothy F. LaHaye).

Family Life Seminars is not a business corporation.

Family Life Seminars is not subject to the corporate expenditure restrictions of the FECA because of the exemption to that

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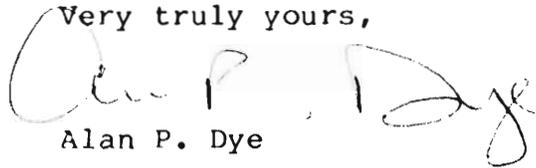
Robert Raich, Esq.  
December 19, 1988  
Page Four

statute set forth in the MCFL case. In that case, the U.S. Supreme Court held that 2 U.S.C. 441b is not applicable to an organization that has the following characteristics: (1) it was formed for the express purpose of promoting political ideas and cannot engage in business activities; (2) it has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; (3) and it was not established by a business corporation or a labor union, and it is not its policy not to accept contributions from such entities. MCFL, 479 U.S. at 261. Family Life Seminars was formed to promote and express certain fundamentalist Christian ideas, and its supporters, contributors, and Capital Report subscribers are fully aware of and support the promotion and expression of these ideas. Therefore, the concern expressed in MCFL that an organization may be expending funds in a way of which financial contributors are unaware is not present. In addition, as the enclosed affidavit of Dr. Timothy F. LaHaye establishes, there are no shareholders or similar persons in the corporation, it was not established by a business corporation or a labor union, and it does not accept contributions from such entities.

The Report was not coordinated with a candidate.

Regarding your concern that the Capital Report may constitute an in-kind contribution, in fact the Report was prepared and distributed wholly independent of, and absent contact or consultation of any kind with, the George Bush-Dan Quayle campaign or any other campaign (Affidavit of Dr. Timothy F. LaHaye).

We hope that this letter adequately responds to the complaint. If you need any further information, please let me know.

Very truly yours,  
  
Alan P. Dye

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January 5, 1989

BY HAND

Richard Raich, Esquire  
Federal Election Commission  
Office of the General Counsel  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2761

Dear Mr. Raich:

Attached is the affidavit which should have been attached to the letter which we sent you last week. In addition, I have attached copies of recent Capital Reports along with drafts of a forthcoming Report.

If we may be of additional assistance, please do not hesitate to call.

Very truly yours,

*Alan P. Dye*  
Alan P. Dye

APD:pw  
Attachment

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FEDERAL ELECTION COMMISSION  
JAN 9 11:41 AM '89

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AFFIDAVIT

Having been duly sworn, DR. TIMOTHY F. LAHAYE states as follows:

1. I have personal knowledge of all matters referred to in this affidavit.

2. I am, and at all relevant times have been, President of Family Life Seminars.

3. Family Life Seminars has published the Capital Report, a Christian newsletter, on a regularly monthly basis since 1986.

4. The Capital Report is sent to supporters of Family Life Seminars who contribute at least \$25.00 per year.

5. The edition of the Capital Report concerning the American Civil Liberties Union ("ACLU") was not intended to expressly advocate the election or defeat of a specific candidate.

6. The edition of the Capital Report concerning the ACLU was prepared through the same facilities and by the same individuals as the regular Capital Report newsletters, was distributed only to subscribers, and is identified as a Capital Report newsletter prepared by Dr. Timothy F. LaHaye.

7. Neither Family Life Seminars nor the Capital Report are owned or controlled by any political party, political committee, or candidate.

8. Family Life Seminars has no shareholders or similar persons in the corporation, was not established by a business corporation or a labor union, and does not accept contributions from such entities.

9. The edition of the Capital Report concerning the ACLU was prepared and distributed wholly independent of, and absent contact or consultation of any kind with, the George Bush - Dan Quayle campaign or any other campaign.

  
Dr. Timothy F. LaHaye

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SENATOR ARMSTRONG WANTS TO GET THE FEDERAL GOVERNMENT  
OUT OF THE PORNOGRAPHY BUSINESS

by Dr. Tim LaHaye

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Last year President Reagan declared war on pornography, largely because of the harmful effect it was having on children, who are often the victims of emotional and physical abuse by sexually surcharged porn readers. While his Pornography Commission of 1986 did indeed prove that porn is not a "victimless crime, there is yet something the outgoing President can still do to inflict a mortal wound to the pornographers.

Senator William Armstrong has asked Mr. Reagan to issue an executive order before he leaves office, forbidding the sale of porn magazines at bookstores on government property. He calls to the President's attention that "the nation's largest single purveyor of pornographic magazines is the federal government itself. At military bases and other federal facilities, thousands of book shops and magazine vendors sell sexually explicit periodicals and photographs."

Senator Armstrong is fully cognizant of the rights of a free press under the First Amendment. What he objects to is government-paid employees being used to sell pornography. Not only does it incite law-breaking and the violation of children, but it is a misuse of taxpayers' dollars. It is not fair that

taxes are taken from citizens who oppose pornography and then used to subsidize the sale of such publications on government-owned facilities and with wages paid for by the taxpayers.

As he said, such an executive order would "get Uncle Sam out of the business of selling questionable materials." And I would add that such an order could be the final nail driven into the coffin of the pornography business. They are already in financial trouble because they lost over 10,000 retail outlets nationwide, as a result of the protests of Christians and other moral minded citizens. Therefore, the loss of their number one distributor of this sleaze could drive them out of business--much to the good of the country.

President Reagan seems to be very interested in assuring his place in history during the last days he has in the Oval Office. Putting a spike through the heart of the pornography industry while protecting our service men and their families from the harmful influence of pornographic literature would seem to be one positive way of doing so. It would also put a high-morality action cap on his administration--one that it is unlikely that George Bush would remove. From Washington, DC, I'm Tim LaHaye and that's the way I see it.

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SOME GOOD NEWS ABOUT PORNOGRAPHY CONVICTIONS.

TEASE

Next to Abortion, the ugliest business in America is pornography. Much of it is done in open defiance of law enforcement.

Thanks to Attorney General Ed Meese, positive steps are being taken to correct that.

Within the past two months numerous indictments have been sought, shops closed and suspected porno dealers have been hauled into court. If found guilty, some of these people will spend the rest of their natural lives in prison where they belong.

After two years of investigation, using crack agents of the FBI, the Justice Department is getting serious about halting this runaway traffic in human life. This makes the seating of the next Supreme Court Justice even more important. As the "swing vote," how he will go on pornography cases is vital. I still think President Reagans greatest legacy to future generations is his judicial appointments...it will be interesting to see how they stand on Pornography cases.

More about this in one minute.

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Have you ever wondered why the liberals hate Attorney General Ed Meese, and continually try to discredit him? There are two reasons, he is the last of the original Reganauts left in the administration, and because he is doing something positive to rid this nation of its awful pornography scourge.

In early October his department brought in a secret indictment against the nation's top pornography distributor in a dramatic news conference at the FBI. Using the RICO Act, which Mr. Meese says he intends to use as "a major Weapon" in his department's ongoing offensive against obscenity and organized crime, he is offering the most effective campaign on porn since the Supreme Court open the floodgates with its wrong headed and permissive ruling on Ginsburg in 1972.

Rob Showers, a dedicated young U.S. Attorney, has been working on this issue for some time and was one of the principles in the indictment of Rueben Sturman of Cleveland and Los Angeles, along with four others. The accused co-conspirators are accused of "conducting an illegal enterprise which ...involves transporting obscene material through interstate commerce." This pornography ring is said to gross "\$150,000 per week " through its retail outlets in bookstores throughout the country.

If the indictments stand, the thing that makes it effective to use the RICO statue is that law enforcement is permitted to seize all the bookstore's stock. With most small bookstores that inventory is the sum total of their assets, and consequently most

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will be driven out of business. It couldn't happen to meaner people. If convicted, each defendant will face a maximum of 55 years imprisonment and fined in excess of \$2 million dollars.

It seems the Justice Department has a whole team of young and aggressive attorneys assigned to this unit who have over 100 such indictments they plan to initiate as time permits.

But you can expect these cases to drag through the courts and cost millions of dollars to taxpayers for prosecuting these indictments, but also to the pornographers for their defense. In the mean time their nefarious work will be somewhat impeded.

One thing we learned from the pornography commissions report--there are at least 28 major mafia owned pornographers in this country. Thanks to Ed Meese, some of them may soon be out of business.

From Washington, DC, I'm Tim LaHaye, and that's the way I see it.

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# CAPITAL REPORT

*with Dr. Tim LaHaye*



SENATOR KENNEDY LED THE CHARGE TO DESTROY THE NOMINATION OF JUDGE ROBERT BORK, THE NATION'S MOST QUALIFIED JUDGE

Senator Ted Kennedy, whose district includes Chappaquidick where a young woman was found drowned in the back seat of his car under mysterious circumstances a few years ago, gave an interesting interview to the Boston Globe--after the Bork inquisition had defeated this great judge's nomination to the Supreme Court Bench.

The Senator, who sports the lowest moral rating of all the members of that decision-making body, was proud of all that he did to defeat the great judge, according to an article in the Boston Globe, based on some of his own statements.

After attending a meeting, reported the Los Angeles Times, for the sole purpose of planning the defeat of the judge, the first thing Kennedy did was to make an outlandish statement to the press that he knew would be carried all over the country. It was that "Robert Bork's America" would return this country back to back alley abortions and midnight police raids.

In the interview he admitted the statement was planned to be "stark and direct so as to hold people in their places until we could get material together." In other words, delay the hearings so that they could mount a charge against the President's appointment using these gestapo-like fear tactics during the August break to bias the thinking of the Senate.

Next, according to the Boston Globe, Senator Kennedy, ever the master of integrity, hired Anthony Podesta of PAW, a group which spent 2.4 million dollars in a media blitz to destroy the judge. The Globe interview indicates Podesta went up to the Kennedy summer home in Hyannisport and watched the Senator call key mayors around the country and line them up against Bork. Then he worked personally on the head of the NAACP (by getting him out of bed), the Unions, and then lined up Andy Young and Barbara Jordan and others of the black community.

This one article proves what many suspected--the whole anti-Bork crusade was orchestrated by Senator Teddy Kennedy while many Christians slept, not realizing that one of the most significant events in American history had taken place. Somehow I can't help thinking that the final judge has not been heard from--yet.

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IS THE MEDICAL PROFESSION REALLY PROTECTING THE PUBLIC FROM AIDS?

Dr. Stephen Joseph, New York City's health commissioner, has broken ranks with many of his spineless colleagues in the medical profession and is calling on his state legislature to enact laws that would require doctors to inform the sex partners of patients who carry the AIDS virus.

He is concerned about the 1,005 women who his city health department says have contracted AIDS--many of whom did not know that their spouses or sex partners were infected. Many couples both use the same doctor. Is not the physician of the woman just as responsible in such cases as the spouse, if he knows her spouse is infected, to warn her in advance that relations with her husband may destroy her life?

Will it take a lawsuit against her doctor to force the medical profession to protect themselves by warning patients who live with AIDS carriers of the risk they are taking?

The ACLU has announced that "it sees no conflict between civil liberties and sound public health policies." In other words, they see no reason why doctors should inform their patients' partners about their sexual hazard. They ought to try telling that to the 1,005 women who will soon die because they were not warned to protect themselves.

Isn't it time the medical profession and government leaders pay more attention to protecting the healthy members of society than those who defy the laws of God and man?



SOME GOOD NEWS ABOUT THE STOCK MARKET

Ever since "black Monday," the day the stock market dropped 505 points to set an all-time record decline for a single day, the media has been beating their tom-toms with the message that we are seeing a repeat of the conditions that produced the Great Depression of the early 1930s.

Into this debate now steps Dr. Milton Friedman, Nobel prize winning laureate in Economics and one of the most respected conservative economists in the nation. He claims that all the loose talk linking 1987 to 1929 is "false and misleading with respect to the real economy." He then gives three reasons to back up this claim:

- 1) The 1929 stock market crash occurred AFTER the economy had been in a decline for several months. That is not the case today; the economy has actually been increasing.
- 2) Neither the "crash" on Wall Street nor the decline in the economy is what produced the Great Depression. It was the "collapse of the financial system in successive waves in 1931, 32 and 33."
- 3) He blames, as the real reason for the depression, the inept policies of the Federal Reserve System, "which led to changes in

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the financial system that make a similar collapse now highly unlikely."

Dr. Friedman concludes his remarks by saying, "In 1954 I delivered a lecture in Sweden under the title, 'Why the American Economy Is Depression Proof.-' I have seen no reason since then, and I see none now, to change that conclusion."



#### WHAT CAUSED THE STOCK MARKET CRASH?

Several weeks have transpired since the stock market dropped 508 points in a single day.

Many fingers of blame have been pointed in all directions but one, the stock market itself. We have heard big spenders, high-tax liberals, say that this demands tax increases to bring down the deficit. Unbelievable pressure has been exerted to get President Reagan to violate his promise to the American people and raise taxes.

But, by cutting taxes the way he has, the highest employment level that I have seen in my lifetime has been produced under President Reagan. In fact, 2.8 million new jobs have been created by the private sector in the past 12 months. And 250,000 of them have been in the manufacturing fields that the futurists have said would be a declining job market.

But as great as all that is, we have not had the boom to justify the artificial increase in the stock market that it experienced during the year prior to the "crash." For example, the economy had only increased 3.8% during that time, yet the stock market had increased almost 25%.

So is it possible that the real culprit in causing the stock market crash was the artificial increase of stock prices themselves?

One good thing to come out of "Black Monday": It helped God's people see where their real trust should be. I hope yours is in the living God and not in the stock market! He never fails!

#### JERRY FALWELL QUILS AS MORAL MAJORITY CHIEF-BUT THAT DOESN'T MEAN THAT THE RELIGIOUS RIGHT IS DEAD.



My phone has rung off the hook as reporters from major secular media sources have called to see if the "religious right is dead" since Dr. Jerry Falwell announced his resignation as president of the Moral Majority.

When it first began the Religious Right needed a "point man" for our infantry; Jerry Falwell was that man. He traveled over 400,000 miles a year in an attempt to awaken Christians to their responsibilities to register to vote, become informed, and vote on election day. He sponsored conferences all over the country, and today more ministers than at any time in history are willing to stand up and be counted when it comes to encouraging Christians to

run for office and help good candidates get elected. No man has done more in these past seven years to return this nation to moral sanity than Jerry Falwell.

But it is right for him to return to his first love and calling--serving God in his great church, college, and national TV ministry.

And the Religious Right is not left rudderless. Today there are thousands of grassroots organizations that have sprung up, directly and indirectly, as a result of his work. Now the responsibility will rest on the shoulders of these thousands of ordinary citizens to carry the alarm.

Jerry Falwell leaves big shoes behind--too big for any one individual to fill. But instead of one man to fill them, thousands will carry on his work. I say, God Bless Jerry Falwell. Have you written to thank him for all he has done to preserve your freedom? I have. And I would urge you do the same.

#### SECULAR HUMANISTS LAUNCH ATTACK ON CHRISTIAN SCHOOLS.

Until recently the secular humanists have confined themselves to the take-over of our nation's public schools. Now they have set their sights on either closing down or secularizing Christian schools.

The Fall 1987 issue of Free Inquiry, has launched a sharp critical attack on Christian fundamentalist education, calling it a "national scandal." This quarterly magazine is published by the Council for Democratic and Secular Humanism, and edited by Paul Kurtz, author of Humanist Manifesto II.

In a lead editorial, headlined "A Call for Public Scrutiny," the reader is told:

"Their admitted aim is to indoctrinate students rather than to educate them. This indoctrination pervades the entire curriculum...dissent is not tolerated..."

"We believe that children, adolescents, and young adults have a concomitant right to learn elementary logic, critical thinking, and other problem-solving skills and the ability to test ideas before accepting them."

I have debated Dr. Kurtz three times. You must understand what he means by the words he uses. "Logic" to him is humanistic thinking. "Critical thinking" means questioning everything that is taught--like the Word of God, creation, and anything Biblical.

Somehow, I think God wants something better for the nation's school children, particularly those from Christian homes--an education rooted in truth--HIS TRUTH!

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A PRAYER FOR THE NEW YEAR

Former President John F. Kennedy popularized the now famous expression "ask not what your country may do for you but what you can do for your country." The best thing you can do for your country, on the eve of a new year, is pray for her destiny.

We have come to what Dr. Francis Schaeffer called "a watershed in history." Many things make that clear: one is the 1988 presidential elections. It is anyone's guess who the candidates will be of both political parties--it literally is in the hands of God.

George Bush has a strong lead for the Republicans, but he could shoot himself in the foot and lose his Vice Presidential advantage. Besides, no vice president in the last 100 years has succeeded an eight-year president. If Mr. Bush stumbles he will probably be replaced by Congressman Jack Kemp, one of the most Conservative of all the candidates.

The Democrats have six candidates, all more liberal than Teddy Kennedy, some of whom are trying to appear more conservative than they really are to accommodate the conservative direction of the country.

However, the experienced heads in Washington believe they will shoot each other in the feet and be passed over for the Charismatic Governor of New York, Mario Cuomo, who, as most voters will remember from 1984, is a spell binding speaker.

Governor Cuomo has no Congressional voting record to compare with the other extreme liberals in his party, but based on his position on abortion, pornography, welfare giveaways and higher taxes, he may be even more liberal than the rest. So at best, the '88 convention will be a shoot-out between a strong liberal versus a strong Conservative, or at worst, a strong liberal and a moderate-conservative who is a member of the Council on Foreign Relations and the Trilateral Commission.

Why is this so important to Christians this coming year? For many reasons, first of which are the three men over 80 years of age who make up the most liberal branch of the U.S. Supreme Court.

That is why Christians everywhere should pray daily for their country, register to vote and show up at the polls. For if we can get the "born again" community into the polls in '88 we can have a profound affect on the future of America.

NEWS BRIEFS FOR DECEMBER



\*\*\* CHARLES COLSON, the former Nixon figure who is now "born again," has testified that it was impossible for William Casey, former CIA director to give the statement Robert Woodward attributes to him in his new book, Veil. It seems Colson was in the hospital recuperating from surgery at that time and Mrs. Casey had asked him to visit his old friend before he died. Colson said, "Casey was unable to communicate other than by squeezing my hand and making grunting sounds that were unintelligible...As I am sure hospital officials would attest, the meeting described in the article could not have taken place." That just about nails the vaunted journalist's credibility. (Human Events)

\*\*\* A CHRISTIAN BOOKSTORE OWNER IN LOS ANGELES wrote me after the recent earthquake. Expecting to find books everywhere when she arrived, she said, "Only one book had fallen off the shelf--your book, The Beginning of the End." Could this be an omen?

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\*\*\* A NATIONAL REVIEW commentator said this about AIDS education: "Every dollar spent, every commercial made, every health warning released that does not specify promiscuous anal intercourse and needle-sharing as the overwhelming risk factors in the transmission of AIDS is a lie, a waste of funds and energy, and a cruel diversion."

\*\*\* COLUMNIST ROBERT NOVAK claims that what triggered the stock market crash was not the state of the economy but the loss of confidence in the Reagan administration to control the runaway liberals in Congress. His evidence: the stock market dropped 50 points in one hour after the announced opposition to Bork by Senator Howell Heflin of Alabama showed the significance of Reagan's loss of Southern Democratic support. If the President could not win confirmation of his first choice to the Supreme Court, could he prevent higher taxes, protectionist legislation, and runaway spending?

\*\*\* PAW FUNDED BY NEA...The National Education Association, the largest Union in the nation, contributed \$125,000 to People for the (Un)American Way in 1985, according to PAW's third quarter lobby report. No wonder they join together in so many legal cases against prayer or religion in schools and stood together in their opposition of Judge Bork!

\*\*\* WILLIAM BROCK, NEWLY APPOINTED CAMPAIGN CHAIRMAN for Presidential candidate Bob Dole is a Council for Foreign Relations and Tri-lateral Commission member. This likely emissary of the New York "establishment" should be remembered as the fund raiser who back in 1978 raised money under the name of Ronald Reagan to halt the giveaway of the Panama Canal--then wouldn't let it be used by those he raised it for to finance the campaign to halt the canal's giveaway. It lost by one vote--thanks to Brock and former Senator Howard Baker who voted against it!

\*\*\* In a new Roper Poll, 43% of all Americans consider themselves conservative. Only 23% say they are liberal, 29% claim to be "moderates" (5% don't know what they are). The biggest question of the year is--why then is 65% of our Senate and Congress liberal? Answer: Our liberal media!

\*\*\* A doctor's report indicates that one reason some married women are infertile is their "habitual use of oral decongestants." (The decongestants for sinus conditions inhibit production of cervical mucous, preventing sperm from reaching the egg.) Based on a two-year study, it was found that many such women conceived after they stopped taking the decongestant.

\*\*\* THE ASPEN INSTITUTE, the extreme liberal pro-Soviet think tank funded by the Rockefeller Foundation, conducted a U.S./Soviet relations seminar in Switzerland earlier this year "for a select group of members of Congress, underwritten by the Carnegie Foundation." It was attended by Senator Alan Cranston and others just before he went to the Soviet Union to join other senators for talks with Soviet officials. If the radical leftist Cranston didn't already know how best to appease the Soviets at the expense of the U.S., he certainly should have gained such information after attending that seminar.

*Tim LaHaye*

A T.V. version of the "Capital Report" may be seen, via satellite, on many television stations across America and in Hawaii. If it is not available in your area contact your local station and request that they carry it. Call these stations to find out what time it is shown: KFCB, Concord, CA; WTGL TV 52, Clearwater, FL; NCN, Clearwater, FL (and other NCN stations across America); KDSC Ch. 14, Honolulu, HI; WCFC TV 38, Chicago, IL; WTCT, Manon, IL; WHME TV, South Bend, IN; WXVT TV, Greenville, MS; WEJC, Leesington, NC; WTLW Ch. 44, Lima, OH; WKJL, Baltimore, MD; WSFJ TV, Newark, OH; CFTV, New Orleans, LA; KTCT Ch. 47, Tulsa, OK; WFMZ, Allentown, PA; WTVE, Reading, PA; WGGG TV 16, Greenville, SC; WEFC, Roanoke, VA; W10A2 Ch. 10, Woodstock, VA; Channel 22, Tampa/St. Petersburg; WHTN TV 39, Nashville/Murfreesboro; Channel 52, Cocoa/Olando; WSW5 TV 66, Columbus/Opaika, GA; WHBR TV Pensacola/Mobile, AL; WDJC TV 20, Winston-Salem, NC; KTBN TV 40, Santa Ana, CA.

The Tim LaHaye Report from the Nation's Capital is published by Family Life Seminars, P.O. Box 2700, Washington, D.C. 20013-2700. The Report will be made available upon request to any individual or organization which makes a tax deductible contribution of \$25 or more to Family Life Seminars. Copyright 1985 by Family Life Seminars.

February, 1988

# CAPITAL REPORT

with Dr. Tim LaHaye



## SUPREME COURT TO HEAR CHURCH TAX DEDUCTION CASE

The Supreme Court, which hears only 150 cases each year, has agreed to hear what may be the most significant case to come before it in 1988--the Roman Catholic Church v. ARM (Abortion Rights Mobilization).

For seven years, ARM has battled with the Catholic Church, accusing them of violating their tax status by opposing candidates for public office who favor abortion. ARM has demanded the tax returns of the Catholic church, which have always been protected under the separation of church and state guarantees of the First Amendment.

Liberals realize that church and religious organizations represent the last influential group they do not control, so they have tried to hinder the work of these groups by cutting off their non-profit status. Fortunately, they may have taken on the wrong case, for it involves the powerful Roman Catholic Church with two members on the Supreme Court.

Many religious bodies have joined the Catholic church in this case by filing friend-of-the-court briefs. Some of these include the National Association of Evangelicals, whose legal counsel says that if ARM wins this case, it could provide anti-religious groups "a weapon to intimidate and harass and could have a chilling affect on the moral obligation of churches to speak out on moral issues."

All Christians should be interested in this case for it will have a profound effect on the religious segment of the conservative movement. If the Supreme Court rejects it (as they should), it could serve to embolden pastors and Christians to preserve our freedoms by speaking out on the moral issues of our day. If, however, the Catholic Church's tax status is jeopardized, it will intimidate pastors, many of whom are already too timid in providing moral leadership

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to our nation.

The Christian Legal Society, The Baptist Joint Commission, the Lutheran Church, and the Mormons have joined the Catholic Bishops, illustrating the significance of this case in the annals of religious freedom rights under the Constitution.

It may also explain why, in the providence of God, he allowed the moral midgets on the liberal Senate Judiciary Committee to sandbag the nomination of Judge Robert Bork who has no known commitment to religion, for a devoted Roman Catholic nominee, Judge Anthony Kennedy.



WHY SENATOR HELMS REFUSED TO SOCIALIZE WITH DICTATOR GORBACHEV

During the Christmas holidays, Senator Jesse Helms responded personally to one of his constituents' criticism of his refusal to socialize with Mikhail Gorbachev during the Summit. You will enjoy his response:

"I thank you for your Christmas Card and gentle remonstrations. I was not aware that it is 'haughty' to take the position that senators have a duty under the Constitution to know what's in a treaty before declaring support for it. Nor do I believe it wise to succumb to the blandishments of a skillful 'PR man' who, when you look beneath the smiling, cunning veneer, discloses that he is not about to retreat from the brutal character of the regime which he had the gall to contend represents 'freedom and peace.'

If I offended you because I declined to socialize with this man, and lift a glass of wine in his honor, I am sorry. I was perfectly willing, as were many other senators, to sit down with him in an official capacity to discuss differences. He was unwilling to do that.

Mr. Gorbachev evaded the question of Afghanistan. He didn't want to discuss the Berlin Wall. And he gave a senseless response to questions about the thousands of people who have been pleading for years for the right to emigrate from the Soviet Union.

So, I shall proceed with my constitutional duty to 'advise and consent' as to this treaty. Yes, I am skeptical."

And so am I---and so are the American people!

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A PRESIDENTIAL CANDIDATE'S RELIGIOUS POSITION IS MORE IMPORTANT THAN AT ANY TIME IN THE PAST 50 YEARS

Bill Moyers' TV program showing that religion is the dominant force in our culture, warned that the religious beliefs of the presidential candidates will be important in this year's elections.

It is interesting that not one candidate is an avowed atheist. There may be some who are, but if so, they are wise enough to keep it silent. It is doubtful a known atheist could be elected to the highest office in this country.

Albert Menendez, of "Americans United," an organization slightly less liberal than the ACLU, admits that "a candidate's religious convictions have assumed more importance than they have in past presidential campaigns, largely because of the activities of religious conservatives."

That is encouraging news, because it indicates that we have made progress during the past decade in taking the subject of a man's religious convictions out of the trash bin of obscurity to front stage consideration.

Actually, a person's religious convictions color almost all his decisions, particularly when it comes to family and moral values.

In his article Mr. Mendendez quotes a survey of each candidate's religious persuasion and positions. He points out that all of the Democrats "oppose government aid to parochial schools, prayer in public schools and anti-abortion laws."

All the Republicans, favor what he calls "an accommodationist view of religion." That is, they favor some kind of aid to private schools (usually in the form of vouchers) so parents can choose where to send their children to school; they favor voluntary or silent prayer in school and legislation against abortion.

Interestingly, the largest representation among the candidates is Baptist--three Democrats and one Republican. Two are Catholic, one is Episcopalian, another is Methodist and another is Presbyterian.

That pretty well covers the major religious bodies of the country. But what does it really tell us about a person? Keep your ears open for this subject, it will come up in the months ahead. Attention will be focused, not only on a candidate's religious affiliation, but more importantly on how committed he is to its principles.

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SENATOR KENNEDY FOR FREEDOM FOR THE LIBERAL PRESS

Senator Kennedy's greatest asset for re-election is The Boston Globe, which is equally as liberal as he is. Some think it has functioned in the past almost as a PR agent for his campaigns. The New York Times, which is easily the most liberal newspaper in the nation, is also an ardent Kennedy supporter, and is very popular in the Senator's home state of Massachusetts.

The opposition press in both cities, The New York Post and The Boston Herald, are not nearly as influential, and since they are owned by the moderate-to-slightly-conservative Rupert Murdoch, they have opposed the liberal Senator in the past.

In 1986 Murdoch launched into a TV buying spree to hopefully establish a fourth TV network to compete with the liberal monopoly by the three networks. Since two of Murdoch's stations are located in New York and Boston, he was given a special concession from the FCC law limiting one owner from controlling both a newspaper and a TV station in the same city. He is trying to sell both papers, and has been living on extensions to that concession until he finds a buyer.

That is where Senator Kennedy got into the act. He and Senator Hollings of South Carolina tacked a last minute proviso onto the \$600 billion budget in the last minutes of the legislative activity of 1987 that nullified Murdoch's concession.

Although it was worded as a law that applied to all citizens of the United States, Rupert Murdoch is the only person in the nation to which it applies.

Because the legislation was 1000 pages long, no one noticed it and it was approved without dissent.

What this accomplishes for Senator Kennedy is that it gets his major media opposition out of his hair, and it enables him to repay whatever political debts he owes The New York Times and The Boston Globe for their past support by eliminating their competition. The fact that it also does away with the jobs of several thousand people is evidently not considered important.

Fortunately, it is important to the New York Senators, one a Democrat and one a Republican, who have protested that his action was "clearly contrary to the Constitution."

Hopefully one will have the courage to demand a congressional investigation. Surely, some law is broken when a U.S. Senator makes one individual the target of specific

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legislation.

This "midnight legislation," as it is called in Washington, needs to be given the investigative light of national scrutiny.

SUPREME COURT: TARGET FOR PRAYER IN '88

As you set priorities for prayer for 1988, please put "Changing the Supreme Court" at the very top of your list.



Most of the decisions that have had such a secularizing affect on our nation have been made by the very liberal members of the Supreme Court, until Justice White moved more towards the conservative position. Then President Reagan appointed three conservative Justices--O'Connor, Scalia and Kennedy--to join the most conservative of the nine, Justice Rehnquist, whom Reagan promoted to Chief Justice of the Court last year.

With the addition of Kennedy and the sometimes-conservative position of Judge White (that is, 55-65% of the time), the Court now has a conservative constituency of approximately 65-75%, depending on the issues. That is a pretty thin margin in view of the fact that the other four judges fluctuate from liberal to extreme liberal most of the time. The death or resignation of any one of the five conservatives could change all that, depending on who the American voters elect as President on November 8, 1988.

If Christians fail to go to the polls this year the way they did in 1986, we could end up with a flaming liberal president. And when I say "flaming liberal," I mean he'll be even more liberal than Senator Teddy Kennedy.

Assuming Judge Anthony Kennedy is approved as expected, the only way the present thin conservative majority will last even four more years is if we elect a conservative president in '88. He would need to appoint only constitutional constructionist judges who believe in judicial restraint. And we should pray that all five conservative justices live and refuse to resign.

It is likely that the three ancient liberals who voted for legalizing abortion in 1973 will retire during the next President's administration. They are, by their ages this year, William Brennan, 82, Thurgood Marshall, 80, and Harry Blackmun, 79. All have complained of ill health at one time or another, and it is doubtful they could or would want to outlast another presidential term. The other liberal is somewhat younger, John Stevens at 68.

You can hardly pray for the Supreme Court without praying for the outcome of the '88 elections.

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NEWS BRIEFS FEBRUARY, 1988

\*\*\*BILL MOYERS, former White House press spokesman for the liberal Carter Administration, now a TV commentator, admitted on TV that "religion is the determinate force in the behavior of most people in this society" but after working with CBS NEWS he has found that, "The big networks do not consider religion a newsworthy topic." That has been obvious for thirty years!

\*\*\*SENATOR DANIEL INOUE was so worried about the possibility that Colonel North had gotten Iran to send money to the Contras that he dragged out the Iran-Contra hearings at the cost of four million dollars to the taxpayers. Now he has just slipped another eight-million-dollar boondoggle into the budget to build schools in France for Jews who emigrated from North Africa--most of whom are citizens of France. Why are we building schools for French citizens?

\*\*\*THE WASHINGTON POST acknowledged that poverty (which may be caused by Washington government), does not exist here as it does throughout the country. "The average household income in D.C. is 42% higher than in the nation as a whole." Also, "55% of the Washington area households are considered affluent as compared to 16% elsewhere." Which just proves what I've been saying, government is the biggest and most dependable business in the country.

\*\*\*THE NATIONAL BUREAU OF ECONOMIC RESEARCH finds cohabitation not conducive to lasting marriage. According to their findings, couples who lived together before marriage are "80% more apt to divorce" than those who did not.

\*\*\*LEWIS UHLER, President of the National Tax Limitation Committee comments on the national debt, "Interest alone on our over two trillion dollar debt consumes all of the personal income taxes paid by Americans west of the Mississippi."

\*\*\*ABORTION, according to the Population Crisis Committee is the most commonly used form of birth control worldwide. A total of "54 million abortions are performed yearly, 100,000 women die as a result of unsafe medical practices"...and only God knows the emotional distress and guilt caused to millions more.

A T V version of the "Capitol Report" may be seen, via satellite, on many television stations across America. If it is not available in your area, contact your local station and request that they carry it. Call these stations to find out what time it is shown: WCCT Ch 57, West Columbia, SC; WGSE Ch 43, Myrtle Beach, SC; KLXV Ch 65, San Jose, CA; CCN, El Cajon, CA; KTBN Ch 40, Santa Ana, CA; KCSO Ch 19, Modesto, CA; KFCB Ch 42, Concord, CA; WCFC Ch 38, Chicago, IL; Ch 20, Peoria, IL; CTN Cable Network, Largo, FL; WIYE Super Ch 55, Orange City, FL; WLYJ Ch 46, Clarksburg, WV; WTSF Ch 61, Ashland, KY; WLCN Ch 19, Madisonville, KY; KCHF Ch 11, Santa Fe, NM; K63CO Ch 28, Alamogordo, NM; WBN Ch 68, Fort Wayne, IN; KDOR Ch 17, Talala, OK; WTJC Ch 26, Springfield, OH; WSFJ Ch 51, Thornville, OH; WGGN Ch 52, Castalia, OH; ACTS Ch 10, Tifton, GA; WMPV Ch 21, Mobile, AL; WHBR Ch 33, Robertsdale, AL; Liberty Broadcasting Network, Lynchburg, VA; WEFC Ch 38, Roanoke, VA; The Motivation Network, Chesapeake, VA; K47AQ Ch 47, Denver, CO; KYFC Ch 50, Shawnee Mission, KS; First Baptist of Alcoa, Alcoa, TN; Good News Television, Nashville, TN; WLLA Ch 64, Kalamazoo, MI; WTLJ Ch 54, Allendale, MI; WVCY Ch 30, Milwaukee, WI; The Gary Randall Program, Lake Oswego, OR; WPCB Ch 40, Wall, PA; CBC-TV Ch 8, Kittanning, PA.

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May, 1988



# CAPITAL REPORT

with Dr. Tim LaHaye

## PARENTS: THE KEY TO CURBING YOUTH DRUG ABUSE

A broken-hearted father, active leader in his local church, told me that his 18-year-old son, just before graduation from a Christian high school, committed suicide. My first question was, "Did he use drugs?" The father answered, "Yes, the autopsy showed heavy traces of marijuana."

Unfortunately, even in a Christian environment, this can happen. Here are some warning signs that may help you recognize when your teen is in trouble:

- 1) Changes in friends, hairstyles, dress and interests.
- 2) They may become irritable, secretive, disrespectful, and argumentative.
- 3) Watch for behavior changes like failing to do homework or chores, and becoming super suspicious that others are lying about them.
- 4) They may refuse to talk about their friends and become silent when the conversation turns to drug use.
- 5) They may begin losing weight, have bloodshot eyes and a sickly appearance.
- 6) They may get into trouble with the police, and you may miss money around the house.
- 7) You may find needles and other paraphernalia around the house.
- 8) Finally, they may attempt suicide, which takes the lives of 5,000 teens a year.

When you are convinced that your teen is on drugs, you should seek help from your church and your doctor. Depending on how strong their habit is, they may need professional help and lots of love and prayer.

## THE FIRST AMENDMENT HAS BEEN TURNED ON ITS HEAD!

In preparation for the 200th anniversary of the ratification of our nation's Constitution in 1789, and the inclusion of the Bill of Rights in 1791, I was invited to a very stimulating conference on the First Amendment. It was



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held at the University of Virginia, which was founded by Thomas Jefferson.

During the conference, attended by judges, lawyers, scholars, political activists on both the right and the left, as well as people from the ACLU, PAW, and other Humanist organizations, I was struck with how the meaning of the First Amendment has totally changed since 1791.

Early in the discussion, the false assertion was made that the First Amendment demanded "the separation of Church and State." Many of us pointed out that not only did that not mean freedom from religion, as the secularists would have us believe, but that "religion" has a very narrow meaning today by those atheistic and liberal forces who would eliminate all religious expressions from our society. Things like prayer, Bible reading, crosses on public highways, Sunday blue laws, and other expressions of religion are just some of the things the secularizers would have us do away with.

Not even Thomas Jefferson, the sometimes skeptic, opposed expressions of religion. What he and James Madison, known as the "Father of the Constitution" meant by "religion" is very important here. They meant a religious denomination. It was their intent that the United States would not have an established church -- not that it would be free from all religious expressions.

What seemed incredible to me at this conference was that some of these groups actually tried to use the founders of our country to prove that the First Amendment excluded all government agencies from acknowledging any religious expressions.

However, these founders thought it not unusual to write into the Northwest Ordinance in 1787 that "religion, morality, and education should always be fostered." That means, the law of the day was to be used to promote "religion, morality and education." The interesting thing is that ordinance, which was written by the Continental Congress the same year our Constitution was being written in Philadelphia, was reaffirmed in 1791 by the first U.S. Congress.

In addition, they established Chaplains for both Houses of Congress at government expense and appropriated money to print Bibles to convert the Indians. This clearly indicates that our founding fathers did not want an absolute "wall of separation" between government and church; they just did not want a state church established, as today's secularizers are now trying to establish the religion of Humanism.

#### U.S. CAPITALISTS PROVIDING THE ROPE FOR SOVIETS TO HANG US

Armand Hammer, whose father was a founder of the Communist

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Party U.S.A. and served time for treason, could be the greatest business traitor in American history. In Moscow he recently told the Soviets that, "If Socialism is to succeed in Russia, you must improve your standard of living." With that he announced the signing of a joint venture with their Soviet slave masters of a \$200 million dollar investment in a plastics business.

Hammer, who has spent his entire life trying to help the sagging economy of the Soviet Union with infusions of U.S. capital, is not alone. A new business consortium of American industrialists and bankers is salivating at the opportunity of making a profit in that underdeveloped country. The United States provides the money, via the American business entrepreneur, and the expertise; and, presto...socialism works. According to new Soviet law, their Socialist system is so bad that now outside investors can own up to 49% of a joint project. It is a neat way for the free enterprise system to be used to help Socialism, which has not worked anywhere in the world.

In addition to Hammer, there are many American companies rushing to help our mortal enemy succeed. For example, Nabisco wants to stock its cookies, crackers and cereals on Soviet shelves. The Ford Motor Company is interested in producing cars, trucks and parts in the Soviet Union. Eastman Kodak Company plans to help the Soviets produce clinical chemicals for blood analysis, and Johnson & Johnson Company is putting their baby oil and other products in the Soviet paradise. Add to that the Chevron Company, which would love to help the Soviets develop their oil reserves. Pepsi-cola, a favorite in the Soviet Union, wants to bring in one of its subsidiaries, Pizza Hut. This should give you a feel for the enormity of the quest for profit by America's business community which puts profits above patriotism.

However, these acts of disloyalty are not new. A report from the United Nations Economic Commission for Europe says that there were 166 joint ventures between Western businessmen and Communist countries by the end of last year.

You may recall that when dictator Gorbachev was in the United States, he entertained a group of American businessmen for the purpose of encouraging them to bring their business ability over to Russia. It was Armand Hammer and David Rockefeller who helped set up that meeting in the nation's capital during the recent Summit meeting. Everyone knows that the Soviet system is in such a shambles the people are getting restless and the Communists have to do something to offset an internal revolt. So now we have U.S. businessmen rushing to the rescue.

It reminds me of what the master Communist strategist, former Soviet dictator Lenin once said: "They will hang the

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United States with rope purchased from American capitalists."

IT'S TIME TO SEND THE MARINES INTO PANAMA



The movement of Communist Cuban troops and Soviet advisers into Panama should signal the President that it is time to quit playing games with General Noriega and send the Marines to "liberate" that very strategic country.

No other country in Central America is more important to the United States right now than Panama, where we have for years overseen that strategic canal for the benefit of all the countries of the world.

The conservative daily newspaper, The Washington Times, reported on April 5th that "an international brigade of 800 - 1200 men, mostly Cubans, have landed in a remote northwestern corner of the country," according to U.S. Intelligence sources. Other informants put the number at "1800 Cubans and Nicaraguans, with Soviet advisers training them for guerrilla warfare and sabotage. Cubans also have been entering Panama through a fishing port about 25 miles southwest of our U.S. Air Force Base (Howard AFB)...and by commercial air through the Panama City airport."

Anyone with a good memory should see in this a repeat of what happened ten years ago in Nicaragua, when the Communists siezed the opportunity of fomenting turmoil in a time of discontent under a bad government, and replaced it with something worse -- a Communist dictatorship.

But time is running out! Every day that passes we can expect to see more foreign troops entering the country. In fact, the Communists probably already have more fighting men there than we do. If the President doesn't act within the next few weeks, it may be too late.

COULD THESE BE THE LAST DAYS?



Never in my lifetime has there been so much world-wide unrest. In Israel, known as "God's time clock," the fighting between the Arabs and the Jews is in the news everyday. The Persian Gulf has erupted again, drawing attention to the nine-year-long war that has destroyed over one million lives.

War and famine still stalk Africa, and even the Communists are having unrest problems. For instance, the ethnic unity of the Soviet Union is becoming unravelled. Their satellite countries of eastern Europe show signs of tiring at the loss of freedom and second-rate living conditions. East Germans have been heard singing "We shall overcome" and "Lord have mercy" in what was supposed to be a Communist showplace. It is reported that "ten thousand Hungarians thronged the streets of Budapest to commemorate their revolt from the

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Austrians 140 years ago -- but also to bemoan their present captivity.

Trouble is brewing in Argentina and Chile. Columbia is still the drug capital of the world, and, of course, we still have the destructive tragedies of Nicaragua and its Communist dictatorship.

We have more unrest in our own hemisphere than ever at one time in history. The Panama Canal is in danger of becoming another Communist establishment.

And that does not even include the unrest that is rampant within the United States. Crime in our streets is turning into gang violence. Child molestation is on the rise. Drug imports and its use is uncontrollable, and the list goes on.

What does all this mean? It could mean, "The coming of the Lord is drawing nigh." I am not predicting that Christ is coming this year or next, but I am calling your attention to the fact that our Lord predicted He would come in perilous times just like these. You would be wise to prepare for His coming. Although we cannot be certain He will come soon, we should realize that we have more evidence that He could come in our lifetime than any generation in the history of the world.

NEWS BRIEFS APRIL, 1988

\*\*\* U.S. COMPUTERS FOR SOVIET SCHOOLS? "Top computer executives," according to the McAlvany Intelligence Advisor, "have agreed to supply Russian schools with one million computers." This should be considered a treasonous act! One of our few advantages over the Soviets is our high technology -- but what they don't steal, we sell them.

\*\*\* COMMUNIST PERSECUTION OF CHRISTIANS. Pastor Huynh, finally released from a Saigon Vietnam prison where he was held for preaching the Gospel, discovered his wife had committed suicide. Several years ago the authorities told her he died in prison, then they forced her to marry a Communist official. When she heard her husband had been released from prison, she couldn't handle it and took her own life. When will our government learn you cannot deal with that kind of mentality? (Source: Open Doors News Service)

\*\*\* THE INF TREATY CALLS FOR the elimination of \$9 billion worth of the Pershing missiles positioned just 13 minutes from the Soviet Union...and we are receiving nothing of any significance in return.

\*\*\* 4000 SOVIET PROPAGANDA AGENTS are active within the United States today, according to Target America, a new book

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by James Tyson. He also claims they spend \$240 million annually on pro-Soviet propaganda. Someone ought to call for an investigation!

\*\*\* CHILD CARE LEGISLATION "is becoming the darling of USA lawmakers," according to USA TODAY. "Hundred of bills have flooded statehouses this year as lawmakers weigh in with plans to provide care for children of working parents." Raising our taxes is the least of the problems; government control and eventual humanist indoctrination is the real danger. Keep your eyes peeled for action on this one!

\*\*\* AMERICA IS A RELIGIOUS NATION, SURVEY INDICATES. The Williamsburg Charter Foundation has released a survey of over 3,000 Americans that refutes the lie that secularism is the dominant belief among the masses. For example, 62% of the population say they would refuse to vote for a Presidential candidate who was an atheist, even if he was of their own party. Yet only 21% said they would not vote for a minister under those same conditions. 70% said they felt it was important that the President have strong religious beliefs.

\*\*\* WE HAVE HAD A 14% INCREASE IN PER-STUDENT COSTS -- in just 30 years. The latest published results of the U.S. Department of Education gives us insight on just how many billions of dollars taxpayers are forced to provide for education. In the 1957-58 school year, for example, we spent \$341 per student on education in this country. In 1987-88 we will spend \$4,210! That means we have increased all of our taxes by billions of dollars in order to provide the schools with 14 times as much money per student as we did 30 years ago. Yet our national academic level has gone down in some cases as much as 10%-20%, and the reading ability of many students has become a national disgrace.

\*\*\* AFTER FIRST ENDORSING JESSE JACKSON, The Native, New York's leading gay newspaper, has endorsed Michael Dukakis because he is more electable. "We have to defeat the Republicans," said The Native's editor and publisher. (Source: Human Events).

PRAY FOR THESE SEMINARS: May 13, 14, Valley Christian Schools, Missoula, MT; June 3, 4, Grace Brethren Church, Tallahassee, FL.

NOTE: You can help this ministry by calling your local Christian radio and TV station to inform them that we have a special audio and video Capital Report available. Samples are available upon request by calling Rev. Bill Lyons at (202-783-1377).

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# CAPITAL REPORT

*with Dr. Tim LaHaye*

October, 1988



## A TRIBUTE TO EDUCATION SECRETARY WILLIAM BENNETT

Dr. William Bennett, whom I consider to be the best Secretary of Education America has ever had, has departed the administration. For one thing, Bill Bennett was different. He believed teachers ought to teach, students ought to learn, and that testing both teachers and students would tell whether each was doing a good job or not.

They, of course, didn't like that, because no one had been checking up on them for 40 years.

Unfortunately for them, Bill Bennett read the test scores and discovered that our schools were failing. So he began holding educators' feet to the fire via his position as Education's Secretary.

While Mr. Bennett failed the educators' popularity test, he is adored by parents and students, whose education in the 80's was better than their brothers and sisters in the 70's.

Everyone needs accountability--particularly Ph.D's who think they have all the answers. Bill Bennett held them accountable for their flawed theories which failed to teach functional reading, math, geography, and the importance of traditional values. He must be a good guy: all the radical liberal organizations hated him. The NEA, PAW, and the ACLU, for example, give him failing grades.

But school board members heard his message and many tried to implement it in their schools. So, too, did many of the dedicated teachers, principals and superintendents still left in the system. They are the ones who have demanded teacher testing--long fought by the NEA. We can have testing for doctors, dentists, plumbers and factory workers--but not for teachers, said the NEA. Thanks to Bill Bennett, now it is fashionable to test new teachers and to reward experienced teachers who do the best job with the best salary. Consequently, there is more incentive to be a good teacher and

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more self-respect for those in this important field.

Bill Bennett has not solved all the problems of public education. In fact, many people aren't sure they can be solved without competition. But he has laid the foundation for a great beginning. Now all we need is someone like him in the next administration to build on his foundation. That's another reason why the next election is so important. Are you registered to vote? If not, isn't it about time you entered the mainstream of American citizenship and did so?



SECULARIST, ELECTED OFFICIALS DISCRIMINATE AGAINST CHURCHES

Last year I cited the case of the Christian Fellowship Church that was refused a building permit on 76 acres of property in Fairfax County. This week a request by another church for a 33-acre church and school facility was rejected again by a vote of 6 to zero.

It was just such a rejection of a 40-acre church building project in 1970 in San Diego that caused me to become "politically active." Maybe that is what it will take to wake up more Christians: to have their church discriminated against on a logical and reasonable request for expansion or land development. For too long they have sat back and allowed themselves to be outvoted by secular-minded individuals who do not understand that a church is so beneficial to a community it deserves special consideration.

Sure, churches cause parking problems for two or three hours on Sunday mornings, but so do football and baseball stadiums, opera halls, theaters and many other facilities for the public. Yet, city council members give rock concert planners and dog or horse racing-facilities preferential treatment.

The fact that the Church saves taxpayers billions of dollars through the conversion of alcoholics, drug addicts, prostitutes and criminals, and repairs divorced homes and inspires more young people to pursue advanced education than any other group in our culture does not impress them at all.

You would think for all the good churches do in a community they would be given preferential treatment by government leaders. Instead, secularists in government often use their position of governmental power to discriminate against churches.

Why? Because Christians have abdicated their responsibility to government. If 40% of those board members had been active Christians (and 40% is what we represent in the population of this country), they would have convinced one or two other religiously respectful board members to vote with them

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and the church would have its building approval.

It is time that we discard the old idea that "Christians should never get involved in politics" and "leave politics up to the nice, civic-minded people." I've got news for you--those nice, civic-minded people are turning out to be not so "nice" or "civic," and all too often they hate Jesus Christ and His church above all other institutions.

It's time more Christians realize they can serve both their God and their country by running for some of the 97,000 elective offices in this nation.

#### WHY IS THE NEA OUT TO DESTROY HOMESCHOOLING?

Homeschooling is not a recent phenomenon in this country. It only seems that way. Actually, it predates public education by 220 years. In fact, prior to 1839 all education was done by homeschool, parochial, or private school training.

Once public education came on the scene, it endeared itself to the population because it provided a good basic education for both the rich and poor. One reason for its popularity at that time was that the moral standards espoused in public schools were the same as those of the home, the church and the community.

Today that has changed. As a result of the secular humanist philosophy which has been bootlegged into the curriculum, public education has both declined drastically in academic achievement and in its standards for teachers. Christian or moral absolutists are often silenced by administrative decree, and public school role models no longer uphold traditional values. Thus, instead of being supportive of the values of the home, some schools are assaulting those values. Consequently, they have become a divisive force between children and their parents.

At the annual National Education Association convention, NEA President Mary Futrell proposed the enactment of an amendment to challenge the existence/validity of home schooling. She said, it "cannot provide the child with a comprehensive education experience."

She stated this although studies show that homeschoolers score "25% above the 90th percentile" in some states. In fact, in Texas, which is quite typical of the nation, homeschoolers scored at least one grade level above public schoolers."

And one expert who has studied the results of homeschooling finds that children educated at home are "less peer dependent." Since peer pressure is greater today than ever in



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the history of the world, it follows then that homeschooling must be better in most situations, for it solves the two biggest problems in public education: that of producing an inferior education, and immoral peer pressure.

Why, then, the NEA attack? Very simple, they want the union dues for those 70,000 teachers' jobs which would be created by forcing homeschoolers into public education. In addition, their friends in education want the \$6 Billion dollars they would receive from the taxpayers.

It makes you wonder if the NEA is interested in children, or in money and power.

#### WHY ALL THIS PRO-HOMOSEXUAL HYPE?

Recently a reporter called me to determine whether she wanted me on her TV documentary discussing "the plight of homosexuals in today's society." She was looking for someone to represent the "fundamentalist position."

"Do you have any proof that homosexuality is not genetic or the result of natural glandular function?" she asked. "Yes," I replied. "God would never have made homosexuality a capital offense if individuals had no control over their natural sex direction. He never commands us to do anything we are incapable of doing. In fact, you have the question backwards. The real question is, what scientific proof do gays have that their sexual orientation is genetic or biological?"

My response did not fit the image they wanted to project to the viewing audience, so I was not included on the program. But that is not unusual. The pro-homosexual mentality that pervades the media and educational fields only allows the public to see one side.

For example, I reviewed the New York State Department of Education AIDS program. Six times they said, "No one is to blame!" That is ridiculous! There would be no AIDS epidemic if there were no homosexuality. The public knows that, but the media refuses to face it.

And take, for instance, the new wave of sex education materials now being introduced in the public school system which includes the graphic story of a 23-year-old lesbian school teacher seducing a 16-year-old girl and suggests that heterosexuality is not the only sex direction open for young people to choose.

Or consider the report that just came to our office of a sex educator who refused to inject any "old-fashioned morality" in his class but invited four homosexuals in to

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promote their favorite form of perversion.

When I was on the "HOUR MAGAZINE" TV show, it was obvious that I was the lone voice speaking for morality. The rest tried to justify homosexuals and portray them as victims of AIDS instead of carriers. The AIDS carrier who sat next to me on the show died two weeks later. Yet, no warning was given of the danger of his chosen lifestyle.

Unfortunately, this kind of "education" will only increase the problem. Humanists just hate to admit God was right about homosexuality all along--it is Wrong! Wrong! Wrong!

### NEWS BRIEFS

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\*\*\* AMERICANS MAY NOT BE AS IMMORAL--as Hollywood, the media, and other molders of opinion would have us believe. A new study by the National Opinion Research Center at the University of Chicago surveyed 1,481 adult men and women. Sixty percent claim to have been monogamous during the past 12 months (very close to the 62.5% who are still married to their first spouse). 21.5% claimed they had no sexual partner and 6% refused to answer questions (assuming half of the 6% are monogamous or had not engaged in sex). That totals 84.5% or more of America's adults who were monogamous during the past year or who had not engaged in sex--a far cry from what T.V. producers communicate.

\*\*\* THIS STUDY, MADE FOR THE FEDERAL CENTERS FOR DISEASE CONTROL, indicates 800,000 males are at "high risk" for AIDS, claiming 10 or more sexual partners annually. Some of the 100 Billion federal dollars budgeted for AIDS research and education next year ought to be aimed at educating--and warning this promiscuous 1% of the male population to be more responsible in their behavior--and to protect the rest of the population by NOT giving blood transfusions.

\*\*\* HOMOSEXUAL NUMBERS ARE EXAGGERATED: the above survey found that only 2.8% of the above men were homosexuals, .04% were bisexual, and only one woman out of 843 questioned admitted having a lesbian experience. This confirms what many have believed for years--that homosexuals, who claim to make up 10% of the population, have exaggerated their numbers for political purposes. It also make you wonder why the new wave, radical sex educators insist on suggesting to our nation's youth that heterosexuality is not the only option to consider. In fact, some curricula that I have read is obviously intended to point young people into the direction of homosexuality, instead of the normal sex orientation.

\*\*\* ORGANIZED LABOR, according to a liberal WASHINGTON POST columnist, at a time of declining membership, has become the "premier lobbying political force in Congress, with a score

of legislative victories."

\*\*\* THE NEA (National Education Association) is the strongest union in the united states and, next to the ACLU, one of the most liberal organizations in the country. They have endorsed Michael Dukakis for president, giving his campaign \$100,000 on July 29. That ought to tell us something about his philosophy.

\*\*\* SENATOR PETE WILSON, running several points ahead in his California reelection campaign said he can't understand all the furor about building "a new prison at Braintree, Massachusetts with a governor who's letting everyone out of prison."

\*\*\* THE SOVIETS CONTINUE TO LIE. During his visit to the United States Mikhail Gorbachev promised USIA Director Charles Wick he would halt the KGB's campaign of disinformation against the U.S. Instead, it continues to escalate. For example, they accuse the Reagan administration of developing an "ethnic weapon" that "kills only non-whites," that the CIA conducted the 1978 Jonestown massacre in Guyana and that children are being taken to the United States where they are sold for use in organ transplants." And these are the "reasonable people" with whom we sign treaties? (Human Events)

\*\*\* CONGRESSWOMAN PATRICIA SCHROEDER, who, along with Norman Lear, helped drive Herb Ellingwood out of government service and finds it dangerous for Christians to aspire to hold the same number of elective offices as we represent in the population, is a "fierce foe of Pentagon waste," yet according to The WALL STREET JOURNAL, she charged the government \$24,362.80 for the Air Force jet she commandeered to "hopscotch around Europe with her husband and two aides."

\*\*\* THE MEDIA IS SO BLIND they cannot grasp the importance of patriotism and how it still beats strongly in the hearts of most Americans. Although they criticize the Vice President for scorning his liberal opponent for refusing to sign a state law requiring school children to say the Pledge of Allegiance, flag manufacturers say they can't keep up with the orders for the sale of "Old Glory."

A T.V. version of the "Capital Report" may be seen, via satellite, on many television stations across America. If it is not available in your area, contact your local station and request that they carry it. Call these stations to find out what time it is shown: WPCB Ch. 40, Wall, PA; CBC-TV Ch. 8, Kittanning, PA; WEFC Ch. 38, Roanoke, VA; Liberty Broadcasting Network, Lynchburg, VA; WLYJ Ch. 46, Clarksburg, WV; WGSE Ch. 43, Myrtle Beach, SC; WGGG Ch. 16, Taylors, SC; ACTS Ch. 10, Tifton, GA; WIYE Super Ch. 55, Orange City, FL; CTN Cable Network, Largo, FL; WTRT Ch. 26, Sheffield, AL; WHBR Ch. 33, Robertsedale, AL; WMPV Ch. 21, Mobile, AL; Good News Television, Nashville, TN; First Baptist of Alcoa, Alcoa, TN; WLCN Ch. 19, Madisonville, KY; WGGN Ch. 52, Castalia, OH; WLLA Ch. 64, Delton, MI; WVCY Ch. 30, Milwaukee, WI; WCFC Ch. 38, Chicago, IL; Channel 20, Peoria, IL; KYFC Ch. 50, Shawnee Mission, KS; KDOR Ch. 17, Talala, OK; K47AQ Ch. 47, Denver, CO; KCHF Ch. 11, Santa Fe, NM; K63CO Ch. 25, Alamogordo, NM; Christian Communications Network, El Cajon, CA; KTBN Ch. 40, Tustin, CA; KFCB Ch. 42, Concord, CA; KLXV Ch. 65, San Jose, CA; "The Gary Randall Program," Lake Oswego, OR; Christian Broadcasting of Yakima, Yakima, WA.

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# CAPITAL REPORT

December, 1988

with Dr. Tim LaHaye

## GEORGE BUSH'S MANDATE

Voters gave George Bush a mandate on November 8th that is so clear, even liberal media types should understand it. When he was 17 points down in his campaign for the White House, he appeared "moderate." Somewhere between the Democratic Convention and his own Republican acceptance speech he turned strongly to the right and at one point had gained 30 points in the polls.

President Reagan was right; our recent election was "a referendum on liberalism." For eight years the President had maintained an unashamedly conservative position. Vice President Bush made a decision to follow the same path and expose liberalism for the socialistic wolf in sheep's clothing that it really is. And he succeeded. By every survey taken in the past 50 years the American people have identified themselves as "conservative" by a 60 percent margin. What happened between August and November was that the people saw Dukakis for the liberal he is and finally recognized--just one week before the election--that that is not where the American people are.

In fact, the suspicion was, since he proudly identified himself as a "card-carrying member of the ACLU," that he was much too liberal to lead this conservative nation.

Now let's hope that George Bush will lead the country the same way he waged his campaign. He certainly has a mandate to keep those campaign promises. But what does that mandate contain?

Well, for one thing, it certainly means he will not appoint ACLU types to federal judgeships, including the Supreme Court; that government funding will not be used for abortions; that stiff penalties will be given to violent criminals; and that new prisons will be built to take care of them. He will crack down on child pornographers; he will work for voluntary school prayer; and he will work for better education. He also committed himself to continuing the Reagan economic system that involves reducing government regulations on business so that industry can get to the business of full employment--and he should avoid raising our taxes. You see, we did read his lips.

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One thing about the '88 mandate that should permit us all to sleep a little better is that he promised to maintain a strong national defense and to stand up tough to the Soviets, and he was elected on that promise--meaning that is what the American people want.

PRESIDENT BUSH HAS A FIGHT ON HIS HANDS--WITH JIM WRIGHT

The 41st Presidential honeymoon will probably set the record in all-time brevity. Jim Wright, the Democratic "sleaze" expert, will probably return as the Speaker of the House. Unlike most of his predecessors, he feels that is the most powerful office in government--and that he is more qualified to lead this country than the President.

Consider his attempt to upstage President Reagan when he tried to arrange a peace accord with his communist buddy Daniel Ortega, the man who has just demanded that the U.S. get completely out of Central America. If Jim Wright would do that during his first term of office, what do you think he is capable of doing when he gets used to the job?

George Bush is going to have a fight on his hands to maintain the constitutionally mandated "separation of powers." Our Founding Fathers entrusted the running of the country to the only official who is elected by all the country: the President. That is what the electoral college is all about. George Bush won 40 states, while Jim Wright was elected by only one small district in Fort Worth, Texas.

The former aide to Tip O'Neill, who held Jim Wright's position until two years ago when he retired, is now a columnist and is quoted as saying BEFORE the presidential election, "If the presidency is lost again for the foreseeable future, Jim Wright, will form basically a congressional government. He will have his own agenda; he will have his own administration; and you're going to see a whole list of issues piled up, many of them resembling the Dukakis campaign."

Look for Mr. Wright to try to snatch the "reigns" of the presidency from Mr. Bush, beginning on day one. Mr. Wright has been in Congress for over 30 years, and like many long-term congressmen, he thinks he knows more about what is best for this country than a President, who at best has only four years to get his program established. And even then, much of it must be approved by Jim Wright's Congress.

If Mr. Bush lets him take an inch, he will reach for a mile--this time. You can be sure it will be more later. Our new President will have to be prepared to stand up to Mr. Wright and let him know who was elected by all of the people.

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During the campaign, Mr. Bush did a valiant job of shaking the so-called "wing" image the media had tacked on him. It will be interesting to see if he allows Jim Wright to hang it on him again.

#### WILL THE NCC BITE THE DUST?

The National Council of Churches--the liberal religious organization that is out of step with most Americans, including many of their own members--is on the verge of financial bankruptcy. This liberal misrepresentation of Christianity has fallen on hard times during the past few years because of its radical, pro-communist activities. At a recent board meeting it was announced it is going to cut its staff to 61 employees in 1989; that's down from 83 in 1988 and down from 187 back in 1968.

There are several reasons for their decline. Much of their income is based on the membership of the churches they represent. These liberal, main-line churches have been losing members by the millions during the past few years, due to the extreme liberalism expressed from their pulpits. It is no accident that at a time when conservative churches are bulging at their seams, liberal churches are dying. That should not come as a surprise; liberals have no theological message to offer a hopeless world.

Another reason for their decline is that the radical leadership of the NCC has led them to support communist regimes against freedom fighters of their own hemisphere. This has disillusioned many of the laity who have taken steps to withhold funds from the NCC. Failing to be successful in some instances, they have left their home churches by the millions for more conservative, Bible-believing churches.

Reorganized in 1950, the NCC is the result of the old Federal Council of Churches, which was taken over by such radical pro-communists that they were forced to disband or lose all support. The National Council of Churches rose out of the ashes of the Federal Council of Churches with some of the same leadership. No wonder it has followed the same soft-on-communism programs as its predecessor.

If enough members of the NCC wake up to what they support and stand for, they could do what was done to the old Federal Council--go bankrupt.

However, what will the media do when they need a religious opinion to publish which would favor their brand of liberalism? They might have to talk to conservatives. If such were the case, we can be sure of one thing: they would get a different answer!

Who knows....they might have to consult Jerry Falwell--but don't count on it.

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### A DAY OF DEDICATION

A thrilling event took place on November 18--just three miles from the Nicaraguan border. It was my privilege to dedicate a new school for refugee children in a place that is affectionately called "the farm." The farm is a haven for the Nicaraguan refugees who have fled their homeland to neighboring Costa Rica. Some were driven there by hunger. Most, however, have fled for freedom from the Sandinista Communist regime. Most of this latter group are Christians who have been persecuted for their faith in Jesus Christ.

The farm would appear to be pretty primitive by our standards, but it consists of about 600 acres on a fast-flowing, shark-infested river. Over 250 American volunteers have gone there to spend one or more weeks of their lives to say to the Nicaraguan refugees, "We do care about you. We have come to work in this hot, steamy, mosquito-infested jungle to carve out a place for you to live; a clinic where Christian doctors, dentists, and nurses can come to care for your physical needs; where teachers have come to provide education for your children; and where missionaries can help care for your spiritual needs."

Frankly, this is one of the most inspirational sites I have ever seen. You wouldn't believe the smiling faces--not just smiling in gratitude for the new clothes that will cover their nakedness or the medicines for their children with bloated bodies, but also for hearing the Good News about Jesus. When a person already has nothing in this life, eternal blessing in the next life must look particularly attractive.

Today I thank God for missionaries Jim and Lenora Woodall to whom God gave the vision for this work, for my wife who caught their vision for this work and led Concerned Women for America to get behind it, for our son-in-law (a minister in California) who brought the first group of 16 Americans down there, for the thousands of people who have given used clothes to almost 20,000 of these refugees, and for those who gave money to make it all possible.

I am not asking you for anything today--just to join me in the happiness I feel in dedicating this ministry to God on behalf of the thousands of individuals who made it possible.

Our Lord said, "As much as you have done it unto one of the least of these little ones, you have done it unto me."

Because of the prayers, vision, work, and gifts of thousands of Christians, I was able to dedicate this special school in the jungle to our God.

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NO TEARS SHED WHEN SENATOR LOWELL WEICKER LOST HIS SENATE BID



For the first time in 12 years, the U.S. Senate will have to function without the services of the liberal Republican from Connecticut. Naturally, the liberals and Democrats mourn his leaving, but conservatives rejoice in knowing that his Democratic replacement is a little more conservative. Now, at least, they can try for a real Republican in six years.

Lowell Weicker, the six-foot-six, three-time married Senator from Connecticut, was an enigma to the Republican party. He feigned himself a conservative when he first ran for office, then changed to his true colors after his election. He will be missed by the Democrats; he was the best Republican voter they had! In fact, he voted against the President's programs more often than he voted for them.

His defeat can be attributed to conservative columnist Bill Buckley, a resident of Connecticut, who publicly urged Republicans and conservatives to vote against Weicker because he was such an entrenched liberal. Of course, credit should be given to his Democratic opponent, who wisely realized he could not run to the left of Weicker; there isn't anyone that far left in public office! So he ran to his right. In fact, if he votes according to his campaign promises, he should end up voting conservative 50 percent of the time. Which is almost 50 percent higher than the liberal giant voted during the last 12 years.

I well remember that day in 1982 when I sat between Dr. Jimmy Draper and Jimmy Swaggart in the Senate Gallery, praying that the Senate would approve the President's Prayer Amendment. It would have been approved that day, had it not been for the around-the-clock work of the liberal Senator from Connecticut. While he was always quick to approve any anti-Christian program advanced by the "People for the Atheist Way," he did not want America's children to be able to voluntarily bow their heads in silent prayer or meditation on public school property. I attribute the defeat of the silent prayer amendment to Senator Weicker. Therefore, I am having a hard time shedding any tears over his departure.

But don't worry about him; the People for the American Way will probably be glad to offer him a job so he can sandbag some more good legislation.

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**NEWS BRIEFS**

\*\*\* **JOHN SUNUNU, GEORGE BUSH'S CHIEF OF STAFF:** Conservatives were cheered at the appointment of John Sununu, a long-time scholar, politician, and New Hampshire Governor. This should provide the best access conservatives have had on important issues to the Administration.

\*\*\* **THE POWER OF INCUMBENCY:** 98.5 percent of the nation's city congressmen were re-elected, which shows the power of near unlimited letter-writing benefits at government expense.

\*\*\* **GOOD NEWS FOR JACK KEMP:** If Jack Kemp decides to run in '96, all of the state's key officials--New York's two senators, congressmen, and a new governor--should be willing to help him, for all of them backed him in his '88 campaign. And New Hampshire traditionally sets the trends.

\*\*\* **AMERICANS ARE STRONG ON NATIONAL DEFENSE.** According to pollster Daniel Yankelovich, the public saw George Bush as stronger on national defense by a score of 65-23.

\*\*\* **DARTMOUTH UNIVERSITY ENTERTAINS MARXISTS.** Congressman Ronald Dellums (D-CA), whose policies favor Marxism, was the featured speaker last year at the Martin Luther King birthday celebration at the university. "This year's speaker was avowed communist (she ran for Gus Hall's Communist party ticket) Angela Davis." (National Review)

\*\*\* **THE GEORGE BUSH MANDATE:** Even though denied by the media as a mandate, his 54 percent of the popular vote was more than "Harry Truman in 1948 (49.5%), John F. Kennedy in '60 (49.7%), Richard Nixon in '68 (43.4%), Jimmy Carter in '76 (50.1%), and Ronald Reagan in '80 (50.7%)." Any objective historian will call it a mandate. (Human Events)

A T.V. version of the "Capital Report" may be seen, via satellite, on many television stations across America. If it is not available in your area, contact your local station and request that they carry it. Call these stations to find out what time it is shown: WPCB Ch. 40, Wall, PA; CBC-TV Ch. 8, Kittanning, PA; WEFC Ch. 38, Roanoke, VA; Liberty Broadcasting Network, Lynchburg, VA; WLYJ Ch. 46, Clarksburg, WV; WGSE Ch. 43, Myrtle Beach, SC; WGGG Ch. 16, Taylors, SC; AGTS Ch. 10, Tifton, GA; WYIE Super Ch. 55, Orange City, FL; CTN Cable Network, Largo, FL; WTRT Ch. 26, Sheffield, AL; WHBR Ch. 33, Robertsdale, AL; WMPV Ch. 21, Mobile, AL; Good News Television, Nashville, TN; First Baptist of Alcoa, Alcoa, TN; WLCN Ch. 19, Madisonville, KY; WGGN Ch. 52, Castalia, OH; WLLA Ch. 64, Delton, MI; WVCY Ch. 30, Milwaukee, WI; WCFC Ch. 38, Chicago, IL; Channel 20, Peoria, IL; KYFC Ch. 50, Shawnee Mission, KS; KDOR Ch. 17, Talala, OK; K47AQ Ch. 47, Denver, CO; KCHF Ch. 11, Santa Fe, NM; K63CO Ch. 28, Alamogordo, NM; Christian Communications Network, El Cajon, CA; KTBN Ch. 40, Tustin, CA; KFCB Ch. 42, Concord, CA; KLXV Ch. 65, San Jose, CA; "The Gary Randall Program," Lake Oswego, OR; Christian Broadcasting of Yakima, Yakima, WA.

In addition to the TV version, a three-minute and a four-minute radio version of the "Capital Report" is also available. Please call your local Christian radio station and urge them to call 1-800-962-1022 for a demo tape.

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**SENSITIVE**

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Sevier Heights Baptist Church	)	
Hollie Miller	)	MUR 2761
Presidential Biblical Scoreboard	)	
Tim LaHaye	)	
Family Life Seminars	)	

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GENERAL COUNSEL'S REPORT

I. BACKGROUND

This is a matter generated by Robert Uhl Lawson, minister of Cumberland Baptist Church in Knoxville, Tennessee.

Mr. Lawson's complaint concerns a letter (Attachment 1) he received signed by Hollie Miller, pastor of Sevier Heights Baptist Church in Knoxville. That letter was on church stationery, and enclosed two documents. Both documents are entitled, "CAPITAL REPORT SPECIAL EDITION." The documents purport to be by Tim LaHaye, a minister and president of "Family Life Seminars" ("FLS"), a corporation. According to LaHaye, FLS published the documents, but neither document so states. FLS was not previously notified as a respondent in this matter.

The letter signed by Hollie Miller is dated October 26, 1988. Its salutation is "Dear Fellow Pastor." Although the letter is on church stationery, this Office cannot yet determine whether the church, Hollie Miller, or some other person paid for the production and distribution of the letter and enclosures.

The letter states,

I'm sure you have received an abundance of material concerning the Presidential election November 8th. However, some of the people in our own congregations are still uninformed concerning the critical nature of this election.

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Enclosed are two documents from Dr. Tim LaHaye . . . . Perhaps you will find these documents helpful as you prayerfully and courageously address the issues in the days to come.

One CAPITAL REPORT SPECIAL EDITION is subtitled "1988 Presidential Position Report." Its introduction reads,

In order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you . . . . If you feel this report would be of interest to your friends and fellow church members, feel free to reproduce and distribute it. Most of all, be sure to vote on November 8, 1988!

The document contains identified photographs of Michael Dukakis and George Bush, and it purports to describe the positions of those candidates on 13 issues. It urges readers to write Presidential Biblical Scoreboard for more information.

The other CAPITAL REPORT SPECIAL EDITION is subtitled "The ACLU: One of the Most Harmful Organizations in America." It states, "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU,' . . . . Years ago I came to believe it was one of the most harmful organizations in the history of America. I am even more convinced of that today." The document contains many derogatory statements about the ACLU, and in a final "What You Can Do" section, exhorts readers to "Pray . . . that the right people will be elected to public office, particularly the Presidency."

This Office has received responses to the complaint from Hollie Miller and Sevier Heights Baptist Church (Attachment 2), from Presidential Biblical Scoreboard (Attachment 3), and on behalf of Tim LaHaye (Attachment 4). Mr. LaHaye and his counsel

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assert in their response that FLS, a corporation, publishes CAPITAL REPORT; accordingly, for the reasons described below, this Office recommends naming FLS as a respondent.

II. FACTUAL AND LEGAL ANALYSIS

A. Tim LaHaye and Family Life Seminars

The present discussion concerns only the production and distribution of the CAPITAL REPORT SPECIAL EDITIONS by Family Life Seminars. The subsequent republication and distribution of the SPECIAL EDITIONS by Hollie Miller or Sevier Heights Baptist Church is discussed later in this report.

It is unlawful for any corporation to make an expenditure in connection with a federal election, or for any corporate officer to consent to a corporate expenditure. 2 U.S.C. § 441b(a). The term "expenditure" includes any payment or anything of value made in connection with a federal election. 2 U.S.C. § 441b(b)(2). The issue of whether the costs of the communications at issue qualify as expenditures is thus a question of analyzing the communications' content. Their content appears to leave little doubt that the communications' costs fall squarely within the expenditure definition.

In the CAPITAL REPORT SPECIAL EDITION subtitled "1988 Presidential Position Report," the introduction concludes, "[B]e sure to vote on November 8, 1988!" The document then presents what purport to be side-by-side comparisons of Michael Dukakis and George Bush on a number of issues. The manner in which the material is presented, however, appears to present a subjective view of the candidates' positions. For example, although the

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Report is not based on any questions sent to the candidates, on three issues, including "THE BUDGET," forceful statements attributed to George Bush are presented alongside the following statement concerning Dukakis: "Dukakis' headquarters refused to make an official statement on this issue." Despite Mr. LaHaye's assertion that "[e]very attempt has been made in my research to be fair and objective by quoting specific statements of both candidates," on issues such as "CHILD CARE," "CRIME," and "SDI," the document makes negative editorial comments about Michael Dukakis.<sup>1</sup>

In a similar manner, the CAPITAL REPORT SPECIAL EDITION subtitled "The ACLU: One of the Most Harmful Organizations in America," launches a highly negative attack on the ACLU with the statement that "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU.'" Counsel argues that Dukakis was mentioned in the SPECIAL EDITION only because his statements made the ACLU a current subject of interest. However, the SPECIAL EDITION was published during an ongoing presidential election campaign in which Dukakis's relationship with the ACLU was a central issue of the Bush campaign. There is no indication that a CAPITAL REPORT SPECIAL EDITION was devoted to criticizing the ACLU at any time before the 1988 presidential election campaign or since.

The SPECIAL EDITION reveals its apparent message,

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1. With one exception, dealing with George Bush's position on the death penalty, all statements of Bush's positions are direct quotes, whereas additional comments, not solely direct quotes, are published regarding Dukakis.

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inconsistent with counsel's argument, in a concluding "What You Can Do" section: "Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly the Presidency . . . ." Published in the context of a presidential election campaign, concerning a major issue employed by Michael Dukakis's opponent in an attempt to defeat Dukakis, the reader is seemingly asked to seek a revival in America by electing the right people, particularly to the presidency. The plain import of the publication is that the "right" presidential candidate must surely be the one who is not a "card-carrying member" of a "most harmful organization."

Similarly, counsel's argument that an exhortation to "[p]ray . . . that the right people will be elected" is not an exhortation to "elect" the right people is unpersuasive. In the context of a pointed discussion of a substantial campaign issue and the explicit identification of a presidential candidate, the quoted exhortation confirms the design of the publication as a whole to urge the defeat of Michael Dukakis. Under these circumstances, an exhortation to voters to "pray" for the election of a specific candidate is indistinguishable from a call to vote for that candidate. In accordance with the foregoing discussion, there is reason to believe that the disbursements to produce and distribute the communications were

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expenditures under Section 441b(a).<sup>2</sup>

The respondents state that FLS is a corporation and that Tim LaHaye is and was the president of FLS. Because he apparently authored the SPECIAL EDITIONS, it seems clear that Mr. LaHaye consented to any expenditures FLS made to publish and distribute the SPECIAL EDITIONS. Accordingly, unless FLS was engaging in exempt activity, it appears that Tim LaHaye and FLS may have violated 2 U.S.C. § 441b(a). Below, we examine whether payments by FLS for the SPECIAL EDITIONS could for any reason be exempt from Section 441b(a)'s prohibition.

1. Press Exemption

According to Tim LaHaye, FLS has published CAPITAL REPORT on a monthly basis since 1986. Counsel for Mr. LaHaye therefore argues that the activities at issue are exempt from the definition of "expenditure" under the press exemption of 2 U.S.C. § 431(9)(B)(i).

Although the regular editions of CAPITAL REPORT may qualify as "periodical publications" pursuant to the press exemption, it appears that the SPECIAL EDITIONS of CAPITAL REPORT, like the

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2. There is an argument that the payment for these communications would violate 2 U.S.C. § 441b(a) only if the communications expressly advocated the election or defeat of a clearly identified candidate. FEC v. Massachusetts Citizens for Life, ("MCFL") 479 U.S. 238, 249 (1986). The Commission has taken the position in litigation that the MCFL statement limiting Section 441b to independent communications of express advocacy is non-binding dicta. Recently, the court in Faucher v. FEC, No. 90-0112-B (D. Me. June 29, 1990), rejected this argument, and this Office has recommended the Commission appeal that decision. Even under such a standard, however, for all the reasons discussed above and infra at section II.B.1., the SPECIAL EDITIONS appear to contain messages of express advocacy.

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"Special Election Edition" newsletter involved in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), do not fall within the press exemption. Copies of some regular editions of CAPITAL REPORT provided with the response to the complaint (Attachment 4, pp. 13 et seq.) reveal that regular editions do not look like the SPECIAL EDITIONS at issue. For example: The mastheads of the regular editions look different from the mastheads of the SPECIAL EDITIONS. The regular editions are dated; the SPECIAL EDITIONS are not. The regular editions are typed; the SPECIAL EDITIONS are typeset. The regular editions do not contain photographs; one of the SPECIAL EDITIONS does. The regular editions contain drawings in the pages' left margins; neither of the SPECIAL EDITIONS does. None of the regular editions contains endnotes; both of the SPECIAL EDITIONS do. The regular editions all conclude with certain typeset information in fine print; neither of the SPECIAL EDITIONS does.

Perhaps most importantly, the regular editions are copyrighted, thus making unauthorized duplication illegal. In contrast, the SPECIAL EDITIONS both state, "Permission granted to reproduce and distribute freely." Thus even though Tim LaHaye states that the SPECIAL EDITION subtitled "The ACLU: One of the Most Harmful Organizations in America" was directly distributed only to regular subscribers, LaHaye and FLS apparently anticipated and encouraged a wider distribution of their SPECIAL EDITIONS. Indeed, the evidence in this matter indicates that is precisely what happened: the SPECIAL EDITIONS

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were reproduced and distributed together to a larger audience.

Accordingly, it is the position of the General Counsel's Office that the SPECIAL EDITIONS at issue in this MUR are not exempt from the definition of "expenditure" under the press exemption of 2 U.S.C. § 431(9)(B)(i).

2. Voter Guides

The Commission's Regulations exempt from the Section 441b(a) prohibition nonpartisan voter guides "consisting of questions posed to candidates concerning their positions on campaign issues and the candidates' responses to those questions." 11 C.F.R. § 114.4(b)(5)(i).<sup>3</sup> Voter guides containing additional comment or editing besides the candidates' verbatim responses, or which in any other way favor one candidate or political party over another, are not exempt. Id. The SPECIAL EDITION subtitled "1988 Presidential Position Report" does not reprint verbatim responses of the candidates without additional comment or editing; indeed, it is not based on any questions sent to the candidates. Moreover, as discussed earlier, it appears to advocate the election of one candidate over the other. Therefore, it cannot be considered a voter guide under 11 C.F.R. § 114.4(b)(5).

3. MCFL-Type Corporation

Counsel asserts that FLS is a corporation permitted to make

3. The court in Faucher v. FEC, No. 90-0112-B (D. Me. June 29, 1990), held invalid Section 114.4(b)(5) because it is not limited to an "express advocacy" standard. This Office has recommended the Commission appeal that decision. Moreover, as noted supra, page 6 n.2, the communications at issue appear to satisfy such a standard.

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independent expenditures under the exception to Section 441b announced by the Supreme Court in FEC v. Massachusetts Citizens for Life, Inc., ("MCFL") 479 U.S. 238 (1986). To evaluate that claim, however, this Office needs more information than that already supplied by the respondents. Therefore, this Office will send respondents interrogatories addressing the issue of whether FLS is an MCFL-type corporation.

For the reasons stated above, this Office recommends that the Commission find reason to believe Tim LaHaye and FLS violated 2 U.S.C. § 441b(a).<sup>4</sup>

B. Hollie Miller and Sevier Heights Baptist Church

The present discussion concerns the reproduction and distribution of the SPECIAL EDITIONS by Hollie Miller and/or the church. As noted, the distribution consisted of the two SPECIAL EDITIONS and a cover letter signed by Hollie Miller; in the discussion that follows, these are referred to together as "the communication" and are analyzed as a whole.

It is not clear whether the church or Hollie Miller or some other person authorized and paid for the costs of the communication. The Tennessee Secretary of State's Office reports, however, that on February 1, 1985 Sevier Heights

4. Because FLS is a corporation and LaHaye is a corporate officer, this Office makes no recommendations at this time concerning potential violations of 2 U.S.C. §§ 433(a) and 434(b) for failing to register and report as a political committee. Also, any violations of 2 U.S.C. § 441d(a) for failing to include a disclaimer on the communications, or of 2 U.S.C. § 434(c) for failing to report independent expenditures, would be subsumed within the Section 441b(a) violations by FLS and Tim LaHaye. If, after investigation, other violations become apparent, this Office will make appropriate recommendations.

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Baptist Church was administratively dissolved as a corporation for failure to file financial reports. This Office therefore makes no recommendations concerning potential violations of 2 U.S.C. § 441b(a); instead, the issues analyzed below are whether the communication required a disclaimer and whether the communication's costs should have been reported.

1. Lack of Disclaimer

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election or defeat of a clearly identified candidate, through any direct mailing, such communication must include a disclaimer that clearly states certain specific information concerning who paid for and authorized the communication. 2 U.S.C. § 441d(a). No part of the communication, i.e. neither the letter signed by Hollie Miller nor the enclosures with that letter, contains a Section 441d(a) disclaimer.<sup>5</sup>

It is apparent that the SPECIAL EDITIONS referred to two "clearly identified candidates," namely Michael Dukakis and

5. The Act contains a number of exemptions from the definition of expenditure, but no exemption appears applicable to the mailing of the communication. For example, though Tim LaHaye argues that the press exemption of 2 U.S.C. § 431(9)(B)(i) applies to the publisher of the CAPITAL REPORT, neither Hollie Miller nor the church is a publisher, nor were their reproduction and distribution of CAPITAL REPORTS part of a legitimate press function. Cf. Readers Digest Association, Inc. v. FEC, 509 F. Supp. 1210 (S.D.N.Y. 1981); FEC v. Phillips Publishing, Inc., 517 F. Supp. 1308 (D.D.C. 1981); Advisory Opinion 1980-109; MUR 2289. In the same manner, it appears that Miller and the Church may not avail themselves of the internal communications exemption of 2 U.S.C. § 431(9)(B)(iii) because, even assuming the church qualifies as a membership organization, the "Dear Fellow Pastor" letter and its enclosures appear to have been sent to persons outside the church's restricted class.

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George Bush. The copies of the SPECIAL EDITIONS received in the mail by the complainant accompanied a letter to "Dear Fellow Pastor" from Hollie Miller and the church. The use of the mails and the lack of a personalized salutation suggest that Miller and the church sent the letter as part of a "direct mailing."

The remaining issue that must be addressed is whether the disbursements to produce, copy, and mail the communication constitute expenditures for a communication "expressly advocating the election or defeat" of the clearly identified candidates. As the following discussion indicates, it is the position of the General Counsel's Office that the costs of the communication did constitute expenditures for an express advocacy communication, and that it therefore required a disclaimer.

To be "express advocacy" under the Act, speech must, when read as a whole and with limited reference to external events, be susceptible of no other reasonable interpretation but an exhortation to vote for or against a specific candidate. FEC v. Furgatch, 807 F.2d 857 (9th Cir. 1987), cert. denied, 108 S. Ct. 151 (1987). The Furgatch court broke that standard into three components. First, speech is "express" if its message is unmistakable and unambiguous, suggestive of only one plausible meaning. Second, speech is "advocacy" if it presents a clear plea for action, and is not merely informative. Finally, speech is "express advocacy for the election or defeat of a clearly identified candidate" when it is clear what action is advocated, i.e. that it encourages a vote for or against a candidate rather

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than encouraging the reader to take some other action. A call to action, however, need not be stated in specific words, but exists if its message is inescapably obvious to any voter reading the communication.

The communication contains numerous "express" statements relating to the upcoming election. The "Dear Fellow Pastor" letter is dated less than two weeks prior to the 1988 general election, and it gives the date of the election, "November 8th." It makes explicit reference to the presidential election, and it terms the election a matter of a "critical nature." The letter suggests that the reader will find the accompanying copies of the CAPITAL REPORT SPECIAL EDITIONS "helpful" in addressing the issues "in the days to come." The context indicates that the usage of that phrase does not refer to a time in the indefinite future, as the phrase is sometimes used in religious circles; rather, the word "days" was apparently intended literally, as a way of stressing to the reader the immediacy of the election less than two weeks hence.

The "advocacy" element of the Furgatch standard seems apparent. The "1988 Presidential Position Report" SPECIAL EDITION exhorts readers with the express exclamation, "most of all, be sure to vote on November 8, 1988!" The accompanying SPECIAL EDITION criticizes the ACLU as "One of the Most Harmful Organizations in America," and identifies candidate Dukakis as a

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"card-carrying" member.<sup>6</sup> It concludes with the call to action, "Pray for those in authority and that the right people will be elected to public office, particularly the Presidency . . . ." It could be argued that "to pray" is not the equivalent of "to vote," and that the SPECIAL EDITION in question, therefore, contains no "advocacy" message. From the context of the communication's mention of a specific presidential candidate and focus on a substantial campaign issue, however, it appears that the statement is not a religious invocation, but rather a partisan political exhortation, especially in view of the explicit exhortation for the reader to vote, elsewhere in the communication.

Finally, it appears that Miller's message was not merely exhorting readers to vote, but rather exhorting them to vote for George Bush and against Michael Dukakis. The information in the "1988 Presidential Position Report" was apparently presented in a subjective manner designed to influence the reader's choice of candidates. The communication presents information about, and contains identified photographs of, only two candidates: Michael Dukakis and George Bush. In the context of the communication taken as a whole, the unmistakable message is that readers should vote against the candidate who is a member of a supposedly "harmful organization."

In accordance with the foregoing discussion, it appears

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6. At the time the communication was distributed, Michael Dukakis's membership in the ACLU had become a major focus of the George Bush campaign's attacks on Dukakis.

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that the communication in question contained an express advocacy message and required a disclaimer. Therefore, this Office recommends that the Commission find reason to believe Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. § 441d(a).

2. Failure to Report Independent Expenditures

Every person (other than a political committee) who makes independent expenditures aggregating in excess of \$250 during a calendar year shall file a statement containing certain specific information. 2 U.S.C. § 434(c). The term "independent expenditure" includes any expenditure expressly advocating the election or defeat of a clearly identified candidate that is made without cooperation or consultation with any authorized committee. 2 U.S.C. § 431(17).

Neither Hollie Miller nor the church is registered as a political committee. As discussed above, the communication apparently qualifies as express advocacy. There is presently no indication that the communication was made in cooperation or consultation with any authorized committee. It therefore appears that costs for the communication fall within the definition of independent expenditures.

There is presently no available evidence concerning the amount of costs for postage, paper, printing, or envelopes for the communication, but if those costs exceeded \$250, the person who paid such costs needed to report them to the Commission. Accordingly, this Office recommends that the Commission find reason to believe Sevier Heights Baptist Church and Hollie

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Miller violated 2 U.S.C. § 434(c). This Office's investigation will address the issue of the expenditures' amount.<sup>7</sup>

C. Presidential Biblical Scoreboard

The "1988 Presidential Position Report" SPECIAL EDITION instructs readers to write to Presidential Biblical Scoreboard for more detailed information. On the basis of the information provided with the complaint, it was unclear what connection existed between Tim LaHaye, the SPECIAL EDITION, and Presidential Biblical Scoreboard, and the responses do not clarify this. On the other hand, in its response (Attachment 3), Presidential Biblical Scoreboard's Publisher explains that the SPECIAL EDITION is not a publication of Presidential Biblical Scoreboard. Rather, the SPECIAL EDITION merely cites Presidential Biblical Scoreboard as a source for additional information. Accordingly, this Office recommends that the Commission find no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c) and close the file with respect to that respondent.

III. RECOMMENDATIONS

1. Find reason to believe Tim LaHaye and Family Life Seminars violated 2 U.S.C. § 441b(a).
2. Find reason to believe Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. §§ 441d(a) and 434(c).
3. Find no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c) and close the

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7. Because there is no indication that the amount of the expenditures exceeded \$1,000, this Office makes no recommendations concerning potential violations of 2 U.S.C. §§ 433(a) and 434(b) for failure to register and report as a political committee.

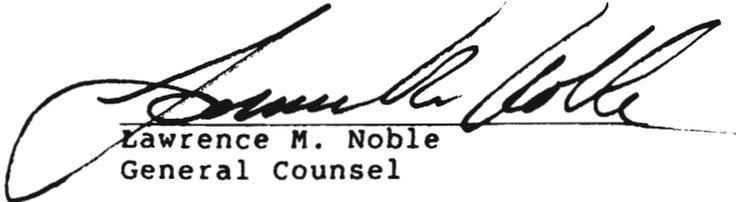
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file with respect to that respondent.

4. Approve the attached Factual and Legal Analyses.
5. Approve the appropriate letters.

Date

8/6/90

  
Lawrence M. Noble  
General Counsel

**Attachments**

1. "Dear Fellow Pastor" letter
2. Response from Miller and church
3. Response from Presidential Biblical Scoreboard
4. Response from LaHaye and FLS
5. Factual and Legal Analyses

Staff Member: R. Raich

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/DELORES HARRIS *DH*  
COMMISSION SECRETARY

DATE: AUGUST 10, 1990

SUBJECT: MUR 2761 - GENERAL COUNSEL'S REPORT  
DATED AUGUST 6, 1990

The above-captioned document was circulated to the Commission on Tuesday, August 7, 1990 at 11:00 a.m..

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	<u>XXX</u>
Commissioner Elliott	<u>XXX</u>
Commissioner Josefiak	<u>XXX</u>
Commissioner McDonald	<u>          </u>
Commissioner McGarry	<u>          </u>
Commissioner Thomas	<u>          </u>

This matter will be placed on the meeting agenda for Tuesday, August 14, 1990.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Sevier Heights Baptist Church; ) MUR 2761  
Hollie Miller; )  
Presidential Biblical Scoreboard; )  
Tim LaHaye; )  
Family Life Seminars. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the  
Federal Election Commission executive session on  
August 21, 1990, do hereby certify that the Commission  
decided by a vote of 5-0 to continue MUR 2761 to the  
executive session of September 18, 1990.

Commissioners Elliott, Josefiak, McDonald, McGarry,  
and Thomas voted affirmatively for the decision;  
Commissioner Aikens was not present.

Attest:

8-27-90  
Date

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Sevier Heights Baptist Church; ) MUR 2761  
Hollie Miller; )  
Presidential Biblical Scoreboard; )  
Tim LaHaye; Family Life Seminars. )

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission Executive Session of October 4, 1990, do hereby certify that the Commission took the following actions in MUR 2761:

1. Decided by a vote of 4-1 to adopt a modified recommendation 1 and find reason to believe that Tim LaHaye and Family Life Seminars violated 2 U.S.C. § 441b(a) for making expenditures in connection with a federal election.

Commissioners Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision. Commissioner Elliott dissented. Commissioner Aikens was absent.

2. Decided by a vote of 5-0 to find no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c) and close the file with respect to that respondent.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision. Commissioner Aikens was absent.

3. Failed on a vote of 3-2 to find reason to believe Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. § 441d(a) and 434(c).

Commissioners McDonald, McGarry and Thomas voted affirmatively for the motion; Commissioners Elliott and Josefiak dissented. Commissioner Aikens was absent.

(continued)

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4. Decided by a vote of 5-0 to close the file with regard to Sevier Heights Baptist Church and Hollie Miller.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision. Commissioner Aikens was absent.

5. Failed on a vote of 1-4 to amend the Factual and Legal Analyses being sent to Tim LaHaye, Family Life Seminars and the Presidential Biblical Scoreboard, in accordance with the August 20, 1990 memorandum from Commissioner Josefiak.

Commissioner Josefiak voted affirmatively for the motion. Commissioners Elliott, McDonald, McGarry and Thomas dissented. Commissioner Aikens was absent.

6. Failed on a vote of 2-3 to approve the Factual and Legal Analyses to Tim LaHaye and Family Life Seminars, as recommended in the General Counsel's Report dated August 6, 1990, subject to the amendments in the August 20, 1990 memorandum from Commissioner Josefiak.

Commissioners Josefiak and Thomas voted affirmatively for the motion. Commissioners Elliott, McDonald and McGarry dissented. Commissioner Aikens was absent.

7. Decided by a vote of 5-0 to continue discussion of MUR 2761 at the next Executive Session of October 16, 1990.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision. Commissioner Aikens was absent.

Attest

October 9, 1990  
Date

Hilda Arnold  
Hilda Arnold  
Administrative Assistant

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Sevier Heights Baptist Church; ) MUR 2761  
Hollie Miller; )  
Presidential Biblical Scoreboard; )  
Time LaHaye; Family Life Seminars. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on October 16, 1990, do hereby certify that the Commission decided by a vote of 6-0 to continue MUR 2761 to the executive session of October 23, 1990.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

10-17-90  
Date

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2761  
Sevier Heights Baptist Church; )  
Hollie Miller; )  
Presidential Biblical Scoreboard; )  
Tim LaHaye; Family Life Seminars. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on October 23, 1990, do hereby certify that the Commission took the following actions in MUR 2761:

1. Failed in a vote of 3-3 to pass a motion to approve the Factual and Legal Analyses to Tim LaHaye and Family Life Seminars, as recommended in the General Counsel's report dated August 6, 1990.

Commissioners McDonald, McGarry, and Thomas voted affirmatively for the motion; Commissioners Aikens, Elliott, and Josefiak dissented.

2. Decided by a vote of 4-2 to approve the Factual and legal Analyses to Tim LaHaye and Family Life Seminars, as recommended in the General Counsel's report dated August 6, 1990, subject to amendment as recommended in Commissioner Josefiak's memorandum dated August 20, 1990.

(continued)

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2. (continued)

Commissioners Josefiak, McDonald, McGarry,  
and Thomas voted affirmatively for the  
decision; Commissioners Aikens and Elliott  
dissented.

3. Decided by a vote of 6-0 to direct the  
Office of General Counsel to send  
appropriate letters.

Commissioners Aikens, Elliott, Josefiak,  
McDonald, McGarry, and Thomas voted  
affirmatively for the decision.

Attest:

10-25-90  
Date

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

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FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 31, 1990

**SENSITIVE**

**MEMORANDUM**

TO: The Commission

FROM: Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner *[Signature]*  
Associate General Counsel

SUBJECT: MUR 2761- Approval of Factual and Legal Analysis for  
Presidential Biblical Scoreboard

On October 4, 1990, the Commission found no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c) and voted to close the file with respect to this respondent. On this same date, the Commission did not approve the Factual and Legal Analysis to be sent to Presidential Biblical Scoreboard.

Because this matter is remaining open, a Factual and Legal Analysis needs to be sent instead of a copy of the General Counsel's Report. Therefore, the attached Factual and Legal Analysis is being circulated for your approval. It has been revised from the one attached to the report to include a definition of independent expenditure.

**RECOMMENDATION**

Approve the attached Factual and Legal Analysis.

Attachment  
Factual and Legal Analysis

Staff Person: Mary Taksar

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**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

Respondent: Presidential Biblical Scoreboard MUR: 2761

This is a matter generated by Robert Uhl Lawson, minister of Cumberland Baptist Church in Knoxville, Tennessee.

Mr. Lawson's complaint concerns a letter he received signed by Hollie Miller, pastor of Sevier Heights Baptist Church in Knoxville. That letter enclosed two documents entitled "CAPITAL REPORT SPECIAL EDITION," by Tim LaHaye.

One CAPITAL REPORT SPECIAL EDITION is subtitled "1988 Presidential Position Report." It contains identified photographs of Michael Dukakis and George Bush, and purports to describe the positions of those candidates on thirteen (13) issues. The document urges readers to write Presidential Biblical Scoreboard for more information.

The Federal Election Campaign Act of 1971, as amended ("the Act") requires that every person (other than a political committee) who makes independent expenditures aggregating in excess of \$250 during a calendar year must file a statement containing certain specific information. 2 U.S.C. § 434(c). The term "independent expenditure" means an expenditure by a person expressly advocating the the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert

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with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate. 2 U.S.C. § 431(11).

It is unclear what connection exists between Tim LaHaye, the SPECIAL EDITION, and Presidential Biblical Scoreboard. However, in its response to the complaint, dated November 18, 1988, Presidential Biblical Scoreboard's Publisher explains that the SPECIAL EDITION is not a publication of Presidential Biblical Scoreboard. Rather, the SPECIAL EDITION merely cites Presidential Biblical Scoreboard as a source for additional information.

Accordingly, there is no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2761  
Approval of Factual and Legal )  
Analysis for Presidential Biblical )  
Scoreboard. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 2, 1990, the Commission decided by a vote of 4-1 to approve the Factual and Legal Analysis as recommended in the General Counsel's Memorandum dated October 31, 1990.

Commissioners Aikens, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner Elliott dissented; Commissioner McDonald did not cast a vote.

Attest:

11-2-90

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

Received in the Secretariat: Wed., October 31, 1990 11:18 a.m.  
Circulated to the Commission: Wed., October 31, 1990 4:00 p.m.  
Deadline for vote: Fri., November 1, 1990 4:00 p.m.

dh

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 15, 1990

Presidential Biblical Scoreboard  
P.O. Box 10428  
Costa Mesa, CA 92627

RE: MUR 2761  
Presidential Biblical  
Scoreboard

Gentlemen:

On November 3, 1988, the Federal Election Commission notified the Presidential Biblical Scoreboard of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. On October 4, 1990, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c). Accordingly, the Commission closed its file in this matter as it pertains to Presidential Biblical Scoreboard.

This matter will become a part of the public record within 30 days after the file has been closed with respect to all respondents. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

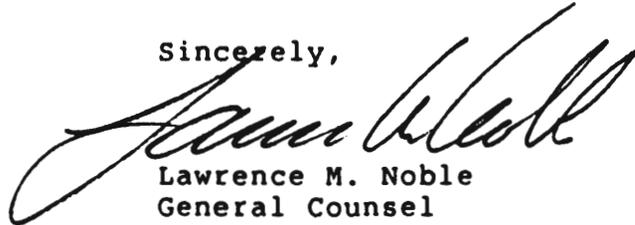
The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted

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Presidential Biblical Scoreboard  
MUR 2761  
Page 2

to the Commission. Receipt of the waiver will be acknowledged  
in writing by the Commission.

Sincerely,



Lawrence M. Noble  
General Counsel

Enclosure  
Factual and Legal Analysis

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**FEDERAL ELECTION COMMISSION**  
**FACTUAL AND LEGAL ANALYSIS**

Respondent: Presidential Biblical Scoreboard MUR: 2761

This is a matter generated by Robert Uhl Lawson, minister of Cumberland Baptist Church in Knoxville, Tennessee. Mr. Lawson's complaint concerns a letter he received signed by Hollie Miller, pastor of Sevier Heights Baptist Church in Knoxville. That letter enclosed two documents entitled "CAPITAL REPORT SPECIAL EDITION," by Tim LaHaye.

One CAPITAL REPORT SPECIAL EDITION is subtitled "1988 Presidential Position Report." It contains identified photographs of Michael Dukakis and George Bush, and purports to describe the positions of those candidates on thirteen (13) issues. The document urges readers to write Presidential Biblical Scoreboard for more information.

The Federal Election Campaign Act of 1971, as amended ("the Act") requires that every person (other than a political committee) who makes independent expenditures aggregating in excess of \$250 during a calendar year must file a statement containing certain specific information. 2 U.S.C. § 434(c). The term "independent expenditure" means an expenditure by a person expressly advocating the the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert

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with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate. 2 U.S.C. § 431(11).

It is unclear what connection exists between Tim LaHaye, the SPECIAL EDITION, and Presidential Biblical Scoreboard. However, in its response to the complaint, dated November 18, 1988, Presidential Biblical Scoreboard's Publisher explains that the SPECIAL EDITION is not a publication of Presidential Biblical Scoreboard. Rather, the SPECIAL EDITION merely cites Presidential Biblical Scoreboard as a source for additional information.

Accordingly, there is no reason to believe Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c).

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 15, 1990

Family Life Seminars  
Tim LaHaye, President  
901 D Street, S.W., 8th Floor  
Washington D.C. 20024

RE: MUR 2761  
Family Life Seminars

Dear Mr. LaHaye:

On October 4, 1990, the Federal Election Commission found that there is reason to believe Family Life Seminars violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Family Life Seminars. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against Family Life Seminars, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause

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Family Life Seminars  
MUR 2761  
Page 2

must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Mary Taksar, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lee Ann Elliott  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Questions

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FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Family Life Seminars

MUR: 2761

In the ordinary course of exercising its supervisory responsibilities, it came to the attention of the Federal Election Commission that Family Life Seminars ("FLS"), a corporation, may have violated 2 U.S.C. § 441b(a). During the 1988 general election campaign, FLS apparently distributed two documents, both entitled "CAPITAL REPORT SPECIAL EDITION." The documents purport to be by Tim LaHaye, a minister and president of FLS. According to LaHaye, FLS published the documents, but neither document so states.

One CAPITAL REPORT SPECIAL EDITION is subtitled "1988 Presidential Position Report." Its introduction reads,

In order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you . . . . If you feel this report would be of interest to your friends and fellow church members, feel free to reproduce and distribute it. Most of all, be sure to vote on November 8, 1988!

The document contains identified photographs of Michael Dukakis and George Bush, and it purports to describe the positions of those candidates on 13 issues.

The other CAPITAL REPORT SPECIAL EDITION is subtitled "The ACLU: One of the Most Harmful Organizations in America." It states, "Governor Michael Dukakis admitted that he 'was a card-

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carrying member of the ACLU,' . . . . Years ago I came to believe it was one of the most harmful organizations in the history of America. I am even more convinced of that today." The document contains many derogatory statements about the ACLU, and in a final "What You Can Do" section, exhorts readers to "Pray . . . that the right people will be elected to public office, particularly the Presidency."

It is unlawful for any corporation to make an expenditure in connection with a federal election, or for any corporate officer to consent to a corporate expenditure. 2 U.S.C. § 441b(a). The term "expenditure" includes any payment or anything of value made in connection with a federal election. 2 U.S.C. § 441b(b)(2). The issue of whether the costs of the communications at issue qualify as expenditures is thus a question of analyzing the communications' content. Their content indicates that the communications' costs fall squarely within the expenditure definition.

In the CAPITAL REPORT SPECIAL EDITION subtitled "1988 Presidential Position Report," the introduction concludes, "[B]e sure to vote on November 8, 1988!" The document then presents what purport to be side-by-side comparisons of Michael Dukakis and George Bush on a number of issues. Although the Report is not based on any questions sent to the candidates, on three issues, including "THE BUDGET," forceful statements attributed to George Bush are presented alongside the following statement concerning Dukakis: "Dukakis' headquarters refused to make an official statement on this issue." On issues such as "CHILD

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CARE," "CRIME," and "SDI," the document makes negative editorial comments about Michael Dukakis.<sup>1</sup>

The CAPITAL REPORT SPECIAL EDITION subtitled "The ACLU: One of the Most Harmful Organizations in America," begins its strong criticism of the ACLU with the statement that "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU.'" This SPECIAL EDITION concludes with a "What You Can Do" section: "Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly the Presidency . . . ." Published in the context of a presidential election campaign in which Dukakis's relationship with the ACLU was a central issue, the content of the publication clearly suggests Dukakis is not the "right" presidential candidate by virtue of his affiliation with the ACLU.

In accordance with the foregoing discussion, there is reason to believe that the disbursements to produce and distribute the communications were expenditures under Section 441b(a). These payments by FLS for the SPECIAL EDITIONS do not appear to fall within any exemptions from the prohibition against corporate expenditures.

1. Press Exemption

According to Tim LaHaye, FLS has published CAPITAL REPORT on a monthly basis since 1986. Although the regular editions

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1. With one exception, dealing with George Bush's position on the death penalty, all statements of Bush's positions are direct quotes, whereas additional comments, not solely direct quotes, are published regarding Dukakis.

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of CAPITAL REPORT may qualify as "periodical publications" pursuant pursuant to the press exemption under 2 U.S.C. § 439(9)(B)(i), it appears that the SPECIAL EDITIONS do not. As with the "Special Election Edition" newsletter involved in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), the SPECIAL EDITIONS at issue in this matter differ significantly from the visual characteristics and intended distribution of the regular editions.

The mastheads of the regular editions look different from the mastheads of the SPECIAL EDITIONS. The regular editions are dated; the SPECIAL EDITIONS are not. The regular editions are typed; the SPECIAL EDITIONS are typeset. The regular editions do not contain photographs; one of the SPECIAL EDITIONS does. The regular editions contain drawings in the margins; neither of the SPECIAL EDITIONS does. None of the regular editions contains endnotes; both of the SPECIAL EDITIONS do. The regular editions all conclude with certain typeset information in fine print; neither of the SPECIAL EDITIONS does.

Furthermore, the regular editions are copyrighted, thus making unauthorized duplication illegal. In contrast, the SPECIAL EDITIONS both state, "Permission granted to reproduce and distribute freely."

Accordingly, the SPECIAL EDITIONS at issue in this MUR are not exempt from the definition of "expenditure" under the press exemption of 2 U.S.C. § 431(9)(B)(i).

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2. Voter Guides

The Commission's Regulations exempt from the Section 441b(a) prohibition nonpartisan voter guides "consisting of questions posed to candidates concerning their positions on campaign issues and the candidates' responses to those questions." 11 C.F.R. § 114.4(b)(5)(i). Voter guides containing additional comment or editing besides the candidates' verbatim responses, or which in any other way favor one candidate or political party over another, are not exempt. Id. The SPECIAL EDITION subtitled "1988 Presidential Position Report" does not reprint verbatim responses of the candidates without additional comment or editing; indeed, it is not based on any questions sent to the candidates. Therefore, it cannot be considered a voter guide under 11 C.F.R. § 114.4(b)(5).

3. MCFL-Type Corporation

Counsel for Tim LaHaye asserts that FLS is a corporation permitted to make independent expenditures under the exception to Section 441b announced by the Supreme Court in FEC v. Massachusetts Citizens for Life, Inc., ("MCFL") 479 U.S. 238 (1986). To evaluate that claim, however, the Commission needs more information.

For the reasons stated above, there is reason to believe FLS violated 2 U.S.C. § 441b(a).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2761

INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS

TO: Family Life Seminars  
Tim LaHaye, President  
901 D Street, S.W., 8th Floor  
Washington D.C. 20024

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to December 31, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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1. a. State whether or not Family Life Seminars (FLS) is incorporated.

b. If incorporated, state where and when it was incorporated and indicate whether or not it has any shareholders.

2. a. State the purpose for which FLS was formed and whether it was formed by a business corporation or union.

b. State whether FLS engages in business activities.

3. Provide a copy of FLS's bylaws and articles of incorporation.

4. a. State whether FLS is a membership organization.

b. If so, then for calendar year 1988, state the number of FLS members.

c. If so, state the number of corporate or labor union members and the amount of membership dues collected from each during calendar year 1988.

5. a. State whether FLS has a policy against accepting contributions from business corporations or other types of corporations or labor unions.

b. If so, provide a copy of such policy.

c. If so, state when the policy was adopted and how and in what manner it was adopted.

d. State whether FLS has ever accepted a corporate or labor union contribution.

6. State whether FLS rented or purchased mailing lists to facilitate the mailing of each SPECIAL EDITION or a mailing which consisted of both SPECIAL EDITIONS.

7. a. State whether during 1988 FLS accepted any money which was not considered a donation to FLS.

b. If so, state the amount of money accepted and from whom.

c. If so, state whether the money was in return for a service, product, or other item of value. State all the services, products, and other items of value which were exchanged for the money.

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Family Life Seminars  
MUR 2761  
Page 5

d. Identify all of FLS's sources of revenue other than membership or subscriber contributions. List each source of revenue by type of activity generating such revenue and state the amount received by FLS in 1988 from each source.

8. State whether FLS has established a separate segregated fund for the purpose of political activity or campaign related activities. If so, identify the name of this fund.

9. State whether FLS has filed for or claims tax exempt status under the I.R.S. code.

10. Separately with regard to each question above, identify the natural person responding, and identify each person who provided any information used in the preparation of the response.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 15, 1990

Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington D.C. 20006

RE: MUR 2761  
Dr. Tim LaHaye

Dear Mr. Dye:

On November 3, 1988, the Federal Election Commission notified your client, Dr. Tim LaHaye, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time.

Upon further review of the allegations contained in the complaint, and information supplied by your client, Dr. Tim LaHaye, the Commission, on October 4, 1990, found that there is reason to believe Dr. Tim LaHaye violated 2 U.S.C. § 441b(a), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Dr. Tim LaHaye. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against Dr. Tim LaHaye, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.

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Alan P. Dye, Esq.  
MUR 2761  
Page 2

Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Mary Taksar, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Lee Ann Elliott  
Chairman

Enclosures  
Questions  
Factual & Legal Analysis

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FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Tim LaHaye

MUR: 2761

This is a matter generated by Robert Uhl Lawson, minister of Cumberland Baptist Church in Knoxville, Tennessee.

Mr. Lawson's complaint concerns a letter he received signed by Hollie Miller, pastor of Sevier Heights Baptist Church in Knoxville. That letter was on church stationery, and enclosed two documents. Both documents are entitled, "CAPITAL REPORT SPECIAL EDITION." The documents purport to be by Tim LaHaye, a minister and president of "Family Life Seminars" ("FLS"), a corporation. According to LaHaye, FLS published the documents, but neither document so states.

One CAPITAL REPORT SPECIAL EDITION is subtitled "1988 Presidential Position Report." Its introduction reads,

In order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you . . . .  
. If you feel this report would be of interest to your friends and fellow church members, feel free to reproduce and distribute it. Most of all, be sure to vote on November 8, 1988!

The document contains identified photographs of Michael Dukakis and George Bush, and it purports to describe the positions of those candidates on 13 issues.

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The other CAPITAL REPORT SPECIAL EDITION is subtitled "The ACLU: One of the Most Harmful Organizations in America." It states, "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU,' . . . . Years ago I came to believe it was one of the most harmful organizations in the history of America. I am even more convinced of that today." The document contains many derogatory statements about the ACLU, and in a final "What You Can Do" section, exhorts readers to "Pray . . . that the right people will be elected to public office, particularly the Presidency."

The Commission has received a response to the complaint from Tim LaHaye.

It is unlawful for any corporation to make an expenditure in connection with a federal election, or for any corporate officer to consent to a corporate expenditure. 2 U.S.C. § 441b(a). The term "expenditure" includes any payment or anything of value made in connection with a federal election. 2 U.S.C. § 441b(b)(2). The issue of whether the costs of the communications at issue qualify as expenditures is thus a question of analyzing the communications' content. Their content indicates that the communications' costs fall squarely within the expenditure definition.

In the CAPITAL REPORT SPECIAL EDITION subtitled "1988 Presidential Position Report," the introduction concludes, "[B]e sure to vote on November 8, 1988!" The document then presents what purport to be side-by-side comparisons of Michael Dukakis and George Bush on a number of issues. Although the Report is

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not based on any questions sent to the candidates, on three issues, including "THE BUDGET," forceful statements attributed to George Bush are presented alongside the following statement concerning Dukakis: "Dukakis' headquarters refused to make an official statement on this issue." On issues such as "CHILD CARE," "CRIME," and "SDI," the document makes negative editorial comments about Michael Dukakis.<sup>1</sup>

The CAPITAL REPORT SPECIAL EDITION subtitled "The ACLU: One of the Most Harmful Organizations in America," begins its strong criticism of the ACLU with the statement that "Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU.'" This SPECIAL EDITION concludes with a "What You Can Do" section: "Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly the Presidency . . . ." Published in the context of a presidential election campaign in which Dukakis's relationship with the ACLU was a central issue, the content of the publication clearly suggests Dukakis is not the "right" presidential candidate by virtue of his affiliation with the ACLU.

In accordance with the foregoing discussion, there is reason to believe that the disbursements to produce and distribute the communications were expenditures under Section 441b(a). These payments by FLS for the SPECIAL EDITIONS do not

1. With one exception, dealing with George Bush's position on the death penalty, all statements of Bush's positions are direct quotes, whereas additional comments, not solely direct quotes, are published regarding Dukakis.

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appear to fall within any exemptions from the prohibition against corporate expenditures.

1. Press Exemption

According to Tim LaHaye, FLS has published CAPITAL REPORT on a monthly basis since 1986. Although the regular editions of CAPITAL REPORT may qualify as "periodical publications" pursuant to the press exemption under 2. U.S.C. § 431(9)(B)(i), it appears that the SPECIAL EDITIONS do not. As with the "Special Election Edition" newsletter involved in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), the SPECIAL EDITIONS at issue in this matter differ significantly from the visual characteristics and intended distribution of the regular editions.

The mastheads of the regular editions look different from the mastheads of the SPECIAL EDITIONS. The regular editions are dated; the SPECIAL EDITIONS are not. The regular editions are typed; the SPECIAL EDITIONS are typeset. The regular editions do not contain photographs; one of the SPECIAL EDITIONS does. The regular editions contain drawings in the margins; neither of the SPECIAL EDITIONS does. None of the regular editions contains endnotes; both of the SPECIAL EDITIONS do. The regular editions all conclude with certain typeset information in fine print; neither of the SPECIAL EDITIONS does.

Furthermore, the regular editions are copyrighted, thus making unauthorized duplication illegal. In contrast, the SPECIAL EDITIONS both state, "Permission granted to reproduce and distribute freely."

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Accordingly, the SPECIAL EDITIONS at issue in this MUR are not exempt from the definition of "expenditure" under the press exemption of 2 U.S.C. § 431(9)(B)(i).

2. Voter Guides

The Commission's Regulations exempt from the Section 441b(a) prohibition nonpartisan voter guides "consisting of questions posed to candidates concerning their positions on campaign issues and the candidates' responses to those questions." 11 C.F.R. § 114.4(b)(5)(i). Voter guides containing additional comment or editing besides the candidates' verbatim responses, or which in any other way favor one candidate or political party over another, are not exempt. Id. The SPECIAL EDITION subtitled "1988 Presidential Position Report" does not reprint verbatim responses of the candidates without additional comment or editing; indeed, it is not based on any questions sent to the candidates. Therefore, it cannot be considered a voter guide under 11 C.F.R. § 114.4(b)(5).

3. MCFL-Type Corporation

Counsel asserts that FLS is a corporation permitted to make independent expenditures under the exception to Section 441b announced by the Supreme Court in FEC v. Massachusetts Citizens for Life, Inc., ("MCFL") 479 U.S. 238 (1986). To evaluate that claim, however, the Commission needs more information than that already supplied by the respondent.

The respondent states that FLS is a corporation and that Tim LaHaye is and was the president of FLS. Because he apparently authored the SPECIAL EDITIONS, it seems clear that

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Mr. LaHaye consented to any expenditures FLS made to publish and distribute the SPECIAL EDITIONS.

For the reasons stated above, there is reason to believe Tim LaHaye violated 2 U.S.C. § 441b(a).

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2761

**INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS**

TO: Tim LaHaye

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to December 31, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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1. a. For 1988, state the dates on which a CAPITAL REPORT was published and indicate the number of copies published and the number of copies distributed.

b. Describe the method used to determine who would receive the publication.

c. State the total costs associated with each issue, including but not limited to, costs of production, art work, printing, and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

d. Identify the persons who prepared, edited, and published CAPITAL REPORT.

e. Identify the facilities used to prepare, edit, and publish CAPITAL REPORT.

f. Identify the persons who paid for the costs associated with the CAPITAL REPORT and the amounts paid by each person.

2. a. For 1988, state the date on which CAPITAL REPORT SPECIAL EDITION-"1988 Presidential Position Report" was published and indicate the number of copies published.

b. State the date on which it was distributed and the number of copies distributed.

c. Describe the method used to determine who would receive the publication.

d. State the total costs associated with this issue including but not limited to, costs of production, art work, printing, and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

e. Identify the persons who paid for the costs associated with the CAPITAL REPORT SPECIAL EDITION-"1988 Presidential Position Report" and the amounts paid by each person.

f. Identify the persons who prepared, edited, and published this SPECIAL EDITION.

g. Identify the facilities used to prepare, edit, and publish this SPECIAL EDITION.

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3. a. For 1988, state the date on which the CAPITAL REPORT SPECIAL EDITION- "the ACLU: One of the Most Harmful Organizations in America was published and indicate the number of copies published.

b. State the date on which it was distributed and the number of copies distributed.

c. Describe the method used to determine who would receive the publication.

d. State the total costs associated with this issue including but not limited to, costs of production, art work, printing, and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

e. Identify those persons who paid for the costs associated with the CAPITAL REPORT SPECIAL EDITION-"The ACLU: One of the Most Harmful Organizations in America" and the amounts paid by each person.

f. Identify the persons who prepared, edited, and published this SPECIAL EDITION.

g. Identify the facilities used to prepare, edit, and publish this SPECIAL EDITION.

4. a. State whether at any time the CAPITAL REPORT SPECIAL EDITION-"1988 Presidential Position Report" and the CAPITAL REPORT SPECIAL EDITION-"The ACLU: One of the Most Harmful Organizations in America" were distributed together.

b. If so, state the dates on which the two were distributed together and the number of copies distributed.

c. If so, describe the method used to determine who would receive the publications.

5. State whether the two SPECIAL EDITIONS were prepared, edited, or published in coordination or cooperation with or at the request or suggestion of any candidate for federal office.

6. Separately with regard to each question above, identify the natural person responding, and identify each person who provided any information used in preparation of the response.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 15, 1990

Holly Miller, Pastor  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Holly Miller

Dear Pastor Miller:

On November 3, 1988, the Federal Election Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

On October 4, 1990, the Commission considered the complaint but there was an insufficient number of votes to find reason to believe you violated 2 U.S.C. §§ 441d(a) and 434(c). Accordingly, the Commission closed its file in this matter as it pertains to you. This matter will become part of the public record within 30 days after the file has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Please send such materials to the General Counsel's Office.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please direct them to Mary Taksar, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 15, 1990

Sevier Heights Baptist Church  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Sevier Heights Baptist  
Church

Gentlemen:

On November 3, 1988, the Federal Election Commission notified Sevier Heights Baptist Church of a complaint alleging that Sevier Heights Baptist Church violated certain sections of the Federal Election Campaign Act of 1971, as amended.

On October 4, 1990, the Commission considered the complaint but there was an insufficient number of votes to find reason to believe Sevier Heights Baptist Church violated 2 U.S.C. §§ 441d(a) and 434(c). Accordingly, the Commission closed its file in this matter as it pertains to Sevier Heights Baptist Church. This matter will become part of the public record within 30 days after the file has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Please send such materials to the General Counsel's Office.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed. In the event you wish to waive confidentiality under 2 U.S.C. § 437g(a)(12)(A), written notice of the waiver must be submitted to the Commission. Receipt of the waiver will be acknowledged in writing by the Commission.

If you have any questions, please direct them to Mary Taksar, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

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LAW OFFICES  
**WEBSTER, CHAMBERLAIN & BEAN**

1747 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-0500

FAX: (202) 835-0243

GEORGE D. WEBSTER  
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ARTHUR L. HEROLD  
ALAN P. DYE  
EDWARD D. COLEMAN  
BURKETT VAN KIRK  
FRANK M. NORTHAM  
GERARD P. PANARO  
JOHN W. HAZARD, JR.  
CHARLES M. WATKINS  
HUGH K. WEBSTER  
ANNE B. POPE

OF COUNSEL  
CHARLES E. CHAMBERLAIN

November 30, 1990

VIA HAND DELIVERY

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FEDERAL ELECTION COMMISSION  
OFFICE OF THE GENERAL COUNSEL

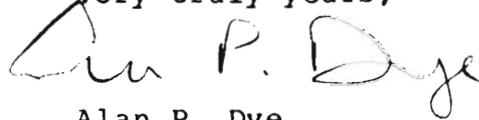
Ms. Mary Taksar  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W., 6th Floor  
Washington, DC 20463

Re: MUR 2761;  
Dr. Tim LaHaye

Dear Ms. Taksar:

Pursuant to our telephone conversation this morning, this is to request an extension of twenty (20) days until December 24, 1990, of the due date for a response in the above-cited matter. The basis for this request is that Dr. LaHaye will be entering the hospital in California for surgery on Saturday, December 1st and therefore cannot adequately prepare responses by the original due date of December 4th.

Very truly yours,



Alan P. Dye

APD:dla

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 4, 1990

Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 2761  
Dr. Tim LaHaye

Dear Mr. Dye:

This is in response to your letter dated November 30, 1990, which we received on November 30, 1990, requesting an extension of 20 days to respond to Interrogatories and Request for Production of Documents. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on December 26, 1990.

If you have any questions, please contact Mary Taksar, the staff member assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in dark ink, appearing to read "Lois G. Lerner".

BY: Lois G. Lerner  
Associate General Counsel

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RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

LAW OFFICES  
**WEBSTER, CHAMBERLAIN & BEAN**  
1747 PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C. 20006

(202) 785-9500  
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OF COUNSEL  
CHARLES E. CHAMBERLAIN  
CONSULTANT  
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ALAN P. DYE  
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GERARD P. PANARO  
JOHN W. HAZARD, JR.  
CHARLES M. WATKINS  
ROBERT M. SKELTON  
HUGH K. WEBSTER  
ANNE B. POPE

December 26, 1990

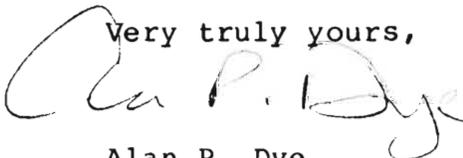
Lois G. Lerner, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2761; Dr. Tim LaHaye;  
Family Life Seminars

Dear Ms. Lerner:

Enclosed is the response of Dr. Timothy LaHaye and Family Life Seminars to the Factual and Legal Analysis of the Office of General Counsel. Also enclosed are the responses to the interrogatories and document requests submitted to Family Life Seminars.

The responses to the interrogatories and document requests submitted to Dr. LaHaye are not yet completed due to the fact that the FLS offices are closed until the end of the year. We were unable to contact you about this for the same reason. We will provide you with these responses as soon as possible.

Very truly yours,  
  
Alan P. Dye

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A. L. SINGLETON

December 26, 1990

Lois G. Lerner, Esq.  
Associate General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Re: MUR 2761; Dr. Tim LaHaye;  
Family Life Seminars

Dear Ms. Lerner:

This is in response to the findings of the Federal Election Commission ("FEC") that there is reason to believe that Family Life Seminars ("FLS") and Dr. Timothy LaHaye violated 2 U.S.C. §441b(a). The responses to the FEC's interrogatories and document requests are enclosed.

We also wish to respond to the Factual and Legal Analysis of the General Counsel.

In response to the original complaint in this matter, we pointed out that FLS is exempt from the prohibitions of §441b by virtue of the First Amendment, as further elucidated in FEC v. Massachusetts Citizens For Life, 479 U.S. 238 (1986) (see letter dated December 19, 1988, from Webster, Chamberlain & Bean to Robert Raich, Esq.) The Office of the General Counsel ("OGC"), in its Factual and Legal Analysis, does not dispute this, but, rather, states that more information on FLS is necessary.

That information is provided in response to the interrogatories and document requests, and it clearly demonstrates that FLS is not subject to the corporate expenditure restrictions of §441b. As held in the MCFL case, §441b is not applicable to an organization that has the following characteristics: (1) it was formed for the express purpose of promoting political ideas and cannot engage in business activities; (2) it has no shareholders or other persons affiliated so as to have a claim on its assets or earnings; (3) and it was not established by a business corporation or a labor union, and it does not accept contributions from such entities. MCFL, 479 U.S. at 261. FLS was formed to promote and express

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Lois G. Lerner, Esq.  
December 26, 1990  
Page Two

certain fundamentalist Christian ideas, and its supporters, contributors, and Capital Report subscribers are fully aware of and support the promotion and expression of these ideas. Therefore, the concern expressed in MCFL that an organization may be expending funds in a way in which financial contributors are unaware is not present. In addition, there are no shareholders or similar persons in the corporation, it was not established by a business corporation or a labor union, and it has never accepted contributions from such entities. (See enclosed responses to interrogatories and copy of affidavit of Dr. LaHaye previously provided to FEC.)

Further, even if §441b were applicable to FLS, the two newsletters at issue definitely do not constitute express advocacy of the election or defeat of a clearly defined candidate.

One newsletter presents a critical analysis of the American Civil Liberties Union ("ACLU"). Governor Michael Dukakis is mentioned as having admitted that he is a "card-carrying" member of the ACLU, but there is absolutely no directive, exhortation, or similar command with respect to the election or defeat of Dukakis. His candidacy for President is never referred to. FLS, like all organizations, has a First Amendment right to discuss political issues. Buckley v. Valeo, 424 U.S. 1, 79 (1976), and the fact that a particular candidate may also have discussed that issue cannot magically transform it into a forbidden topic. To adopt such a position, as the Office of the General Counsel seems to have done, would be to effectively outlaw any issue discussion. For example, an organization that publishes a paper on defense issues and argues in favor of the Strategic Defense Initiative ("SDI"), could be accused of supporting any candidate that may also have advocated support for SDI. This, of course, is an indefensible yet inevitable outcome of the OGC's position. Taxes, homelessness, economic policy, and every other important issue are discussed by candidates daily, and certain candidates even become identified with a particular issue or cause. As stated by the U.S. Supreme Court:

Public discussion of public issues which also are campaign issues readily and often unavoidably draws in candidates and their positions, their voting records and other official conduct. Discussions of those issues, and as well more positive efforts to influence public opinion on them, tend naturally and inexorably to exert some influence on voting at elections.

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Lois G. Lerner, Esq.  
December 26, 1990  
Page Three

Buckley, 424 U.S. at 42 n. 50 (quoting the lower court opinion). But this should not, and constitutionally cannot, transform these into forbidden issues, for, as can easily be seen, all issue-oriented discussion would be censored. Buckley, at 42-45.

One more point must be made with respect to the newsletter discussing the ACLU. In order to be considered express advocacy, words must constitute "an exhortation to vote for or against a specific candidate." FEC v. Furgatch, 807 F.2d 857, 864 (9th Cir. 1987). In the ACLU newsletter, the only exhortation is to "pray for those in authority and that the right people will be elected to public office, particularly to the Presidency, . . ." To suggest, as the OGC seems to do, that this request to "pray" is in fact a disguised command to "vote" demonstrates, at best, a complete ignorance of the Christian religion. Dr. Tim LaHaye and other fundamentalist Christians sincerely believe that prayer is a viable, constructive method of accomplishing things in life. When FLS and Dr. LaHaye ask people to pray, that is exactly what is being requested.

The second newsletter, entitled "1988 Presidential Position Report," likewise does not expressly advocate the election or defeat of a candidate. First, there is no exhortation or directive to vote for or against either Dukakis or Bush. Express advocacy cannot be inferred, as the OGC has attempted to do here. FEC v. Central Long Island Tax Reform Immediately, 616 F.2d 45, 53 (2d Cir. 1980).

Second, and equally important, the positions of the candidates on each issue are presented in a fair and objective manner. The OGC argues that the statement "Dukakis' headquarters refused to make an official statement on this issue," which appears concerning three issues, somehow constitutes express advocacy. Again, the OGC is inferring express advocacy. In addition, the statement itself is not a negative one, and in each case it is a true statement. While FLS itself did not survey the candidates directly, in fact the Dukakis campaign did refuse to issue an official statement on the three issues when requested by other entities, e.g., the Biblical Scoreboard or The Washington Times, both of which are referenced in the newsletter. Indeed, FLS does not paraphrase or summarize the candidates' positions. All are direct quotes from the candidates themselves. Nothing could be more objective and non-partisan than that.

Finally, that the OGC labels certain comments in the newsletter as "negative" about Dukakis is wholly subjective opining by the OGC, since these comments are in fact factual. In any event,

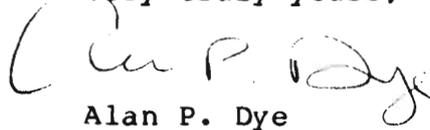
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Lois G. Lerner, Esq.  
December 26, 1990  
Page Four

this is classic bureaucratic nitpicking by the OGC, and the newsletter as a whole is unquestionably objective.

For the foregoing reasons, all proceedings with respect to MUR 2761 should be closed. In the interests of ending this matter as quickly as possible, Dr. LeHaye and Family Life Seminars are interested in pursuing conciliation pursuant to 11 C.F.R. §111.18(d).

Very truly yours,



Alan P. Dye

APD:dla  
Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
In the Matter of )  
 )  
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FAMILY LIFE SEMINARS and )  
DR. TIMOTHY LaHAYE )  
\_\_\_\_\_ )

MUR 2761

ANSWERS OF FAMILY LIFE SEMINARS TO THE  
FEDERAL ELECTION COMMISSION'S INTERROGATORIES  
AND REQUEST FOR PRODUCTION OF DOCUMENTS

TO: Lois G. Lerner, Esq.  
Associate General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, DC 20463

Interrogatories and Document Requests

1.a. State whether or not Family Life Seminars ("FLS") is incorporated.

b. If incorporated, state where and when it was incorporated and indicate whether or not it has any shareholders.

Answer:

a. FLS is incorporated.

b. FLS was incorporated in California on December 10, 1974. It has no shareholders.

2.a. State the purpose for which FLS was formed and whether it was formed by a business corporation or union.

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2.b. State whether FLS engages in business activities.

Answer:

a. The purposes for which FLS was formed are set forth in Article II of the Articles of Incorporation (enclosed). FLS was not formed by a business corporation or union.

b. FLS objects to this question because the term "business activities" is not defined. Without waiving this objection, FLS states that, like all non-profit, tax-exempt organizations, it has necessary day-to-day administrative tasks that must be performed. However, all of FLS' activities are in furtherance of its non-profit, tax-exempt purposes, are non-commercial, and, in the context in which the term apparently was used, are not "business activities."

3. Provide a copy of FLS' bylaws and articles of incorporation.

Answer:

These documents are enclosed.

4.a. State whether FLS is a membership organization.

b. If so, then for calendar year 1988, state the number of FLS members.

c. If so, state the number of corporate or labor union members and the amount of membership dues collected from each during calendar year 1988.

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Answer:

- a. FLS is not a membership organization.
- b. Not applicable.
- c. Not applicable.

5.a. State whether FLS has a policy against accepting contributions from business corporations or other types of corporations or labor unions.

b. If so, provide a copy of such policy.

c. If so, state when the policy was adopted and in what manner it was adopted.

d. State whether FLS has ever accepted a corporate or labor union contribution.

Answer:

- a. FLS does not have such a policy.
- b. Not applicable.
- c. Not applicable.
- d. FLS has never accepted a corporate or labor union contribution.

6. State whether FLS rented or purchased mailing lists to facilitate the mailing of each SPECIAL EDITION or a mailing which consisted of both SPECIAL EDITIONS.

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Answer:

FLS did not do so.

7.a. State whether during 1988 FLS accepted any money which was not considered a donation to FLS.

b. If so, state the amount of money accepted and from whom.

c. If so, state whether the money was in return for a service, product, or other item of value. State all the services, products, and other items of value which were exchanged for the money.

d. Identify all of FLS's sources of revenue other than membership or subscriber contributions. List each source of revenue by type of activity generating such revenue and state the amount received by FLS in 1988 from each source.

Answer:

a. See answer to 7.d.

b. See answer to 7.d.

c. See answer to 7.d.

d.	<u>Source</u>	<u>Amount</u>
	Donations	
	Seminar and Speaking Honoraria	
	List Rentals	
	Book Royalties	
	Sales of Cassette of the Month	
	Sales of Temperament Tests	
	Book Sales	
	Travel Reimbursement	
	Total	

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8. State whether FLS has established a separate segregated fund for the purpose of political activity or campaign related activities. If so, identify the name of this fund.

Answer:

FLS has not established a separate segregated fund.

9. State whether FLS has filed for or claims tax exempt status under the I.R.S. code.

Answer:

FLS is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code.

10. Separately with regard to each question above, identify the natural person responding, and identify each person who provided any information used in the preparation of the response.

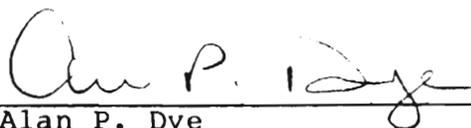
Answer:

Dr. Tim LaHaye.

DATED this 26th day of December, 1990.

Respectfully submitted,

By:

  
\_\_\_\_\_  
Alan P. Dye  
WEBSTER, CHAMBERLAIN & BEAN  
1747 Pennsylvania Avenue, N.W.  
Suite 1000  
Washington, DC 20006  
(202) 785-9500

Attorneys for Family Life Seminars,  
Respondent

35197

# STATE OF CALIFORNIA



## OFFICE OF THE SECRETARY OF STATE

I, *EDMUND G. BROWN JR.*, Secretary of State of the State of California, hereby certify:

That the annexed transcript has been compared with the RECORD on file in this office, of which it purports to be a copy, and that same is full, true and correct.

IN WITNESS WHEREOF, I execute  
this certificate and affix the Great  
Seal of the State of California this

DEC 10 1974



*Edmund G. Brown Jr.*

Secretary of State

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ARTICLES OF INCORPORATION

**ENDORSED  
FILED**

In the office of the Secretary of State  
of the State of California  
DEC 9 - 1974

EDMUND G. BROWN Jr., Secretary of State  
Janet E. Jauregui  
Deputy

OF

FAMILY LIFE SEMINARS

I

**FILED**  
DEC 31 1974  
JESSE OSUNA, Clerk  
SAN DIEGO COUNTY

BY \_\_\_\_\_  
DEPUTY.

The name of this corporation shall be FAMILY LIFE SEMINARS.

II

The purposes for which this corporation is formed are:

(a) The specific and primary purposes are to conduct religious seminars on family life.

(b) The general purposes and powers are to have and to exercise all rights and powers conferred on nonprofit corporations under the laws of California, including the power to contract, rent, buy or sell personal or real property, and to act as principal, agent, partner, joint venturer or in any other legal capacity in any transaction, provided, however, that this corporation shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the primary purposes of this corporation.

(c) No substantial part of the activities of this corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and the corporation shall not participate or intervene in any political campaign (including the publishing or distribution of statements) on behalf of any candidate for public office.

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III

This corporation is organized pursuant to the General Nonprofit Corporation Law of the State of California. This corporation is organized for nonprofit purposes and no pecuniary gain or profit shall inure to the members thereof.

IV

The principal office for the transaction of the business of this corporation is located in the County of San Diego, State of California.

V

The names and addresses of the persons who are to act in the capacity of directors until the selection of their successors are:

<u>Name</u>	<u>Address</u>
TIM F. LaHAYE	4839 Sunrise Hills El Cajon, California 92020
BEVERLY J. LaHAYE	4839 Sunrise Hills El Cajon, California 92020
WILLIAM K. LYONS	3362 North Mountain View Drive San Diego, California 92116

VI

The authorized number and qualifications of members of the corporation, the different classes of membership, if any, the property, voting and other rights and privileges of members, and their liability to dues and assessments and the method of collection thereof, shall be as set forth in the bylaws.

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The property of this corporation is irrevocably dedicated to religious purposes and no part of the net income or assets of this corporation shall ever inure to the benefit of any director, officer or member thereof or to the benefit of any private persons. Upon the dissolution or winding up of the corporation, its assets remaining after payment, or provision for payment, of all debts and liabilities of this corporation shall be distributed to a nonprofit fund, foundation or corporation which is organized and operated exclusively for religious purposes and which has established its tax exempt status under Section 501(c)(3) of the Internal Revenue Code of 1954, as now in effect and as subsequently amended. If this corporation holds any assets in trust, or the corporation is formed for charitable purposes, such assets shall be disposed of in such manner as may be directed by decree of the Superior Court of the county in which the corporation has its principal office, upon petition therefor by the Attorney General or by any person concerned in the liquidation, in a proceeding to which the Attorney General is a party.

VIII

The name of the unincorporated association which is being incorporated is FAMILY LIFE SEMINARS.

IN WITNESS WHEREOF, the undersigned, being the president



BY-LAWS OF  
FAMILY LIFE SEMINARS

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BY-LAWS OF  
FAMILY LIFE SEMINARS

ARTICLE I

OFFICES

Section 1. PRINCIPAL OFFICE. The principal office for the transaction of the business of the corporation is hereby fixed and located at 2100 Greenfield Drive in the City of El Cajon, County of San Diego, State of California. The Board of Directors is hereby granted full power and authority to change said principal office from one location to another in said County. Any such change shall be noted on the By-Laws by the Secretary, in the margin opposite this section, or else this section shall be amended entirely so as to state the new location.

Section 2. OTHER OFFICES. Branch or subordinate offices may at any time be established by the Board of Directors at any place or places where the corporation is qualified to do business.

ARTICLE II

MEMBERS AND MEMBERS' MEETINGS

Section 1. MEMBERSHIP. Persons shall be admitted to the corporation as members upon application and with the written concurrence of a majority of the Board of Directors. The qualifications required for membership shall be within the sole discretion of the Board of Directors and may include payment of a reasonable membership fee. The membership of any person may be suspended at any time by majority vote of the Board of Directors and for any reason in the sole discretion of the Board of Directors. Membership is non-transferable and non-assignable.

Section 2. DONATIONS. Members may be required to pay monthly or annual dues as a condition of membership or may from time to time be requested by the Board of Directors to make donations of cash or other property to the corporation in order to ensure its continued financial well-being.

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Section 3. PLACE OF MEETING All annual meetings of members shall be held at the principal office of the corporation. All other meetings of members shall be held either at the principal office or at any other place within or without the State of California which may be designated either by the Board of Directors pursuant to authority hereinafter granted to said Board, or by the written consent of all persons entitled to vote thereat given either before or after the meeting and filed with the Secretary of the corporation.

Section 4. ANNUAL MEETING. The annual meeting of the members shall be held on a date and time as set by the President no later than 120 days after the close of the corporation's year. Annual members' meeting shall be held on the first business day succeeding the holiday for which such meeting was set. At the annual members' meeting the members shall elect by cumulative vote a Board of Directors, shall consider reports of the affairs of the corporation, and shall transact such other business as may properly be brought before the meeting.

Section 5. SPECIAL MEETINGS. Special meetings of the members may be called for at any time for any purpose or purposes whatsoever by the President, by any two or more directors, or by one or more members holding not less than one-fifth (1/5) of the voting power of the corporation. Upon receipt of any such request, a date for the holding of such meeting shall be declared which is not greater than 60 or less than 10 days from the date of such receipt. Notice of such meeting shall then be given pursuant to the provisions of Section 6 of this Article.

Section 6. NOTICE OF MEETINGS. Notices of meetings, annual or special, shall be given in writing to members entitled to vote thereat by the Secretary or the Assistant Secretary or, if there be no such officer or if such officer refuses or neglects to do so, by any director or member.

Such notices shall be sent to each member at the address which appears on the books of the corporation for him, or which has been supplied by him to the corporation for the purpose of such notice, in such manner and using such means as to be reasonably expected to arrive not less than ten (10) days before such meeting. Any notice so sent shall be deemed effective whether or not it in fact arrives in the expected manner.

Notice of any meeting of members shall specify the place, the day, and the hour of meeting and, in case of special meetings, the general nature of the business to be transacted.

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When a meeting is for any reason adjourned for thirty (30) days or more, notice of the meeting which is consequently reconvened thereafter shall be given as in the case of an original meeting. However, it shall not be necessary to give any notice of the adjournment or of the business to be transacted at such reconvened meeting other than by announcement of same at the meeting at which such adjournment is taken.

Section 7. CONSENT - WAIVER RE MEMBERS' MEETINGS.

The transactions of any meeting of members, however called and noticed, shall be valid as though had at a meeting duly held after regular call and notice IF A QUORUM BE PRESENT, either in person or by proxy, and if, either before or after the meeting, each of the members entitled to vote who are not present either in person or by proxy signs a written waiver of notice, a consent to the holding of such meeting or an approval of the minutes thereof. All such waivers, consents or approvals shall be filed with the corporate records or made a part of the minutes of the meeting.

Any action which may be taken at a meeting of the members may be taken without a meeting if authorized by a writing which is signed by all of the members who would be entitled to vote at a meeting for such purpose and which is filed with the Secretary of the corporation.

Section 8. PROXIES. Every member entitled to vote or to execute consents may do so either in person or by written proxy executed in accordance with the provisions of Section 2225 of the Corporations Code of the State of California and filed with the Secretary of the corporation.

Section 9. VOTING RIGHTS; CUMULATIVE VOTING. Only members of record on the day of any meeting of members, or upon any record date declared for such meeting pursuant to Article V, Section 1 herein, shall be entitled to vote at such meeting.

There shall be only one class of membership and every member shall be entitled to cast one vote; provided, however, that members may cumulate their votes with respect to the election of Directors pursuant to applicable provisions of these By-Laws.

Section 10. QUORUM. The presence in person or by proxy of a majority of members shall be requisite and shall constitute a quorum at all meetings of the members for the transaction of business unless otherwise provided by law, by the Articles of Incorporation, or by these By-Laws. If, however, such quorum shall not be present or

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represented at any meeting of the members, the members entitled to vote thereat who are present in person or by proxy shall have power to adjourn the meeting from time to time until such time as the requisite amount of members be present. At any reconvened meeting at which the requisite amount of members shall be represented, any business may be transacted which might have been transacted at the meeting originally noticed.

Section 11. CERTIFICATE OF MEMBERSHIP. Membership certificates shall not be issued.

### ARTICLE III

#### DIRECTORS; MANAGEMENT

Section 1. POWERS. Subject to the limitation of the Articles of Incorporation, the By-Laws and the Laws of the State of California as to action to be authorized or approved by the members, all corporate powers shall be exercised by or under authority of, and the business and affairs of this corporation shall be controlled by, a Board of Directors.

Section 2. NUMBER AND QUALIFICATION. The authorized number of Directors of the corporation shall be three (3) until changed by amendment to the Articles of Incorporation or by an amendment to this Article III, Section 2 of these By-Laws adopted pursuant to Article VI, herein.

Section 3. ELECTION AND TENURE OF OFFICE. The Directors shall be elected by ballot at the annual meeting of the members to serve for one (1) year and until their successors are elected and have qualified. Their term of office shall begin immediately after election.

Section 4. VACANCIES. Vacancies in the Board of Directors may be filled by a majority of the remaining directors, though less than a quorum, or by a sole remaining Director, and each Director so elected shall hold office until his successor is elected at an annual meeting of the members or at a special meeting called for that purpose.

The members may at any time elect a Director to fill any vacancy not filled by the Directors, and may elect additional Directors at any meeting at which an amendment of the By-Laws is passed authorizing an increase in the number of Directors.

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A vacancy or vacancies shall be deemed to exist in the event of the death, resignation or removal of any Director, or if the members shall increase the authorized number of Directors but shall fail at the meeting at which such increase is authorized to elect the additional Director so provided for, or if the members fail at any time to elect the full number of authorized Directors.

If the Board of Directors accepts the resignation of a Director tendered to take effect at a future time, the Board or the members shall immediately have the power to elect a successor to take office at the time that such resignation becomes effective.

No reduction of the number of Directors shall have the effect of removing any Director prior to the expiration of his term of office.

Section 5. REMOVAL OF DIRECTORS. The entire Board of Directors or any individual Director may be removed from office as provided by Section 810 of the California Corporations Code.

Section 6. PLACE OF MEETING. Meetings of the Board of Directors shall be held at the office of the corporation in the State of California or elsewhere as may be designated by the President, by resolution of the Board of Directors or by written consent of all of the Directors. Any meeting shall be valid, wherever held, if held by the written consent of all Directors given either before or after the meeting and filed with the Secretary of the corporation.

Section 7. ORGANIZATION MEETINGS. The organization meetings of the Board of Directors shall be held immediately following the adjournment of the annual meetings of the members for purposes of electing officers and transacting other business. Notice of such meeting is hereby dispensed with.

Section 8. REGULAR MEETINGS. Regular meetings of the Board of Directors shall be held on call of the President. The President shall give notice of such meetings in the manner provided for special meetings by Article III, Section 9, herein.

Section 9. SPECIAL MEETINGS - NOTICE. Special meetings of the Board of Directors for any purpose or purposes shall be called at any time by the President or, if he is absent or unable or refuses to act, by any Vice President or by any two Directors.

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Written notice of the time and place of special meetings shall be delivered personally to the Directors or sent to each Director by letter or by telegram, charges prepaid, addressed to him at his address as it is shown upon the records of the corporation, or, if it is not so shown on such records or is not readily ascertainable, at the place in which the meetings of the Directors are regularly held. If delivered, such delivery shall be completed not later than forty-eight (48) hours prior to the time specified for such meeting. If mailed or telegraphed, such notice shall be deposited in the United States mail or delivered for transmittal to the telegraph company not later than seventy-two (72) hours prior to the time specified for such meeting. Such mailing, telegraphing or delivery as above provided shall be due, legal, and personal notice to such Director.

Section 10. WAIVER OF NOTICE. When all the Directors are present at any Directors' meeting, however called or noticed, and sign a written consent thereto on the records of such meeting, or if a majority of the Directors are present and those who are not present have signed or later sign a written waiver of notice of such meeting (which waiver shall be filed with the Secretary of the corporation), the transactions thereof shall be as valid as if had at a meeting regularly called and noticed.

Section 11. NOTICE OF ADJOURNMENT. Notice of the time and place of holding a reconvened meeting need not be given to Directors who were absent at the original meeting if the time and place for such reconvened meeting be fixed at the original meeting which was adjourned.

Section 12. QUORUM. A majority of the number of Directors fixed by the Articles or By-Laws shall be necessary to constitute a quorum for the transaction of business, and any action of a majority of the Directors present at any duly called and noticed meeting at which there is a quorum is valid as a corporate act. In the absence of a quorum, those Directors present may adjourn the meeting from time to time but may not transact any business.

Section 13. DIRECTORS' ACTION BY WRITTEN CONSENT. Any action required or permitted to be taken by the Board of Directors under and pursuant to the California Corporations Code may be taken without a meeting if all members of the Board shall individually or collectively consent in writing to such action. Such written consent or consents shall be filed with the minutes of the proceedings of the Board. Such action by written consent shall have the same force and effect as if taken pursuant to a unanimous vote of the Board of Directors.

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Any certificate or other document filed which relates to action taken by the Board of Directors by unanimous written consent shall state that it was by action of the Board of Directors by unanimous written consent and without a meeting, and that said action is authorized by Article III, Section 13 of the By-Laws of this corporation. The provisions of this Article III, Section 13 are authorized by and are to be construed in such a manner insofar as is reasonably possible so as to be consistent with Section 814.5 of the California Corporations Code. In the event of any conflict, Section 814.5 of the California Corporations Code shall control.

#### ARTICLE IV

##### OFFICERS

Section 1. OFFICERS. The officers of the corporation shall be a President, a Vice President, a Secretary and a Treasurer. The corporation may also have, at the discretion of the Board of Directors, a Chairman of the Board, one or more additional Vice Presidents, one or more Assistant Secretaries, one or more Assistant Treasurers and such other officers as may be appointed in accordance with the provisions of Section 3 of this Article. One person may hold two or more offices except that the same person may not at the same time be both President and Secretary.

Section 2. ELECTION. The officers of the corporation, except such officers as may be appointed in accordance with the provisions of Section 3 or Section 5 of this Article, shall be chosen annually by the Board of Directors and each shall hold his office until he shall resign or shall be removed or be otherwise disqualified to serve, or until his successor shall be elected and qualified.

Section 3. SUBORDINATE OFFICERS, ETC. The Board of Directors may appoint such other officers as the business of the corporation may require, each of whom shall hold office for such period, shall have such authority, and shall perform such duties as are provided in the By-Laws or as the Board of Directors may from time to time determine.

Section 4. REMOVAL AND RESIGNATION. Any officer may be removed, either with or without cause, by a majority vote of the Directors at any regular or special meeting of the Board. In addition, except in the case of an officer chosen by the Board of Directors, any officer may be removed by any officer upon whom such power of removal has been conferred by the Board of Directors.

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Any officer may resign at any time by giving written notice to the Board of Directors or to the President or to the Secretary of the corporation. Any such resignation shall take effect at the date of the receipt of such notice or at any later time specified therein and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

Section 5. VACANCIES. A vacancy in any office because of death, resignation, removal, disqualification or any other cause shall be filled in the manner prescribed by the By-Laws for regular appointments to such office.

Section 6. CHAIRMAN OF THE BOARD. The Chairman of the Board, if there shall be such an officer, shall, if present, preside at all meetings of the Board of Directors and shall exercise and perform such other powers and duties as may be from time to time assigned to him by the Board of Directors or prescribed by the By-Laws.

Section 7. PRESIDENT. Subject to such supervisory powers as may be given by the Board of Directors to the Chairman of the Board, if any, the President shall be the chief executive officer of the corporation and shall, subject to the control of the Board of Directors, have powers of general supervision, direction and control of the business and officers of the corporation. He shall preside at all meetings of the members and, in the absence of the Chairman of the Board, if any, at all meetings of the Board of Directors. He shall be ex-officio a member of all the standing committees, including the executive committee, if any, and shall have the general powers and duties of management usually vested in the office of President of a corporation in addition to such other powers and duties as may be prescribed by the Board of Directors or the By-Laws.

Section 8. VICE PRESIDENT. In the absence or disability of the President, the Vice Presidents in order of their rank as fixed by the Board of Directors or, if not ranked, the Vice President designated by the Board of Directors, shall perform all the duties of the President and, when so acting, shall have all the powers of and be subject to all the restrictions upon the President. The Vice Presidents shall have such other powers and perform such other duties as from time to time may be prescribed for them respectively by the Board of Directors or the By-Laws.

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Section 9. SECRETARY. The Secretary shall keep or shall cause to be kept a Book of Minutes at the principal office or such other place as the Board of Directors may order. Such Book of Minutes shall contain Minutes of all meetings of Directors and members, with the time and place of their holding, whether regular or special, the notice thereof given, the names of those present at Directors' meetings, the number of members present or represented at members' meetings, and the proceedings thereof. In the case of special meetings, the Minutes shall show also the authority for the calling thereof.

The Secretary shall keep or shall cause to be kept a register of members or duplicate register of members at the principal office or at the office of the corporation's transfer agent. Such register or duplicate shall contain the names of the members and their addresses, and the number and date of cancellation of every certificate of membership surrendered for cancellation.

The Secretary shall give or shall cause to be given notice of all the meetings of the members and of the Board of Directors required by the By-Laws or by law to be given. He shall also keep the seal of the corporation in safe custody and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the By-Laws.

Section 10. TREASURER. The Treasurer shall keep and maintain or shall cause to be kept and maintained adequate and correct accounts of the properties and business transactions of the corporation, including accounts of its assets, liabilities, receipts, disbursements, gains, losses, capital, and surplus. Any surplus, including earned surplus, paid-in surplus and surplus arising from a reduction of stated capital, shall be classified according to source and shown in a separate account. The books of account shall at all reasonable times be open to inspection by any Director.

The Treasurer shall deposit all monies and other valuables in the name and to the credit of the corporation with such depositories as may be designated by the Board of Directors. He shall disburse the funds of the corporation as may be ordered by the Board of Directors, shall render to the President and Directors upon their request an account of all his transactions as Treasurer and of the financial condition of the corporation, and shall have such other powers and perform such other duties as may be prescribed by the Board of Directors or the By-Laws.

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ARTICLE V

MISCELLANEOUS

Section 1. RECORD DATE AND CLOSING OF MEMBERSHIP BOOKS. The Board of Directors may declare a date in the future as a record date for the determination of the members entitled to notice of and to vote at any members' meeting or to receive or exercise any other right appurtenant to membership. In such case, only members of record on the date so fixed shall be entitled to notice of and to vote at such meeting or to receive or exercise any other right appurtenant to membership, notwithstanding any change in membership on the books of the corporation after any record date so declared. Record dates shall not be declared, however, which are greater than 30 days in advance of any such meeting or other occasion upon which such rights are to be received or exercised. In addition, written notice of any record date so declared shall be sent to each member at the address on the books of the corporation or at the address which has been supplied to the corporation for purposes of such notice so as to be reasonably expected to arrive not later than ten (10) days prior to such record date. Any notice so sent shall be deemed effective whether or not it in fact arrives in the expected manner. The Board of Directors may close the books of the corporation against transfers of membership during the whole, or any part, of any period between a properly declared and noticed record date and the date of the meeting or other occasion for which such record date was declared.

Section 2. INSPECTION OF CORPORATE RECORDS. The register or duplicate register of members, the books of account and the minutes of proceedings of the members and Directors and of the executive and other committees of the Directors shall be open to inspection upon the written demand of any member at any reasonable time and for any purpose reasonably related to his interests as a member. In addition, such register, books and minutes shall be exhibited at any time when demanded at any members' meeting by 10 percent of the members represented at the meeting. Such inspection may be made in person or by an agent or attorney and shall include the right to make extracts. Demand for inspection other than at a members' meeting shall be made in writing upon the President, Secretary, Assistant Secretary or General Manager of the corporation.

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Section 3. CHECKS, DRAFTS, ETC. All checks, drafts or other orders for payment of money, notes or other evidences of indebtedness issued in the name of or payable to the corporation shall be signed or endorsed by such person or persons and in such manner as, from time to time, shall be determined by resolution of the Board of Directors.

Section 4. CONTRACTS, ETC., HOW EXECUTED. The Board of Directors, except as otherwise provided in the By-Laws, may authorize any officer, officers, agent or agents to enter into any contract or to execute any instrument in the name of and on behalf of the corporation. Such authority may be general or confined to specific instances. Unless so authorized by the Board of Directors, no officer, agent or employee shall have any power or authority to bind the corporation by any contract or engagement, or to pledge its credit or to render it liable for any purpose or to any amount.

Section 5. REPRESENTATION OF SHARES OF OTHER CORPORATIONS. The President or any Vice President and the Secretary or Assistant Secretary of this corporation are authorized to vote, represent and exercise on behalf of this corporation all rights incident to any and all shares of any other corporation or corporations which stand in the name of this corporation. The authority herein granted to said officers to vote or represent on behalf of this corporation any and all shares held by this corporation in any other corporation or corporations may be exercised either by such officers in person or by any other person authorized so to do by proxy or power of attorney duly executed by said officers.

Section 6. INSPECTION OF BY-LAWS. The corporation shall keep at its principal office for the transaction of business the original or a copy of the By-Laws as amended or otherwise altered to date, certified by the Secretary, which copy shall be open to inspection by the members at all reasonable times during normal office hours.

Section 7. CONSTRUCTION AND DEFINITIONS. Unless the context otherwise requires, the general provisions, rules of construction and definitions contained in the California General Corporation Law and the General Nonprofit Corporation Law shall govern the construction of these By-Laws. Without limiting the generality of the foregoing, the masculine gender includes the

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feminine and neuter, the singular number includes the plural and the plural number includes the singular, and the term "person" includes a corporation as well as a natural person.

ARTICLE VI

AMENDMENTS

Section 1. POWER OF MEMBERS. Except as otherwise provided by law or by the Articles of Incorporation, new By-Laws may be adopted or these By-Laws may be amended or repealed by the vote of members entitled to exercise a majority of the voting power of the corporation or by the written assent of such members.

Section 2. POWER OF DIRECTORS. Subject to the right of members to adopt, amend or repeal these By-Laws, as provided by Article VI, Section 1 herein, By-Laws other than a By-Law or amendment thereof changing the authorized number of Directors may be adopted, amended or repealed by majority vote of the Board of Directors.

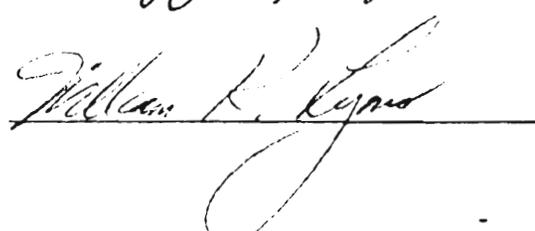
KNOW ALL MEN BY THESE PRESENTS:

That we, the undersigned, being all of the Directors of the corporation first named above, hereby assent to the foregoing By-Laws and adopt the same as the By-Laws of said corporation.

IN WITNESS WHEREOF, we have hereunto set our hands this 30<sup>th</sup> day of January, 1975.

  
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CERTIFICATE OF SECRETARY

I, the undersigned, do hereby certify:

(1) That I am the duly elected and acting Secretary of FAMILY LIFE SEMINARS, a California nonprofit corporation; and

(2) That the foregoing By-Laws, comprising 13 pages, including this page, constitute the By-Laws of said corporation, as duly adopted at a meeting of the Board of Directors thereof duly held on

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the seal of said corporation on

  
Secretary

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OBC 9894

LAW OFFICES  
**WEBSTER, CHAMBERLAIN & BEAN**

1747 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-9500

FAX: (202) 835-0243

GEORGE D. WEBSTER  
J. COLEMAN BEAN  
ARTHUR L. HEROLD  
ALAN P. DYE  
EDWARD D. COLEMAN  
BURKETT VAN KIRK  
FRANK M. NORTHAM  
GERARD P. PANARO  
JOHN W. HAZARD, JR.  
CHARLES M. WATKINS  
HUGH K. WEBSTER  
ANNE S. POPE

OF COUNSEL  
CHARLES E. CHAMBERLAIN

January 23, 1991

91 JAN 23 AM 10:08

RECEIVED  
FEDERAL ELECTION COMMISSION

Lois G. Lerner, Esq.  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2761; Dr. Tim LaHaye;  
Family Life Seminars

Dear Ms. Lerner:

Enclosed are the responses to the interrogatories and document requests submitted to Dr. LaHaye in the above-referenced matter. Please let me know if you need anything further.

Very truly yours,



Alan P. Dye

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INTERROGATORIES

1.a. For 1988, state the dates on which a CAPITAL REPORT was published and indicate the number of copies published and the number of copies distributed.

a. We do not have publication dates but will provide the invoice date. The number published and the number distributed will be the same. CAPITAL REPORTS that are not mailed out are offered free at seminars for Family Life Seminars.

date	# published
Jan. 1988	20,000 [from printer]
Feb. 5, 1988	20,000
Mar. 3, 1988	20,000
Apr. 7, 1988	14,000
May 13, 1988	14,000
June 6, 1988	14,000
July 1988	14,000
Aug. 22, 1988	14,000
Sept. 22, 1988	21,000
Oct. 12, 1988	21,000
Nov. 8, 1988	21,000
Nov. 30, 1988	25,000

b. Describe the method used to determine who would receive the publication.

b. Publications are sent to regular contributors and people who request it. It is placed on book tables at seminars for people who choose to pick it up.

c. State the total cost associated with each issue, including but not limited to, costs of production, art work, printing, and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

c. Jan.	\$3,467.00	[est. based on figure from printer]
Feb.	3,467.00	
Mar.	3,432.04	
Apr.	2,797.00	
May	2,427.00	
June	2,072.00	[no invoice for mailing]
July	2,072.00	[est. based on figure from printer]
Aug.	2,072.00	[no invoice for mailing]
Sept.	3,108.00	" " " "
Oct.	3,108.00	" " " "
Nov.	4,480.00	" " " "

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Dec.

3,700.00 [no invoice for mailing]

d. Identify the persons who prepared, edited and published the **CAPITAL REPORT**.

d. Dr. Tim LaHaye wrote the articles, Mrs. Barrie Lyons and Nita Parker Brown proofed and edited the articles, and Padre Printers printed the newsletter.

e. Identify the facilities used to prepare, edit, and publish the **CAPITAL REPORT**.

e. The newsletter was prepared at the offices of Family Life Seminars, 122 C Street, NW, Washington, DC 20001. Padre Printers, 8195-C Ronson Road, San Diego, CA 92111, printed the newsletter.

f. Identify the persons who paid for the costs associated with the **CAPITAL REPORT** and the amounts paid by each person.

f. The cost of paying for the publication of the **CAPITAL REPORT** was paid for by Family Life Seminars, Inc.

2. a. For 1988, state the date on which **CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"** was published and indicate the number of copies published.

a. invoice date Sept.30, 1988  
quantity was 31,000

b. State the date on which it was distributed and the number of copies distributed.

b. It was distributed between October 1, 1988 and November 1, 1988. All copies were distributed.

c. Describe the method used to determine who would receive the publication.

c. This publication was enclosed in all receipts for October, therefore anyone who gave to FLS in Oct. 1988 received a copy. It was also mailed to the ministers on the attached list. Some of the ministers were active in the American Coalition for Traditional Values. Most were on the general prospect list put together over a period of several years for FLS's private use.

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d. State the total costs associated with this issue including but no limited to, costs of production, ar work, printing, and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

d. The cost for publication was \$1,459.29. We do not have records as to whether it was mailed bulk rate to the ministers. The cost of mailing it with receipt mail was absorbed in that mailing as it would have gone out anyway.

e. Identify the persons who paid for the costs associated with the **CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"** and the amounts paid by each person.

e. The cost of paying for the publication of the **CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"** was paid for by Family Life Seminars, Inc.

f. Identify the persons who prepared, edited, and published this **SPECIAL EDITION**.

f. Dr. Tim LaHaye wrote the article, Mrs. Barrie Lyons and Nita Parker Brown proofed and edited the article, Carolyn Bradshaw obtained the picture of Mike Dukakis, and EU Services printed the report.

g. Identify the facilities used to prepare, edit, and publish this **SPECIAL EDITION**.

g. This report was prepared at the offices of Family Life Seminars, 122 C. Street, NW, Washington, DC, 20001, and printed at EU Services, 649 North Horners Lane, Rockville, MD 20850.

3. a. For 1988, state the date on which the **CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America"** was published and indicate the number of copies published.

a. The invoice date is Sept. 12, 1988.  
The quantity was 40,000

b. State the date on which it was distributed and the number of copies distributed.

b. It was distributed between Sept. 15, 1988, until the supply was depleted, which was within the last year. The bulk of the copies were given out before Jan. 1, 1989.

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c. Describe the method used to determine who would receive the publication.

c. It was offered in the August 1988 fund appeal to anyone who asked for it. It was also offered on TV and radio. It also was sent to the ministers on the enclosed list. (see 2.c.)

d. State the total costs associated with this issue including, but not limited to, costs of production, art work, printing and rental or purchase of mailing lists. Provide copies of any invoices related to these costs.

d. The printing cost was \$3,258.94. We do not have record for mailing out the copies that were requested by individuals.

e. Identify those persons who paid for the cost associated with the **CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organization in America"** and the amounts paid by each person.

e. The cost of paying for the publication of the **CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organization in America"** was paid for by Family Life Seminars, Inc.

f. Identify the persons who prepare, edit, and publish the **SPECIAL EDITION**

f. Dr. Tim LaHaye wrote the article, Mrs. Barrie Lyons and Nita Parker Brown proofed and edited the article, and Padre Printers printed the report.

g. Identify the facilities used to prepare, edit, and publish the **SPECIAL EDITION**.

g. The newsletter was prepared at the offices of Family Life Seminars, 122 C Street, NW, Washington, DC 20001. Padre Printers, 8195-C Ronson Road, San Diego, CA 92111, printed the report.

4. a. State whether at any time the **CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"** and the **CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organization in America"** were distribute together.

a. Yes to the list of ministers attached.

b. If so, state the dates on which the two were distributed together and the number of copies distributed.

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b. October 1988. Each person received one copy of each and there are 1,360 ministers on the list.

c. If so, describe the method used to determine who would receive the publications.

c. Some of the ministers were active in the American Coalition for Traditional Values. Most were on the general prospect list put together over a period of several years for FLS's private use.

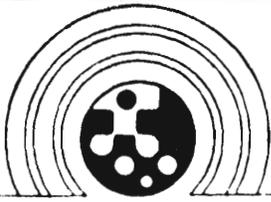
5. State whether the two **SPECIAL EDITIONS** were prepared, edited, or published in coordination, or cooperation with or at the request or suggestion of any candidate for federal office.

No.

6. Separately with regard to each question above, identify the natural person responding, and identify each person who provided any information used in the preparation of the response.

Answers for all questions were prepared by:  
Dr. Tim LaHaye, President, Family Life Seminars  
Sylvia Magers, Office Manager, Family Life Seminars  
Marybet Hudson, Executive Secretary, Family Life Seminars

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PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

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SOLD TO

SHIP TO

INVOICE No 10558

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
14000	14000	JUNE NEWSLETTER		\$2072.00
SUB TOTAL				\$2072.00
TOTAL				\$2072.00

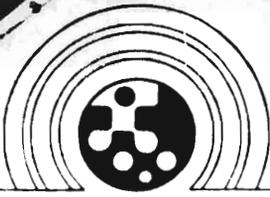
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

92040894367



PADRE PRINTERS & LITHOGRAPHERS  
 8185 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

RECEIVED AUG 29 1988

SOLD TO

SHIP TO

INVOICE No 11207

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

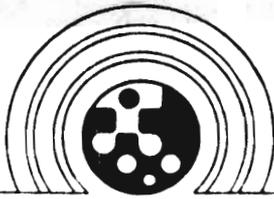
OUR ORDER NO	SALESMAN	OUR ORDER NO	DATE SHIPPED	INVOICE DATE
	L. LaHAYE	07202		08-22-1988
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
14000	14000	AUGUST NEWSLETTER		\$2072.00
			SUB TOTAL	\$2072.00
			TOTAL	\$2072.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

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PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

RECEIVED SEP 30 1988

SOLD TO

SHIP TO

INVOICE No 11558

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
21000	21000	SEPTEMBER NEWSLETTER		\$3108.00
			SUB TOTAL	\$3108.00
			TOTAL	\$3108.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

920894369

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

**PADRE PRINTERS & LITHOGRAPHERS**

8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666



**SOLD TO**

**SHIP TO**

**INVOICE No 11729**

**TIM LAHAYE**  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

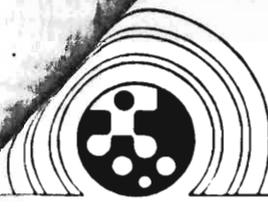
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
21000	21000	OCTOBER CAPITAL REPORT		\$3108.00
SUB TOTAL				\$3108.00
TOTAL				\$3108.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

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CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo

**PLEASE PAY FROM INVOICE**  
 NO STATEMENTS WILL BE SENT  
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**PADRE PRINTERS & LITHOGRAPHERS**  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

INVOICE Nº 11986

SHIP TO

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

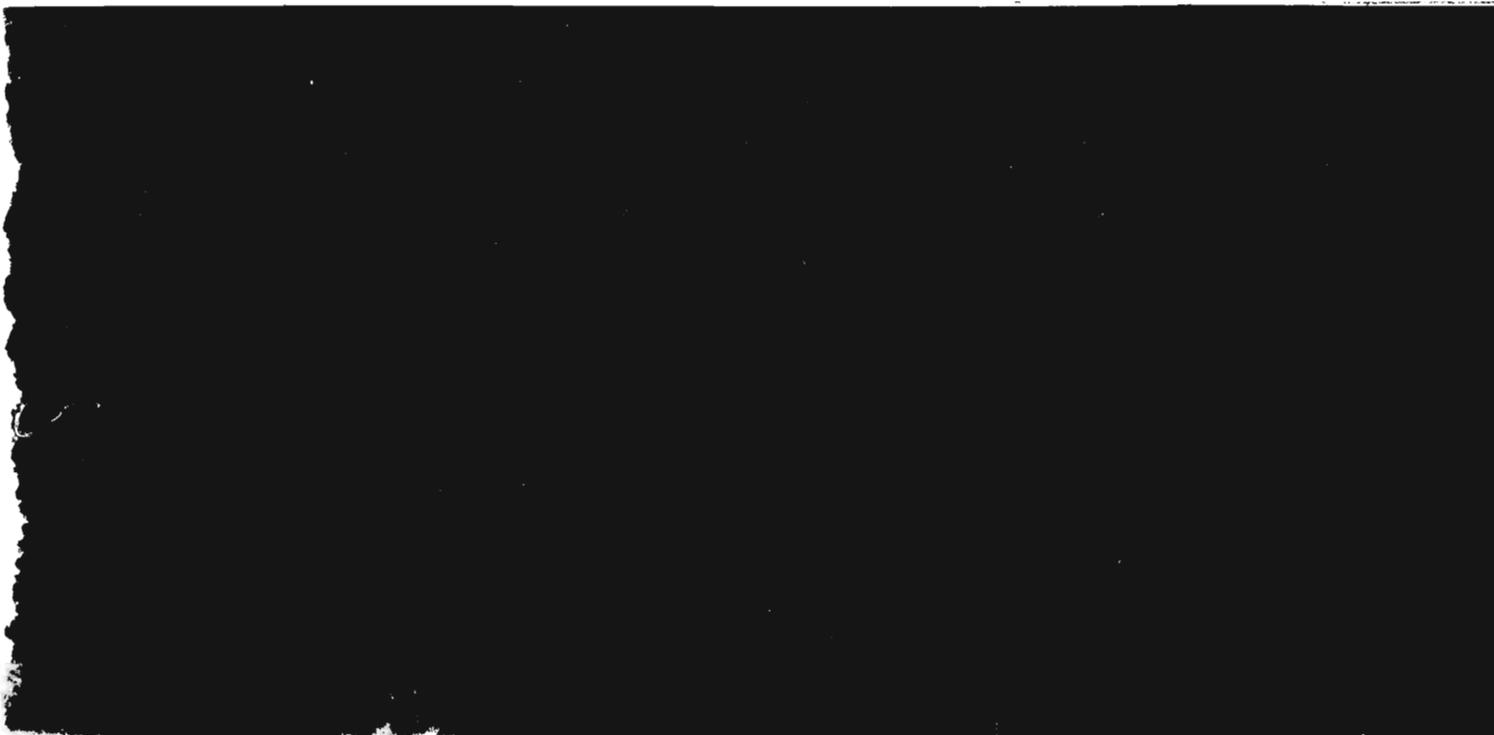
ORDER NO	SALESMAN	OUR ORDER NO	DATE SHIPPED	INVOICE DATE
	L. LaHAYE	10186		11-08-1988
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
21000	21000	NOVEMBER NEWSLETTER		\$4480.00
			SUB TOTAL	\$4480.00
			TOTAL	\$4480.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

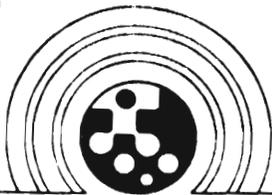
92040894371

ORDERS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE





PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD TO

SHIP TO

INVOICE Nº 12135

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

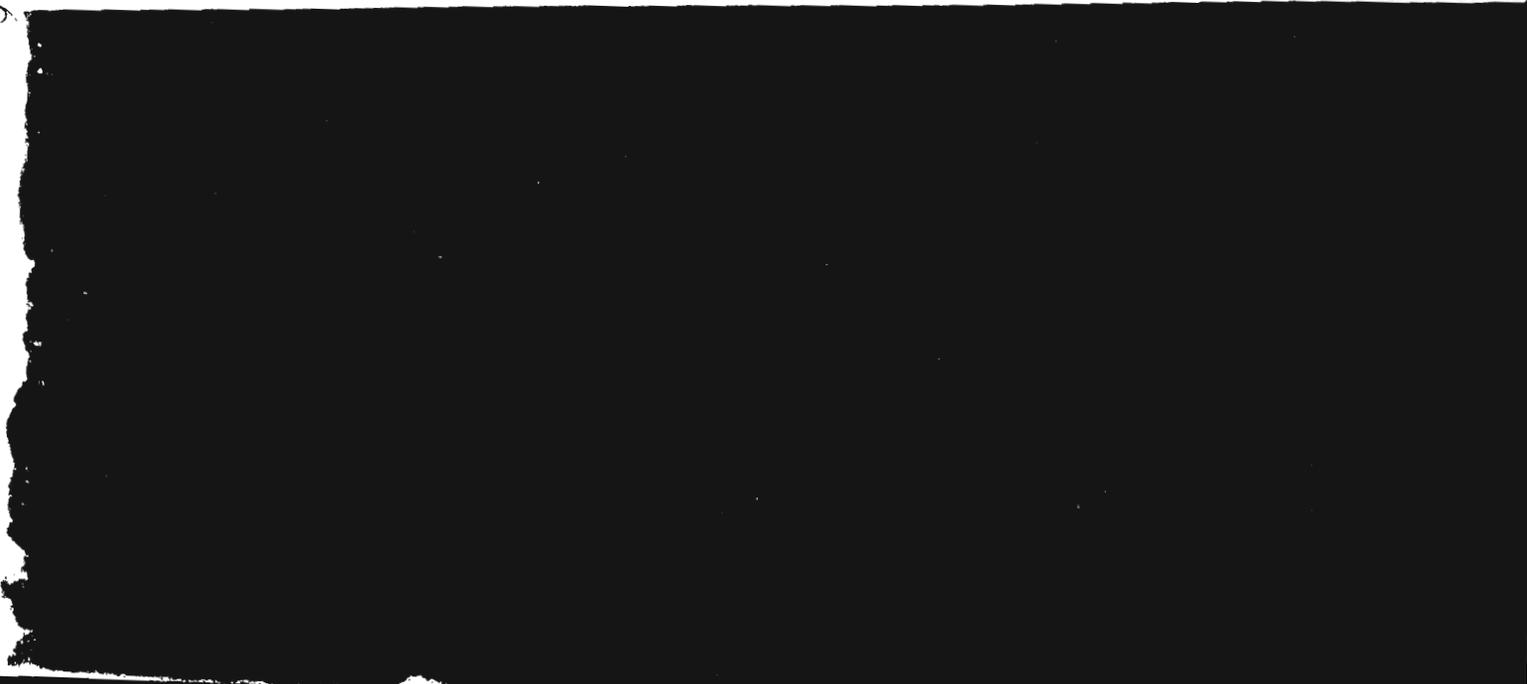
CUSTOMER ORDER NO		SALESMAN	OUR ORDER NO	DATE SHIPPED	INVOICE DATE	
		L. LAHAYE	11148		11-30-1988	
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION			UNIT PRICE	AMOUNT
25000	25000	DECEMBER NEWSLETTERS				\$3700.00
					SUB TOTAL	\$3700.00
					TOTAL	\$3700.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE						

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
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Envelopes Unlimited  
 Mackey Printing  
 The Mail House  
 DataComm

649 North Horners Lane, Rockville, Maryland 20850  
 (301) 424-3300

PURCHASE ORDER NUMBER(S) SHARON JAY

(PI) 10/17/88  
 CK # 312x  
 1,459.29

# INVOICE

All charges are payable 30 days from date of invoice. A SERVICE CHARGE of 1.5% per month (equivalent to 18% per year) will be added to past due items. See reverse side for Printing Trade Customs.

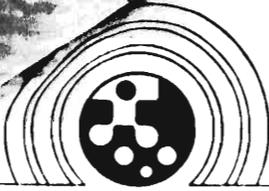
FAMILY LIFE SEMINARS  
 122 C ST, NW  
 WASHINGTON DC 20001

INVOICE NUMBER H13346  
 INVOICE DATE 9/30/88  
 ACCOUNT NUMBER 21439

QUANTITY	DESCRIPTION	AMOUNT
31,000	60 LB. WHITE OFFSET 14 7/8 NEWSLETTER CAPITAL REPORT SP. EDITION 8.5 X 14 Printing @ 31.59/m Inks BLACK Composition	979.29
	Job Total	1,129.29
	Shipping	330.00
	Please Pay This Amount ***** Invoice Total	1,459.29

PLEASE RETURN INVOICE COPY WITH PAYMENT  
 MAIL TO: P.O. BOX 6002  
 ROCKVILLE, MARYLAND 20850-0602

92040894373



PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

RECEIVED SEP 19 1988

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SHIP TO

INVOICE No 11456

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

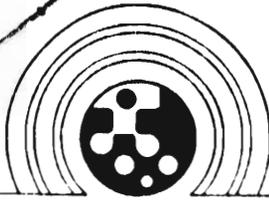
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
40000	40000	ACLU FREIGHT		\$3000.00 \$258.94
SUB TOTAL				\$3258.94
TOTAL				\$3258.94
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

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PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD TO

SHIP TO

INVOICE No 9601

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

OUR ORDER NO.	SALESMAN	OUR ORDER NO.	DATE SHIPPED	INVOICE DATE
	L. LAHAYE	01147		02-05-1988

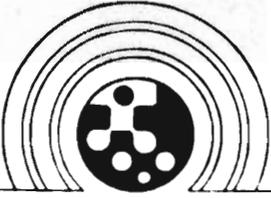
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
20000	20000	NEWSLETTERS		\$2960.00
20000	20000	MAILING SERVICE		\$507.00
			SUB TOTAL	\$3467.00
			TOTAL	\$3467.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

CLAIMS WILL NOT BE ALLOWED UNLESS REPORTED WITHIN 5 DAYS AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY OF THIS INVOICE WITH YOUR REMITTANCE

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PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD TO

SHIP TO

INVOICE No 10083

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

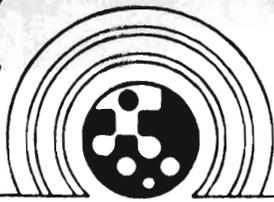
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
14000	14000	APRIL NEWSLETTER		\$2072.00
			SUB TOTAL	\$2072.00
			TOTAL	\$2072.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

92040894376



**PADRE PRINTERS & LITHOGRAPHERS**  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

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TO

INVOICE No 10163

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

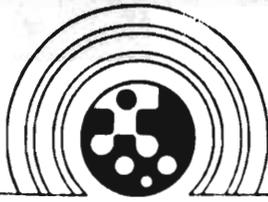
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
2000	2000	MAILING SERVICE - APRIL FREIGHT (UPS) TO DALLAS FREIGHT (UPS) TO WASHINGTON		<del>\$554.00</del> \$43.50 \$127.50
SUB TOTAL				\$725.00
TOTAL				\$725.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

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CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE



**PADRE PRINTERS & LITHOGRAPHERS**  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD TO

SHIP TO

INVOICE No 9834

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
20000	20000	MARCH 1988 NEWSLETTERS		\$2960.00
SUB TOTAL TOTAL				\$2960.00 \$2960.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

*pd*

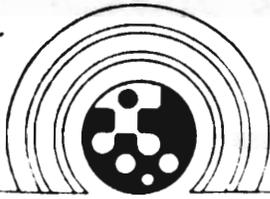
92040894378

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE





PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD  
TO

SHIP  
TO

INVOICE No 10388

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

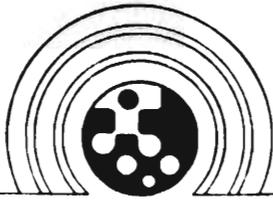
MEM ORDER NO.	SALESMAN	OUR ORDER NO.	DATE SHIPPED	INVOICE DATE
	L. LaHAYE	04162		05-13-1988
QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
14000	14000	MAY NEWSLETTER		\$2072.00
			SUB TOTAL	\$2072.00
			TOTAL	\$2072.00
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE				

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
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PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
 OF THIS INVOICE WITH YOUR REMITTANCE

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PADRE PRINTERS & LITHOGRAPHERS  
 8195 C. RONSON RD.  
 SAN DIEGO, CA 92111  
 (619) 277-6666

SOLD TO

SHIP TO

INVOICE No 10387

TIM LAHAYE  
 122 C STREET N.W. #800  
 WASHINGTON, DC 20001

Customer No. 342

QUANTITY ORDERED	QUANTITY SHIPPED	DESCRIPTION	UNIT PRICE	AMOUNT
14000	14000	MAILING - newsletters FREIGHT		<del>\$355.00</del> \$159.50
			SUB TOTAL	\$514.50
			TOTAL	\$514.50

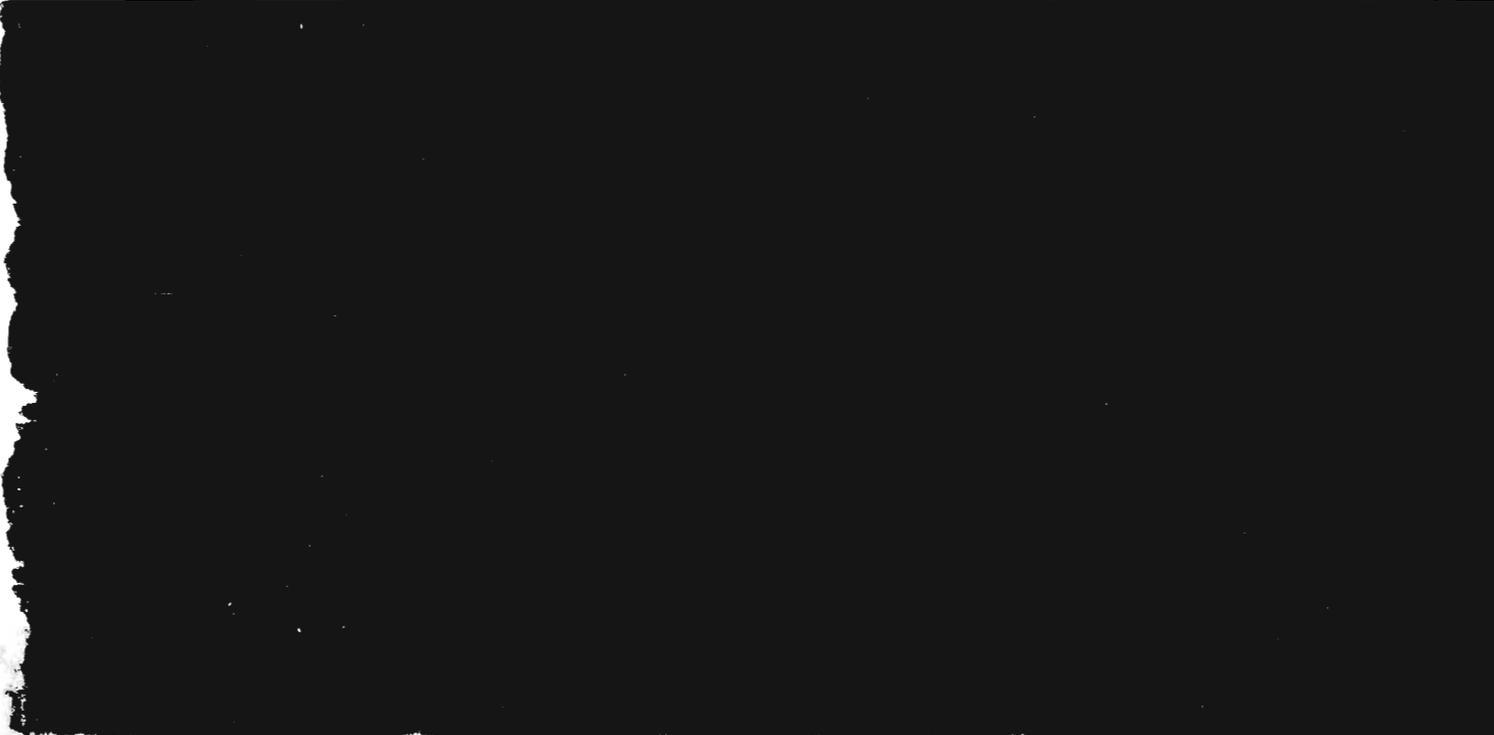
PLEASE PROCESS YOUR PAYMENT AS SOON AS POSSIBLE

CLAIMS WILL NOT BE ALLOWED  
 UNLESS REPORTED WITHIN 5 DAYS  
 AFTER RECEIPT OF SHIPMENT.

Accounts over 30 days are subject  
 to a late charge of 1.5% per mo.

PLEASE PAY FROM INVOICE  
 NO STATEMENTS WILL BE SENT  
 PLEASE RETURN DUPLICATE COPY  
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FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

February 21, 1991

**CERTIFIED MAIL  
RETURN RECEIPT REQUESTED**

Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 2761  
Family Life Seminars

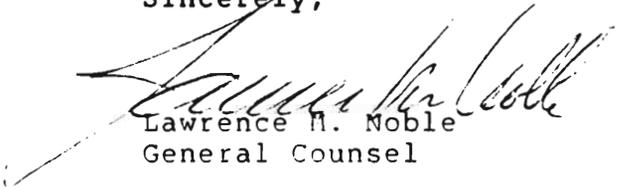
Dear Mr. Dye:

On November 15, 1990, your client, Family Life Seminars, was notified that the Federal Election Commission had found reason to believe that Family Life Seminars violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").

Pursuant to its investigation of this matter, on November 15, 1990, the Commission sent interrogatories to Family Life Seminars to assist the Commission in carrying out its statutory duty of enforcing the Act. After reviewing the response which you submitted on behalf of your client on December 26, 1990, additional questions are being issued. Please submit all answers to questions within 15 days of your receipt of this letter.

If you have any questions, please contact Mary Taksar, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lawrence H. Noble  
General Counsel

Enclosure  
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2761

INTERROGATORIES AND REQUEST  
FOR PRODUCTION OF DOCUMENTS

TO: Family Life Seminars  
Dr. Tim LaHaye, President  
c/o Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1988 to December 31, 1988.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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1. In its December 26, 1990 response to the Commission's reason to believe findings, Family Life Seminars refers to contributors, supporters, and subscribers.

a. Define the term "contributor," "supporter," and "subscriber" as used in the response and state how an individual or organization becomes a contributor, supporter, or subscriber of Family Life Seminars.

b. State how many individuals or organizations were in each of these categories for the calendar year 1988.

2. On December 26, 1990, Family Life Seminars submitted to the Commission copies of its articles of incorporation and by-laws which indicate that the corporation was set up as a membership corporation. In its December 26, 1990 response to interrogatories, Family Life Seminars states that it is not a membership organization.

Explain this apparent contradiction.

3. In its December 26, 1990 response to interrogatories, Family Life Seminars stated that it received revenues for book, cassette, and temperament test sales.

a. Describe the content of the books, cassettes, and tests in detail.

b. Provide any descriptive literature and ordering information used in regard to the books, cassettes, and tests.

4. Provide a copy of Family Life Seminars' IRS Form 990 for 1988.

5. State whether Family Life Seminars reported any nonexempt income for 1988 and, if so, the amount of such income and its percentage of Family Life Seminars' overall activity for 1988.

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**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of  
Dr. Tim LaHaye and  
Family Life Seminars

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MUR 2761

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On November 15, 1990, the Commission sent notification of reason to believe findings and interrogatories to Dr. Tim LaHaye, President of Family Life Seminars, and to Family Life Seminars. After receiving an extension to prepare responses, counsel sent in a response for Family Life Seminars on December 26, 1990 and indicated that a response from Dr. Tim LaHaye would be forthcoming. On January 23, 1991, counsel submitted a response for Dr. Tim LaHaye.

In the December 26, 1990 response, counsel for the respondents requested pre-probable cause conciliation. See Attachment 1, page 5. This Office believed that it would be premature to make a recommendation regarding this request until counsel submitted a response for Dr. Tim LaHaye. This Office's review of the responses from Family Life Seminars and Dr. Tim LaHaye revealed that some of the statements made by respondents require further clarification. Therefore, this Office recommends rejecting respondents' request to enter into conciliation at this time.

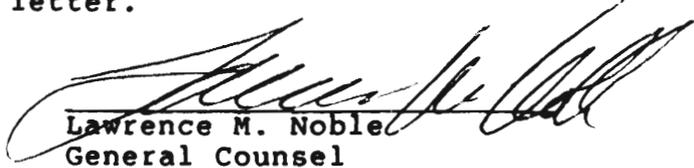
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**II. RECOMMENDATIONS**

1. Decline, at this time, to enter into conciliation with Dr. Tim LaHaye and Family Life Seminars prior to a finding of probable cause to believe.
2. Approve the appropriate letter.

Date

2/21/91

  
Lawrence M. Noble  
General Counsel

Attachment  
Request for Conciliation

Staff Assigned: Mary Taksar

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2761  
Dr. Tim LaHaye and )  
Family Life Seminars. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 27, 1991, the Commission decided by a vote of 4-2 to take the following actions in MUR 2761:

1. Decline, at this time, to enter into conciliation with Dr. Tim LaHaye and Family Life Seminars prior to a finding of probable cause to believe.
2. Approve the appropriate letter, as recommended in the General Counsel's Report dated February 21, 1991.

Commissioners Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioners Aikens and Elliott dissented.

Attest:

2-28-91  
Date

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

Received in the Secretariat: Friday, Feb. 22, 1991 9:15 a.m.  
Circulated to the Commission: Monday, Feb. 25, 1991 11:00 a.m.  
Deadline for vote: Wednesday, Feb. 27, 1991 11:00 a.m.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 4, 1991

Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 2761  
Dr. Tim LaHaye and  
Family Life Seminars

Dear Mr. Dye:

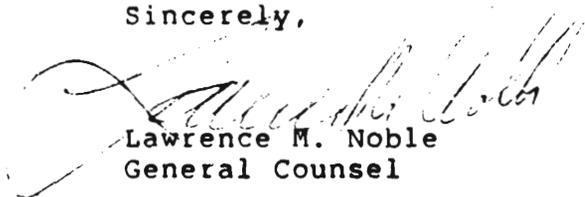
On November 15, 1990, you were notified that the Federal Election Commission found reason to believe that your client, Dr. Tim LaHaye, violated 2 U.S.C. § 441b(a). On this same date, your client, Family Life Seminars, was notified that the Federal Election Commission found reason to believe that Family Life Seminars violated 2 U.S.C. 441b(a). On December 26, 1990, you submitted a request to enter into conciliation negotiations prior to a finding of probable cause to believe.

The Commission has reviewed your request and determined to decline at this time to enter into conciliation prior to a finding of probable cause to believe because additional information is necessary. On February 21, 1991, the Commission sent additional questions to you and requested that the information should be submitted to the Office of the General Counsel within 15 days of receipt of that letter.

At such time as the investigation in this matter has been completed, the Commission will reconsider your request to enter into conciliation prior to a finding of probable cause to believe.

If you have any questions, please contact Mary Taksar, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble  
General Counsel

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RECEIVED  
FEDERAL ELECTION COMMISSION  
MAR 12 1991

LAW OFFICES  
**WEBSTER, CHAMBERLAIN & BEAN**  
1747 PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C. 20006

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OF COUNSEL  
CHARLES E. CHAMBERLAIN

March 12, 1991

VIA HAND DELIVERY

91 MAR 13 AM 10:34

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20543

Lawrence M. Noble, Esq.  
General Counsel  
Federal Election Commission  
999 E St., N.W.  
Washington, DC 20463

Re: MUR 2761; Family Life Seminars

Dear Mr. Noble:

This is in response to your letter of February 21, 1991, in which you make further inquiries regarding Family Life Seminars. The responses to your questions are provided below.

1. In its December 26, 1990 response to the Commission's reason to believe findings, Family Life Seminars refers to contributors, supporters, and subscribers.

a. Define the term "contributor," "supporter," and "subscriber" as used in the response and state how an individual or organization becomes a contributor, supporter, or subscriber of Family Life Seminars.

b. State how many individuals or organizations were in each of these categories for the calendar year 1988.

Answer:

(a) The terms "contributor," "supporter," and "subscriber" are used interchangeably. FLS makes no distinctions in this respect. Any individual who contributes to FLS receives a one-year subscription to the Capital Report, and then each time they give, they receive the Washington Education Report. Those who so request may also receive the Washington Prophecy Report.

(b) FLS records and computer files were recently transferred to the Washington area, and in the process many records were lost. It is therefore impossible to answer with precision.

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Lawrence M. Noble, Esq.  
March 12, 1991  
Page Three

by using the spiritual resources explained in the Bible. All these books are highly practical in nature and very popular.

- SPIRIT-CONTROLLED TEMPERAMENT
- TRANSFORMED TEMPERAMENT
- UNDERSTANDING THE MALE TEMPERAMENT
- YOUR TEMPERAMENT: DISCOVER ITS POTENTIAL
- ANGER IS A CHOICE
- HOW TO WIN OVER DEPRESSION
- HOW TO MANAGE PRESSURE

Category II--Family, marriage and sexual relations

One of the strengths of FLS is teaching Biblical principles for happy family living, beginning with courtship on through marriage, including child raising. The contents of these books basically cover the materials taught at seminars, but go into far more detail.

- HOW TO BE HAPPY THROUGH MARRIAGE
- SPIRIT-CONTROLLED FAMILY LIVING
- ACT OF MARRIAGE
- SEX EDUCATION IS FOR THE FAMILY
- UNHAPPY GAYS

Category III--The expose of secular humanism's influence on our culture

There are six books in this series. Each one exposes a different area where secular humanism has made a drastic change from the Christian consensus' influence of previous generations to the secularism that dominates our culture today. From the perspective of Christianity and the Bible, this highlights how the Judeo-Christian influence of the first 300 years of American history has gradually been removed from public policy, public education, public media, government, and other areas of significant influence. The last book in the series

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documents the Christian roots of our country  
and how the founders never intended this  
nation to be secularized the way it is today.

- BATTLE FOR THE MIND
- BATTLE FOR THE FAMILY
- BATTLE FOR THE PUBLIC SCHOOLS
- HIDDEN CENSORS
- RACE FOR THE 21ST CENTURY
- FAITH OF THE FOUNDING FATHERS

Category IV--Bible prophecy

Because the founder of FLS is a well-  
trained theologian conversant with the subject  
of Bible prophecy, he has written several  
books on that subject relating end-time  
prophecies, current events, and the Bible.

- BEGINNING OF THE END
- COMING OF PEACE IN THE MIDDLE EAST
- REVELATION
- LIFE IN THE AFTERLIFE
- HOW TO STUDY BIBLE PROPHECY FOR  
YOURSELF

Category V--Miscellaneous books

These books do not fall under any of the  
above topics. Their titles are self-explanatory.

- HOW TO STUDY THE BIBLE FOR YOURSELF
- FINDING THE WILL OF GOD IN A CRAZY,  
MIXED-UP WORLD
- IF MINISTERS FALL, CAN THEY BE  
RESTORED?
- THE ARM ON ARARAT

Temperament tests are based on the many  
years of research Dr. LaHaye has performed on  
the four basic temperaments. The test itself  
takes forty minutes and is patterned somewhat  
after the Taylor-Johnson test, except that  
it gives approximately fifteen pages of  
personalized information about an individual  
after he has taken the test. This analysis  
includes the individual's primary and secondary

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Page Five

temperaments, characteristics, work habits, including fifty vocational possibilities, twenty-five areas in the local church where the individual would be best apt to serve, ten major weaknesses and how to overcome them, and tips for married people in getting along with their mates.

The cassette phase of the ministry of FLS is two-fold: 1) Cassette messages based on the many books described above, including the You and Your Family seminar that Dr. LaHaye conducts throughout the country. 2) The second phase of the cassette program involves the Family Life Cassette of the Month Club wherein many family life speakers throughout the nation submit materials to the ministry to offer to those who ask to be on the cassette club mailing list.

(b) See Exhibits "A," "B," and "C."

4. Provide a copy of Family Life Seminars' IRS Form 990 for 1988.

Answer:

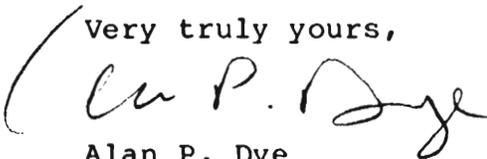
See Exhibit "D."

5. State whether Family Life Seminars reported any nonexempt income for 1988 and, if so, the amount of such income and its percentage of Family Life Seminars' overall activity for 1988.

Answer:

FLS did not have any such nonexempt income.

Very truly yours,

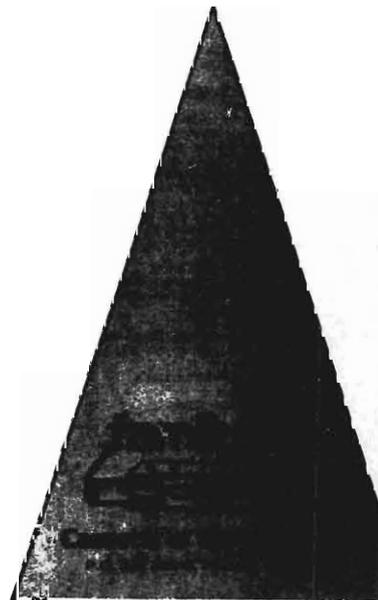


Alan P. Dye

APD:dla  
Enclosures

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# MESSAGES for the



## family life Cassette of the Month Club

Cassette messages by recognized authorities on personal and family relationships give you their best experience, knowledge, and insight. Each message is carefully selected and recorded for you. Practical ideas for building better relationships, understanding yourself and others, and bonding greater love and peace into your home are yours. Through the Cassette of the Month Club (COM), new messages by nationally known speakers can be mailed to your home each month.

### HOW COM CASSETTES WILL HELP YOU

These carefully chosen cassette tapes will affect your life in a personal way. They will help you learn the principles of attaining love, peace, and harmony in your home. They will help you understand the needs of your family and how to meet them. They will help you understand the needs of your children and how to meet them. They will help you understand the needs of your spouse and how to meet them. They will help you understand the needs of your community and how to meet them. They will help you understand the needs of your world and how to meet them.

### WAYS TO USE COM CASSETTES

Join the thousands of people who are using these cassettes as:

- Personal improvement mini-courses
- Sunday School teaching material
- References in church libraries
- Programs for group Bible studies
- The family devotional lesson study
- Marriage counseling information
- Gifts to servicemen
- Inspirational resources for the church's missionary personnel
- Follow-up counseling tool for pastors

NAME

ADDRESS

CITY

STATE

ZIP

- \_\_\_ 834 Principles of Leadership
- \_\_\_ 835 Man's Greatest Problem
- \_\_\_ 836 How God Views Divorce

### Henry Morris

- \_\_\_ 001 The Bible is a Textbook of Science
- \_\_\_ 002 Geology and the Flood
- \_\_\_ 003 Creation-Evolution Debate, Part 1
- \_\_\_ 004 Creation-Evolution Debate, Part 2
- \_\_\_ 005 Creation-Evolution Debate, Part 3
- \_\_\_ 006 The Biblical Evidence of a Worldwide Flood

### Henry Morris, III

- \_\_\_ 640 The Signs of Christmas
- \_\_\_ 641 What About Social Drinking?
- \_\_\_ 642 A Christmas Memory Verse

### Art Peters

- \_\_\_ 040 The Power of Self-Image in Marriage
- \_\_\_ 041 Transcendental Meditation Masquerade
- \_\_\_ 042 The Bible and Life After Life
- \_\_\_ 043 Overcoming the Poison Root of Bitterness

### Tony Pozzetta

- \_\_\_ 650 From the Priesthood to Christ

### Ken Peare

- \_\_\_ 401 Development of Character
- \_\_\_ 402 Life Styles
- \_\_\_ 423 How to Have a Revival in Your Home
- \_\_\_ 424 God's Man-Woman Plan
- \_\_\_ 425 How to Shut Your Communication Gap
- \_\_\_ 426 What is the Family's Future?
- \_\_\_ 440 The Other Side of Sex
- \_\_\_ 441 Husband-Wife Relationships

### Earl Radmacher

- \_\_\_ 680 Thinking Right About Yourself
- \_\_\_ 681 Thinking Right About God
- \_\_\_ 682 The Problem of Thinking Right
- \_\_\_ 683 Thinking Right About Finances
- \_\_\_ 684 You Are What You Think

### Joe Reeves

- \_\_\_ 030 The Crisis of Maturing
- \_\_\_ 031 You as an Individual

### Marvin Rickard

- \_\_\_ 601 How to Deal With Emotional Stress
- \_\_\_ 602 Marriage: The Female Role, Part 1
- \_\_\_ 603 Marriage: The Female Role, Part 2
- \_\_\_ 604 Marriage: The Male Role, Part 1
- \_\_\_ 605 Marriage: The Male Role, Part 2

### Adrian Rogers

- \_\_\_ 950 Satan's F.B. About Women's Lib
- \_\_\_ 951 Home: The University of Life
- \_\_\_ 952 Help for Fractured Families

### Edith Schoeffler

- \_\_\_ 550 What is a Family?

### John Wrasse

- \_\_\_ 007 The Lie That Rules the World
- \_\_\_ 010 Marriage, Sex, Divorce and Abortion
- \_\_\_ 011 Predestination
- \_\_\_ 012 The Holy Spirit and Prayer in the Marriage Relationship

### Richard Strauss

- \_\_\_ 014 Yes, My Lord
- \_\_\_ 032 Subjunctive To Him?
- \_\_\_ 016 For This Was I Born
- \_\_\_ 017 For Better or For Worse
- \_\_\_ 018 The Honeymoon is Over
- \_\_\_ 019 Please Let's Talk About It
- \_\_\_ 020 The Bits and Beams of Communication
- \_\_\_ 021 Communication: Mending the Nets
- \_\_\_ 022 The Cutting Edge of Criticism
- \_\_\_ 023 We're Number One
- \_\_\_ 024 Sons of Thunder

### Charles Swindoll

- \_\_\_ 710 Knowing Your Child
- \_\_\_ 711 Breaking Granddad's Bent
- \_\_\_ 712 The Marks of Maturity
- \_\_\_ 713 Releasing Your Child
- \_\_\_ 714 The Home Training of Jesus
- \_\_\_ 715 Don't Just Get Older—Get Better
- \_\_\_ 716 Bricks that Build a Marriage
- \_\_\_ 718 Growing Through Waiting
- \_\_\_ 719 Growing Through Failure
- \_\_\_ 720 Growing Through Misunderstanding
- \_\_\_ 721 Growing Through Loss
- \_\_\_ 722 Growing Through Mistakes
- \_\_\_ 723 Growing Through Weakness
- \_\_\_ 724 Growing Through Monotony
- \_\_\_ 725 Growing Through Fear
- \_\_\_ 726 Where Has the Commitment Gone? Part 1
- \_\_\_ 727 Where Has the Commitment Gone? Part 2
- \_\_\_ 728 In Defense of Monogamy
- \_\_\_ 729 Joshua, Triumph After Tragedy
- \_\_\_ 730 Family Talk: A Charge to the Officers
- \_\_\_ 731 His Cross and Mine
- \_\_\_ 732 Loving Your Child
- \_\_\_ 733 Let Debt Do Us Part
- \_\_\_ 734 Doing Right When You've Been Done Wrong

### Tim Timmons

- \_\_\_ 450 Have We Been Fooled About Being Born Again?
- \_\_\_ 451 Have We Been Fooled About Evangelism?
- \_\_\_ 452 Have We Been Fooled About Who We Are?

### Bob Vernon

- \_\_\_ 900 Defining the Masculine Role
- \_\_\_ 901 Communication and the Masculine Role
- \_\_\_ 902 The Family Priest
- \_\_\_ 903 Optimum Freedom and Authority
- \_\_\_ 904 Dealing With Discipline

### Warren Wiersbe

- \_\_\_ 080 Do Children Have Rights?
- \_\_\_ 081 Prayers Changes Things
- \_\_\_ 082 Birthmarks of the Born Again
- \_\_\_ 083 How Different Should a Christian Be?
- \_\_\_ 084 The Forgotten Word at Christmas
- \_\_\_ 085 Lord, I Need a Miracle
- \_\_\_ 086 Dirty Deeds, Clean Hearts
- \_\_\_ 087 You Don't Have to Worry
- \_\_\_ 088 The Woman Who Ruined Her Husband
- \_\_\_ 089 Learning to Pray Like a Man
- \_\_\_ 090 Feminine Faith
- \_\_\_ 091 The High Cost of Anger
- \_\_\_ 092 The Misunderstandings of Life
- \_\_\_ 093 What Makes the Baby Grow?
- \_\_\_ 094 You Can Start Your Week With a Miracle
- \_\_\_ 095 The Born Winner

### Nick Yohn

- \_\_\_ 740 What Every Father Should Teach His Child
- \_\_\_ 741 How Fathers Should Manage Their Children
- \_\_\_ 742 Dad, Where Are You Leading Your Child?
- \_\_\_ 743 The God-Centered Mother
- \_\_\_ 744 Coping With the Money Crunch
- \_\_\_ 745 Myths of Money Management Part 1
- \_\_\_ 746 Myths of Money Management, Part 2
- \_\_\_ 747 Born of a Virgin
- \_\_\_ 748 Myths of Giving, Part 1
- \_\_\_ 749 Myths of Giving, Part 2
- \_\_\_ 750 Managing Money as Partners
- \_\_\_ 751 Charlie Brown Syndrome
- \_\_\_ 752 Improving Your Self-Image, Part 1
- \_\_\_ 753 Improving Your Self-Image, Part 2
- \_\_\_ 754 How to Help Others Improve Their Self-Image
- \_\_\_ 755 Stress and the Working Woman
- \_\_\_ 756 Work Need Not Be Stressful, Part 1
- \_\_\_ 757 Work Need Not Be Stressful, Part 2
- \_\_\_ 758 What's So Special About Christmas?
- \_\_\_ 759 The Blessings of Recession, Part 1
- \_\_\_ 760 The Blessings of Recession, Part 2
- \_\_\_ 761 Marks of Responsible Motherhood
- \_\_\_ 762 The Model Father
- \_\_\_ 763 Why the Moral Confusion?
- \_\_\_ 764 Managing Moral Myths
- \_\_\_ 765 Avoiding Moral Compromise
- \_\_\_ 766 My Husband Never Talks to Me Any More
- \_\_\_ 767 Retiring to the Person You Married
- \_\_\_ 768 Children and Their Parents
- \_\_\_ 769 Why Men Need God

- \_\_\_ 999 Cassette of the Month Club 8 1/2-Inch Album (Great for Storage)

## C.C. A. Tape Names and Numbers

1st Cassette Message 4 88 (50)  
Each Additional Message 3 78 (50)  
Cassette Albums 4 25 (75)

(Non-Member Prices - \$8.99 per cassette)

Includes Shipping and Handling

Members of Family Life Cassette of the Month Club may select any cassette messages listed in this booklet. Simply mark the quantity of each tape desired next to the number and title.

### Bible Stories from COB

- 585 Creation/Noah and the Ark
- 586 Sodom and Gomorrah, Abraham and Isaac
- 587 Joshua and Jericho/The Ten Commandments
- 588 Samson/David and Goliath
- 589 Esther/Elijah
- 570 Job/Jonah
- 571 The Birth and Call of Moses/The Exodus
- 572 Gideon/Samuel and Eli
- 573 Elisha/David and Jonathan
- 574 Daniel/Ruth

### Non-Member

- 203 How to Close the Generation Gap What Kind of a Parent and Partner Are You?
- 204 Foundations of an Effective Partnership Who is the Leader?
- 205 Building a Happy Marriage Making Your Marriage Better
- 206
- 207
- 208
- 209
- 210
- 211
- 212
- 220
- 221
- 222
- 223
- 224
- 225
- 226

### Jim Briscoe

- 350 How to Live With a Difficult Man
- 351 How to Be Friends With Your Children
- 352 Marriage From the Wife's Perspective
- 353 God's Senior Citizen
- 354
- 355
- 356
- 357
- 358
- 359

### Stuart Briscoe

- Marrages Under Pressure
- The Liberated Woman
- The Businessman and Morality

- 378 Charity and the Christian
- 379 Passing the Buck
- 380 Problem Areas - Living With Unbelievers
- 381 Discipline and Obedience in the Christian Life
- 382 Handling Temptation
- 383 Criticism and the Christian

### Brother Andrew

- 264 God's Smuggler

### James Dobson

- 972 The Single Parent/Fatigue and Time Pressure
- 973 To Spare or Not To Spare
- 974 Questions Parents Frequently Ask
- 975 How to Save Your Marriage
- 976 Men in Mid Life Crisis
- 977 The Working Mother
- 978 When God Doesn't Make Sense
- 979 Straight Talk to Men and Their Wives

### Joni Eareckson-Tada

- 560 Joy in Suffering
- 561 Trust and Obedy

### Mary Lee Ehrlich

- 250 How to Soar Above Your Problems
- 251 From Crisis to Composure

### J. Richard Fugate

- 485 Child Training The Promises God Makes
- 486 Child Training How To Train Our Children

### Howard Hendricks

- 301 Spiritual Involvement of the Family
- 302 The Minister as Motivator
- 319 Communicating Our Convictions
- 321 Child Discipline in the Home
- 322 Christian Education is Homemade
- 323 Train Up a Child
- 324 If I Were Starting My Family Again
- 325 Teaching Christianity in the Home
- 326 What to Do When the T.V. Tube Burns Out
- 327 Heaven-to-Home Hotline
- 329 So You Want to Raise a Boy?
- 330 Preparing Your Children for Marriage Part 1
- 331 Preparing Your Children for Marriage Part 2
- 343 Yardsticks for Love
- 345 The Biblical Basis for a Woman's Ministry

### Anne Marie Hirschmann (Hensel)

- 260 How to Help America
- 261 The True American

### David Hoeking

- 670 Divorce—Christian Style
- 671 Where Do You Find Friends?
- 672 The Head of the House
- 673 The Successful Single Adult

- 674 How To Get Along With Your Parents
- 675 Women's Lib vs. God's Plan
- 676 How To Fulfill Your Partner's Sexual Desires, Part 1
- 677 How To Fulfill Your Partner's Sexual Desires, Part 2
- 678 The Art of Making Love
- 679 Why Communication is So Difficult?
- 680 What is the Responsibility of Parents?
- 681 Why Husbands and Wives Must Communicate
- 682
- 683 How to be Close Friends with Your Mate
- 684 What Couples Can Do About Money
- 685 What the Bible Says About Sex
- 686 How to Control Your Sexual Desires
- 687 Marriage - Bond or Bondage?
- 688 Loving, God's Way
- 689 Our God is Eternal
- 690 God's Omniscent Knowledge
- 691 God Can Do All Things
- 692 Explaining the Triune God

### John Nunnor

- 050 Samson, a Plan for Deafest
- 051 God's Building Program Building Who?
- 052 God's Building Program Building How?
- 053 God's Building Program Keeping Who?
- 054 God's Building Program Keeping How?
- 055 God's Building Program Using Who and How?
- 056 God's Answer to Quilt
- 057 God's Answer to Worry
- 058 God's Answer to Hopelessness
- 059 God's Answer to Discobedience
- 060 God's Answer to Nervous Tension
- 061 God's Answer to Laziness
- 062 Jesus Today for the Brokenhearted
- 063 Jesus Today for the Bound
- 064 Jesus Today for the Bruised
- 065 Jesus Today for the Blind
- 066 Jesus Today for the Bankrupt
- 067 God's View of Success
- 068 Seeking Satisfaction

### David Jeremiah

- 915 The Lonely Sufferer
- 916 The Lonely Spouse
- 917 The Lonely Single
- 918 God's Cure for Loneliness
- 919 The Serpent and The Savior
- 920 The Flesh vs. The Spirit

### Barbara Lee Johnson

- 265 How to Handle Illusions
- 266 How a Wise Woman Handles Depression
- 267 Why Women Worry
- 268 Coping With Loneliness and Divorce
- 269 Count It All Joy

### Beverly LaHaye

- 501 Improving Your Self Image
- 519 Humanism: The Enemy of the Family
- 520 Spirit Controlled Family Living
- 521 How to Develop Your Child's Temperament
- 522 The Lord's Answer to Child Training and Discipline
- 523 What it Means to be a Submissive Wife
- 524 I am a Woman by God's Design
- 525 How to Develop Spirit-Controlled Thoughts

### Tim LaHaye

- 101 Five Miserable Men and One Who Repayed
- 102 The Miracles of Calvary
- 103 How to Lengthen Your Life
- 104 How to Find the Will of God
- 105 The Future of America
- 106 Coping with Fear
- 107 How to Face Giant Problems
- 108 The Kind of Person God Uses
- 109 Blessed Are the Merciful
- 110 The Power of a Faithful Life
- 111 How to Face Success and Persecution
- 112 Falling God's Faith Test
- 113 David's Scarlet Sin
- 114
- 115 How to be a Fruit Bearing Christian
- 116 The High Price of Sin
- 117 The Beauty of Sexual Love in Marriage

- 120 God's Cure for Inferiority Complex
- 121 Overcoming Your Personal Weaknesses
- 122 Temperament and Depression
- 123 How to Avoid Being Deceived
- 124 Peter the Sanguine
- 125 Paul the Choleric
- 126 Moses the Melancholy
- 127 Abraham the Phlegmatic
- 128 How to Walk in the Spirit
- 129 The Secret of Paul's Motivation
- 130 Coping With Conflict
- 131 The Complexity of Man's Nature
- 132 Understanding the Male Temperament

- 133 How to Be All You Were Meant to Be
- 134 Solving the Two Greatest Problems in the Home
- 135 When Opposites Attract
- 140 God's Standards for Christian Fathers
- 141 How to Build a Happy Home
- 142 How to Keep Love in Your Home
- 143 Freedom From Financial Pressure
- 144 The Battle for the Mind
- 145 Needed: A Nation of Fathers
- 146 Why Family Life Fails
- 147 How to Live Family Life in a Hostile Age
- 149 Proving the Deity of Jesus
- 150 Life Beyond Death
- 151 Resurrection of the Human Body
- 152 The Christian After the Resurrection

- 1 Eternal Rewards
- 1 Marriage Ceremony in the Heavens
- 155 The Resurrected Dead
- 156 Lake of Fire
- 157 Life in the Millennium
- 158 Amazing Population of Heaven
- 160 Finding a Life Partner, Part 1
- 161 Finding a Life Partner, Part 2
- 162 The Dating Game
- 163 How to Keep Your Love Alive
- 164 Resolving Marital Conflicts
- 165 How to Experience the Reality of God
- 166 The Importance of the Family
- 167 Your Self Image and Depression
- 168 The Future of the Family
- 169 What Every Wife Wishes Her Husband Would Do
- 170 How to Feed on the Word of God
- 171 Humanism: The Most Dangerous Religion in the World
- 172 What the Miracles of Jesus Mean to You
- 173 The Rock of Our Faith

### Joyce Lander

- 634 Change Points

### Mark Lee

- 460 Analogy of a Christian Marriage
- 461 The Surprise Commencement

### John MacArthur

- 800 How to Know the Will of God
- 801 Guidelines for Husbands and Wives
- 802 The Role of the Godly Woman
- 803 Spiritual Suicide
- 804 Divine Guidelines for Marriage
- 805 Profile of a Godly Mother
- 806 The Christian and His Finances
- 807 The Family's Struggle for Survival
- 808 Happiness is
- 809 Happiness is Humility
- 810 Happy are the Sad
- 811 Happy are the Meek
- 812 Happy are the Hungry
- 813 Happy are the Merciful
- 814 Happy are the Holy
- 815 Happy are the Peacemakers
- 816 Happy are the Harassed
- 817 How's Your Love Life?
- 818 The New Man Makes a New Home
- 819 Leave Me Alone, I Can't Cope
- 820 The Paradox of Christmas
- 821 Reasons for Remaining Single, Part 1
- 822 Reasons for Remaining Single, Part 2
- 823 The Role and Priorities of the Wife
- 824 The Role of the Husband
- 825 The Priorities of the Husband
- 826 The Role of the Child
- 827 The Role of the Parents
- 828 How to Witness to Others
- 829 New Man, New Lifestyle, Part 1
- 830 New Man, New Lifestyle, Part 2
- 831 The New Speech of the New Man
- 832 With a Little Help From My Friends
- 833 The Biblical View of Divorce and Remarriage

# family... Cassette of the Month Club

Cassette messages by recognized authorities on personal and family relationships give you their best experience, knowledge and research to enhance your life. Their stimulating talks, deep-seated in the Word of God, offer you practical ideas for building better relationships, understanding yourself and others, and bringing greater love and harmony into your family.

Through the Cassette of the Month Club (COM), new messages by nationally known speakers can be mailed to your home each month.

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- Self acceptance
- Communicating with your family, friends and business associates
- Freeing yourself from financial pressures
- God's plan and purpose for marriage
- Establishing priorities in your home
- Ways your family can evangelize your community
- Disciplining your children
- Teenage dating
- Preparing your children for marriage
- Bridging the generation gap
- Keeping chaos from overtaking your home
- Keeping your love life alive
- Plus special messages for lay leaders and pastors

## WAYS TO USE COM CASSETTES

Join the thousands of people who are using these cassettes as:

- Personal improvement mini-courses
- Sunday School teaching material
- References in church libraries
- Programs for group Bible studies
- The family devotional lesson study
- Marriage counseling information
- Gifts to servicemen
- Inspirational resources for the church's missionary personnel
- Follow-up counseling tool for pastors

## INTRODUCTORY OFFER

This one-time Club membership fee of \$4.50 brings you the special introductory offer and the opportunity to receive many inspirational cassette messages not available to the public.

Your membership brings you a cassette tape with three family life messages from Dr. Tim LaHaye, Dr. Henry Brandt, and Dr. John MacArthur to start your cassette collection. Also included is an attractive album to store your cassettes.



### DR. DAVID HOCKING

Known to many as the Bible teacher on the Biola Hour radio broadcast, Dave Hocking also ministers through his successful film series and the numerous books he has authored on family living. Dr. Hocking pastors Calvary Church in the Los Angeles area and is a frequent conference speaker.



### KEN POURE

Executive Director of Hume Lake Christian Camp, Ken Poure is sought after and well-received by audiences of all ages. His unique insights, blended with a tremendous sense of humor, are great assets Ken uses to help families bridge generation gaps and grow closer to God and one another.

### DR. ADRIAN ROGERS

He has served as the President of the Southern Baptist Convention, and now pastors the 17,000 member Bellevue Baptist church in Memphis, Tennessee. Pastor Rogers has a syndicated TV ministry across our nation, is an author, and a beloved conference speaker for many organizations in the United States as well as abroad.



### DR. JOHN MacARTHUR

John MacArthur represents the fifth generation of clergymen in his family. He studied at Talbot Theological Seminary, where he graduated with honors. Today he pastors the Grace Community Church in Sun Valley, California, which has an average morning attendance of 5,000. He has authored such books as, LIBERATED FOR LIFE, and KEYS TO SPIRITUAL GROWTH.



### DR. DAVID JEREMIAH

Graduate of Cedarville College and Dallas Theological Seminary, Senior Pastor of one of the country's largest independent Baptist churches, Scott Memorial (El Cajon, California), and Chairman of the Board of Christian Heritage College, David Jeremiah is also known through his books and the radio and television program, Turning Point.



### STUART AND JILL BRISCOE

Co-founders of the Telling the Truth ministry, this delightful English-born couple share a dynamic outreach. In addition, Stuart is an author, evangelist, and pastor of a large Wisconsin church. Jill is also an author, lecturer, and leader of a weekly Bible study for hundreds of women.

# Family Life Seminars

Presents

family life

# Cassette of the Month Club



**DR. JAMES DOBSON**

A leading authority on Christian psychological counseling, author of widely-used books on the family, and President of Focus on the Family, Dr. Dobson's popular radio program is heard on 460 stations throughout the United States and Canada, and his film series has been viewed by over 37 million people worldwide



**DR. TIM LAHAYE**

With books appearing regularly on national best-sellers lists, Dr. LaHaye is also one of America's leading spokesmen for Judeo-Christian traditional values and against the rising tide of Humanism. Dr. LaHaye is founder of Family Life Seminars, Christian Heritage College, and Christian Unified School System of San Diego. He is also heard on nationwide radio and television

**DR. CHARLES SWINDOLL**

Known to millions of individuals through his nationwide radio program, Insight for Living, and his many successful books that continue to inspire and encourage readers everywhere, Charles Swindoll's personable style of sharing God's Word is heard regularly from the pulpit of First Evangelical Free Church in Fullerton, California



**BEVERLY LAHAYE**

Founder and President of Concerned Women for America, the nation's largest women's organization, Beverly LaHaye is also recognized for her widely distributed books, films, and the radio and television programs she co-hosts with her husband, Tim. Beverly and Tim have also presented their Family Life Seminars in the United States, as well as 42 other countries.



**DR. HOWARD HENDRICKS**

Recognized by family counselors and educators as one of the foremost Christian lecturers and authors on such matters as family, husband-wife relationships, and successful leadership in the home and office, Dr. Hendricks is also Professor and Chairman of Christian Education at Dallas Theological Seminary.



**DR. RICK YOHN**

Having pastored churches in Pennsylvania, Winnipeg, California, and presently Minnesota (Grace Church, Edna), Rick Yohn is also widely respected for his books on spiritual gifts, personal finances, family relations, and the effective management and use of one's time and activities. Dr. Yohn is also a popular conference speaker.



**family life**

**Cassette of the Month Club**

MAIL TO: CASSETTE OF THE MONTH CLUB, P.O. Box 2700, Washington, D.C. 20013-2700

YES, I WANT TO JOIN THE CASSETTE-OF-THE-MONTH CLUB and I have enclosed my one-time membership fee of \$4.50. I understand this entitles me to your special introductory offer of three family life messages on one cassette, and a cassette album, which I will receive by return mail. As a Club member, I agree to purchase eight cassettes within the next two years at \$4.50 each plus a 50 cent shipping and handling charge for each cassette.

NAME \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

CITY \_\_\_\_\_

STATE \_\_\_\_\_

STATE \_\_\_\_\_ ZIP \_\_\_\_\_

Use additional sheets for other names

Please Print



**LaHaye  
Temperament  
Analysis**

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**TEST BOOKLET**

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CONFIDENTIAL — PLEASE FOLLOW INSTRUCTIONS CAREFULLY



A ministry of Family Life Seminars

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## Introduction

Congratulations on your decision to have your temperament analyzed! You will discover this to be one of the finest self-help projects you have ever undertaken.

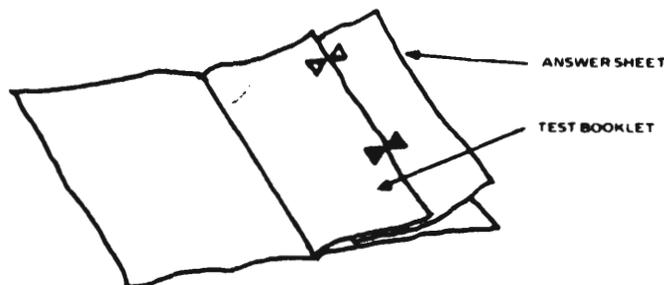
Our prayer is that you will reap rich benefits from learning the areas in which you are best qualified to serve God and your family, as well as discovering how to overcome any weaknesses you may have.

## Consider These Suggestions

1. Select a quiet spot to take the test, where you won't be interrupted or rushed.
2. Relax and be objective about yourself—there are no "right" or "wrong" answers.
3. If unsure of the answers, take the test with a good friend, who you know will be objective about you.
4. Answer the questions as you were before you became a Christian, if possible. (Reason: a Spirit-filled introvert and extrovert will both score high if asked, "Are you friendly?"; thus masking their true temperament.)
5. Do not answer as you want to be, or as you are working towards being.

## Important Test Instructions

1. Use lead pencil—not a pen!
2. Fill in name, etc., in both gray boxes on test sheet.
3. Follow instructions at the beginning of each Section.
4. Mark only one answer for every question.
5. Please feel free to use a dictionary for any word you are hesitant about.

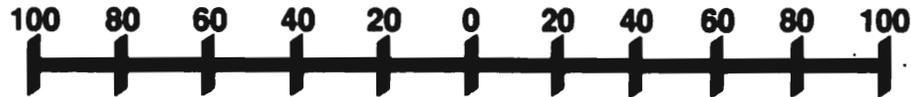


1. Slip the answer sheet under this page.
2. Line up the points of both "A" triangles on this page with the matching "A" triangles on the answer sheet.
3. Read the four paragraphs in the first box.
4. Select which one paragraph best describes you
5. Select one of the numbers above that paragraph
6. Fill in that same number on the answer sheet (directly across from the scale).
7. Repeat instructions for the next two boxes.



### INTROVERT-EXTROVERT SCALE

Surprisingly enough, almost everyone thinks of himself as shy and introverted. Select the point that best describes how you think others see you.



**INTROVERT**

Extremely quiet and passive. Almost never pushes himself forward or even wants to. Content to be seen and not heard.

Intense and self-conscious. Often inhibited but wishes he was more outgoing. Usually speaks only when spoken to.

His aggressiveness forces him to be outgoing. He is not reluctant to volunteer his ideas or opinions — particularly when challenged.

**EXTROVERT**

Extremely outgoing — a super talker. Appears to be completely uninhibited. Functions best with an audience.

### ASSERTIVENESS SCALE

Select the point that best describes your assertiveness.



**ASKS QUESTIONS**

Seldom volunteers his opinion, never interrupts others, quite shy, avoids arguments.

Weighs words carefully, tries to be exact, rarely speaks until facts are in.

Communicates freely, loves debate, has strong opinions. Sarcasm comes naturally.

**TELLS HIS OPINION**

Talks easily, often without thinking. Has to apologize or correct himself frequently. Enjoys talking on the telephone.

### OPPOSITION SCALE

Select the point that best describes your natural reaction to opposition.



**AVOIDS OPPOSITION**

Rarely stirs up trouble or answers unkindly, not because he isn't right but because he just does not like controversy.

Does not like controversy or rejection and takes opposition, refusal or criticism quite personally — is easily discouraged.

Thrives on competition and becomes more determined if opposed. Will bring his plan or project up again and again.

**LOVES COMPETITION**

Tries to charm, entice and entreat those who oppose him, or uses friendship and social pressure to get his way.



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## Section B

1. Slip the answer sheet under this page.
2. Line up the points of both "B" triangles on this page with the matching "B" triangles on the answer sheet.
3. Read the four paragraphs in the first box.
4. Select which *one* paragraph best describes you.
5. Select one of the numbers above that paragraph.
6. Fill in that same number on the answer sheet (directly across from the scale).
7. Repeat instructions for the next box.
8. For the third box, use the instructions written inside the box.

B

### HOSTILITY SCALE

Anger or hostility is a basic human emotion. The way you express it reveals a good deal about you. Select the point that best describes your natural expression of it.



NEVER EXPRESSES ANGER

Rarely gets angry and almost never explodes. Seldom insults or injures others so he rarely has to apologize. He may needle or poke fun at an adversary.

Mulls over an insult or injury, contemplates revenge. He may eventually lash out, after which he feels very remorseful.

Hostile about many things, particularly those who oppose him. When angry, he can be verbally abusive. May resort to physical violence. Finds it difficult to apologize.

OFTEN EXPRESSES ANGER

Quick to get angry and lash out verbally. Once expressed, he forgets about it quickly and if he hurts someone he is remorseful and apologizes profusely.

### WORK SCALE

Select the point that best describes your attitude toward your work.



PASSIVE WORKER

Somewhat passive and does only what is required. Tends to conserve energy and avoids over-involvement — although quite capable once committed.

Very industrious and conscientious, prone to work around the clock, skip meals and sleep. Such projects may be followed by exhaustion or a time of depression until another project is undertaken.

Thrives on meaningful work, often takes on more than he can do and somehow does it. Labors are channeled into practical or utilitarian activities.

ACTIVE WORKER

Very active, but not always productive because he loses interest in routine projects causing him to "flit" from one thing to another instead of finishing what he starts.

### HOW YOU VIEW TIME

In the space provided to your left on the answer sheet, draw three circles representing your view of the past, present and future.

These are all the instructions you will need.

B

# Section C

## OBJECTIVE STRENGTH APPRAISAL

1. Slip the answer sheet under this page.
2. Line up the points of both "C" triangles on this page with the "C" triangles on the answer sheet.
3. For each of the 64 character strengths listed, decide how it usually describes you on a scale of 1-10. (1 means least like you. 10 means most like you.)
4. Fill in that same number on the answer sheet, directly across from each word.

1. Accurate
2. Aesthetic
3. Agreeable
4. Analytical
5. Artistic
6. Calm-Quiet
7. Carefree
8. Careful
9. Charisma
10. Compassionate
11. Conscientious
12. Conservative
13. Courageous
14. Decisive
15. Dependable
16. Determined
17. Diplomatic
18. Dry Humor
19. Efficient
20. Enthusiastic
21. Even-tempered
22. Faithful
23. Fearless
24. Forceful
25. Friendly
26. Generous
27. Gentle
28. Gifted Mind
29. Hospitable
30. Idealistic
31. Independent
32. Industrious
33. Innovative
34. Intense
35. Kind-hearted
36. Leader
37. Lively
38. Loyal
39. Music-lover
40. Neat
41. Optimistic
42. Organized
43. Outgoing
44. Patient
45. People-Oriented
46. Perfectionist
47. Personable
48. Persuasive
49. Practical
50. Producer
51. Promoter
52. Reluctant Leader
53. Retentive Memory
54. Responsive
55. Self-Confident
56. Self-Disciplined
57. Self-Sacrificing
58. Sensitive
59. Strong-willed
60. Talkative
61. Unabrasive
62. Uninhibited
63. Visionary
64. Warm

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## Section D

### DOMINANT CHARACTERISTICS SCORE

1. Slip the answer sheet under this page.
2. Line up the points of both "D" triangles on this page with the "D" triangles on the answer sheet.
3. For each of the 40 characteristics, decide how it usually describes you on a scale of 1-10. (1 means least like you. 10 means most like you.)
4. Fill in that same number on the answer sheet, directly across from each word.

- ..... 1. **OUTGOING, ACTIVE & ENTHUSIASTIC**  
Friends consider you an extrovert
- ..... 2. **UNAFFECTONATE & COOL**  
Rarely moved to tears-insensitive
- ..... 3. **DEEPLY EMOTIONAL & SENSITIVE**  
Feel deeply hurts & feelings of others
- ..... 4. **PASSIVE & UNMOTIVATED**  
Prefer less strenuous activities
- ..... 5. **FRIENDLY**  
People-oriented & easy to get to know
- ..... 6. **DOMINEERING**  
Tend to dominate—others think you're pushy
- ..... 7. **CONSCIENTIOUS & PERFECTIONIST**  
View people & projects idealistically
- ..... 8. **UNSURE OF YOURSELF**  
Anxious over consequences of decisions
- ..... 9. **TALKATIVE & EXPRESSIVE**  
Talking comes easily to you
- ..... 10. **SARCASTIC AND CUTTING**  
Remarks come easily
- ..... 11. **ANALYTICAL & DETAILED IN YOUR THINKING**
- ..... 12. **SELF-PROTECTIVE**  
Reluctant to "get involved"
- ..... 13. **HAPPY & CAREFREE**  
Happy feelings dominate
- ..... 14. **OPINIONATED AND SOMEWHAT PREJUDICED**
- ..... 15. **AESTHETIC**  
Love and appreciate art and music
- ..... 16. **STUBBORN**  
Seldom initiate but quietly resist opposition
- ..... 17. **GENEROUS**  
Sometimes give more than you have to give
- ..... 18. **HOSTILE & ANGRY**  
You remember those who offend you
- ..... 19. **SELF-SACRIFICING**  
Help others at expense of own comfort
- ..... 20. **DEPENDENT**  
Reluctant to initiate but supportive of those who lead
- ..... 21. **NATURAL LEADER**  
People usually follow your directions
- ..... 22. **UNDISCIPLINED**  
Change projects without finishing
- ..... 23. **CALM, EASY-GOING**  
Not easily ruffled or upset
- ..... 24. **MOODY & DISCOURAGED**  
Occasional long periods of depression
- ..... 25. **SELF-CONFIDENT & OPTIMISTIC**  
Look toward the future
- ..... 26. **WEAK-WILLED**  
Impulse buyer—no sales resistance
- ..... 27. **AMIABLE, DIPLOMATIC & PEACE-MAKER**
- ..... 28. **NEGATIVE & CRITICAL**  
Tend to find fault with people & things
- ..... 29. **STRONG-WILLED & DETERMINED**  
Finish what you start
- ..... 30. **DISORGANIZED**  
Difficulty keeping good records
- ..... 31. **EFFICIENT**  
Organize thoughts & work
- ..... 32. **RIGID & LEGALISTIC**  
Resent interruptions
- ..... 33. **GOAL-ORIENTED ACTIVIST**  
Mind filled with plans & projects
- ..... 34. **EGOCENTRIC**  
Favorite subject is yourself
- ..... 35. **CONSERVATIVE & APPROPRIATE**  
Prefer conservative styles & colors
- ..... 36. **INDECISIVE & HESITANT**  
Tend to second-guess decisions
- ..... 37. **PRACTICAL & UTILITARIAN**  
in values & thoughts
- ..... 38. **EMOTIONALLY EXCITABLE**  
Anger or Tears frequent but short
- ..... 39. **DEPENDABLE BUT RELUCTANT LEADER**  
Fill necessary obligation
- ..... 40. **UNSOCIABLE & TOUCHY**  
Enjoy solitude, "take it or leave it" attitude toward social activities

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## Section E

- 1 Place the answer sheet on the right edge of this page.
- 2 Line up the points of both "E" triangles on this page with the matching "E" triangles on the answer sheet.
- 3 Read the four paragraphs below each scale.
- 4 Select which *one* paragraph best describes you.
- 5 Select one of the numbers above that paragraph.
- 6 Fill in that same number on the answer sheet (directly across from the scale).
- 7 Repeat instructions for the next box.



Note: If possible, please answer all questions as you were before becoming a Christian and as you are, not as you want to be.

### FEAR OR WORRY SCALE

Select the point on the scale that best describes your attitude toward fear and worry.



EASILY WORRIED

NEVER WORRIED

Quite security conscious, worries about the unknown. Would rather live in well-defined guidelines than venture into something new.

Worries about inability to perform up to expectation or fears things will not turn out as promised. Suspicious and unsure of the future.

Apprehension occurs for valid reasons (sickness, unexpected problems or cost increase). Usually devises an effective plan to work things out.

Rarely worries about the future. When he does, it is for a very short time. Adventurous and sometimes reckless.

Cover this shaded area by placing edge of Answer Sheet for Section E scales.

### AFFECTION SCALE

How you display your affection is often an indication of your temperament. Select the point that best describes how you show affection.



NEVER AFFECTIONATE

VERY AFFECTIONATE

Can take affection or leave it alone, does not feel it necessary to continually give or receive affection to prove love exists.

Enjoys discreet expressions of affection for those he loves, but finds it difficult to be affectionate toward those for whom he lacks deep feeling.

Enjoys receiving affection, but rarely volunteers it. Is easily embarrassed if it is displayed openly.

Aggressive people-lover, can hardly talk to anyone without touching them. Kisses freely whenever appropriate — and sometimes when it is not.

END TEST



1. When you have completed the test, fold the answer sheet and mail it back to us in the provided envelope.
2. Your test will be scored, the results analyzed, and your personal evaluation returned to you in a vinyl-leather bound portfolio.
3. The test results and analysis will remain completely confidential at all times.
4. Keep this booklet until you have received your portfolio.

9 2 0 4 0 8 9 4 4 0 5



Sections B & E

Section C

ANSWER SHEET

B — 100 80 60 40 20 0 20 40 60 80 100

E — 100 80 60 40 20 0 20 40 60 80 100



LaHaye Temperament Analysis

B — 100 80 60 40 20 0 20 40 60 80 100

E — 100 80 60 40 20 0 20 40 60 80 100

Please label circles "past," "present" and "future." Use the space above and below if you feel an explanation is necessary.

Large empty rectangular box for providing explanations or labels.

Grid of small circles for marking answers, organized into columns and rows, with some circles containing numbers like 1, 2, 3, 4, 5, 6, 7, 8, 9, 10.

Vertical text on the left margin: 4 4 0 7 4 4 0 7 2 2 4 4

9 2 0 4 0 8 9 4 4 0 8



**Family Life Seminars**  
P.O. Box 2700  
Washington, D.C. 20013-2700

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F.E.C.  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION  
91 AUG 23 01 58 PM '81

In the Matter of )  
Family Life Seminars and ) MUR 2761  
Dr. Tim LaHaye )

**SENSITIVE**

**GENERAL COUNSEL'S REPORT**

**I. BACKGROUND**

On October 4, 1990, the Commission found reason to believe that Dr. Tim LaHaye and Family Life Seminars violated 2 U.S.C. § 441b(a) by making expenditures for the publication and distribution of two SPECIAL EDITION reports, the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" and the CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America." On November 15, 1990, the Commission sent interrogatories to Family Life Seminars and Dr. Tim LaHaye.

After respondents received an extension to reply, this Office received a response from Family Life Seminars on December 26, 1990. See Attachment 1. We received a response to interrogatories sent to Dr. Tim LaHaye on January 23, 1991.<sup>1</sup> See Attachment 2. After reviewing the responses of December 26, 1990 and January 23, 1991, this Office sent additional interrogatories to Family Life Seminars on February 21, 1991. On February 27, 1991, the Commission declined "at this time" to enter into conciliation with Family Life Seminars and Dr. LaHaye prior to a finding of probable cause to believe. Responses to additional questions were received on March 12, 1991. See Attachment 3.

1. Counsel for Family Life Seminars is also representing Dr. Tim LaHaye.

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Respondents claim that they are eligible for the MCFL exemption and, therefore, request that the Commission take no further action in the matter. This Office concludes that respondents are not eligible for the MCFL exemption; and, therefore, we are recommending that the Commission decline the request to take no further action in this matter. See Pages 25-26. Alternatively, respondents have requested pre-probable cause conciliation. This Office is recommending that the Commission approve respondents' request to enter into pre-probable cause conciliation. The following is a discussion of this matter in light of the additional information which we received in responses to interrogatories.

**II. ANALYSIS**

**A. Applicable Law**

The Federal Election Campaign Act of 1971, as amended ("the Act"), states that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to Federal office. 2 U.S.C. § 441b. For purposes of this section, a "contribution" or "expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any service, or anything of value to any candidate, campaign committee, or political party or organization in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). Pursuant to 2 U.S.C. § 431(9)(b)(i), the term "expenditure" does not include any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless such facilities

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are owned or controlled by any political party, political committee, or candidate.<sup>2</sup> Section 441b(b)(2)(A) states that contributions or expenditures shall not include "communications by a corporation to its stockholders and executive or administrative personnel and their families on any subject." Commission regulations state that this exception also applies to communications by an incorporated membership organization to its members and executive or administrative personnel and their families. 11 C.F.R. § 114.3(a)(2).

2 2 4 0 8 9 4 4 1 1  
A corporation may prepare and distribute nonpartisan voter guides to the general public provided that the guides consist of questions posed to candidates concerning their positions on campaign issues and the candidates' responses to the questions. 11 C.F.R. § 114.4(5)(b)(i). The Commission may consider the following factors in determining whether a voter guide is nonpartisan: whether the questions are directed to all candidates seeking the nomination of a major party and whether all candidates are given equal time to respond; whether the voter guide prints verbatim the responses of each candidate without any additional comment; whether the wording of the questions favor any position on the issues covered; whether the voter guide expresses editorial opinion or indicates support or opposition for a candidate or party; whether the sponsors asks for biographical information from the candidates; and whether the voter guide is made available to

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2. The Commission has previously concluded that FLS does not qualify for the press exemption in regard to the SPECIAL EDITIONS of the CAPITAL REPORT.

the general public in the geographical area in which the sponsoring organization normally operates.

A corporation may distribute to the general public voter guides or other types of brochures describing the candidates and their positions which are obtained from a non-profit organization which is exempt from Federal taxation under 26 U.S.C. § 501(c)(3) or (4) and which does not support, endorse or oppose political candidates or parties. 11 C.F.R. § 114.4(b)(5)(ii). Publications obtained from such nonprofit organizations need not comply with the guidelines of 11 C.F.R. § 114.4(b)(5)(i) but they may not favor one candidate over another. Id. The Commission has also concluded that the regulations permit a qualified nonprofit organization to distribute a voter guide that it has itself prepared and that it need not obtain the guide from another qualified nonprofit organization. See Advisory Opinion 1983-43.

In United States v. CIO, 335 U.S. 106 (1948), the Court concluded that the distribution of the CIO communications in question did not violate § 313 of the Corrupt Practices Act, which prohibited contributions by corporations and labor organizations, because the indictment failed to charge that extra copies of the communications were sent to the public at large rather than to members. The communications in question were published in "The CIO News," a weekly newspaper owned and published by the CIO and the extra copies of the particular edition in question were distributed only to union members or purchasers. This particular edition contained a statement made by the CIO president urging all members of the CIO to vote for a certain candidate in an upcoming

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special election. Conversely, this opinion suggests that Section 441b does prohibit a corporation or union from distributing its political communications beyond its restricted class.

In FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), the Supreme Court recognized a narrow exception to the Section 441b prohibition in regard to independent expenditures made by certain small non-profit groups. In MCFL, the publication at issue was a "Special Election Edition" newsletter which urged voters to vote for pro-life candidates in the upcoming election. In usual circumstances, the publication costs would be considered an expenditure constituting a prohibited corporate contribution. However, the Court concluded that the prohibition on corporate contributions was unconstitutional as it applied to MCFL based on the following characteristics possessed by MCFL: it was a small grass roots organization; it was formed to disseminate political ideas not to engage in business activities; it had no shareholders or other persons having a claim on assets or earnings; it was not established by a business corporation or labor union; and it was MCFL's policy not to accept contributions from business corporations and labor unions.

In Sandra Faucher and Maine Right to Life Committee, Inc. v. FEC, 743 F. Supp. 64 (D.Me. 1990), the court held that 11 C.F.R. § 114.4(b)(5) exceeded the FEC's authority insofar as it prohibited issue advocacy by corporations. The court noted that the statutory basis for this regulation is 2 U.S.C. § 441b and that on the basis of Buckley v. Valeo as construed in MCFL, the

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Supreme Court explicitly limited the scope of this prohibition to express advocacy of the election or defeat of clearly identified candidates. This Office and the Commission have taken the position that the statement in MCFL is dicta and are appealing Faucher.

The Commission has addressed whether a communication is considered an expenditure in connection with a Federal election on a number of occasions. For example, in Advisory Opinion 1986-38, W. David Stedman proposed to run a radio and television advertisement on various stations prior to the November 4, 1986 election. The script of the advertisement is as follows:

If you want to help preserve the greatness of America, it is critical that you vote on November 4th. We can't keep that greatness unless we send the right people to Washington. . . .

If you want less government, lower taxes, fewer regulations and less government interference in your life, then vote for the conservatives. You know which ones they are.

Vote for a conservative approach to government.

The Commission stated that on the basis of the content of the script, the payments for the proposed advertisement would constitute expenditures under the Act. The Commission further stated that by urging viewers and listeners to "vote on November 4th" and "send the right people to Washington," the message is clearly designed to influence the voting in elections for Federal office.

The Commission has also considered whether a communication is permissible under 11 C.F.R. § 114.4(b)(5). In Advisory Opinion 1984-14, the Commission concluded that because the United

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States Defense Committee ("USDC") was a nonprofit, tax exempt organization which did not support, endorse or oppose candidates, it could distribute voter guides that did not comply with the factors enumerated in 11 C.F.R. § 114.4(b)(5)(i). The Commission stated that although the factors enumerated in 11 C.F.R. § 114.4(b)(5)(i) did not apply in this instance, the voter guides still could not favor one candidate over another. The Commission concluded that the voter guide materials involved here favored certain candidates over others because it asked USDC supporters to contact candidates who answered "wrong" and to urge the candidates to advocate USDC policy decisions. Thus, because the Commission found that the materials favored some candidates over others, USDC expenditures for such activities were prohibited by 2 U.S.C. § 441b.

In Advisory Opinion 1987-7, the Commission concluded that some of the proposed materials submitted by USDC complied with the requirements of 11 C.F.R. § 114.4(b)(5)(i) while other materials did not comply. Some of the proposed materials included communications to be sent to the candidates and the general public prior to the compilation of survey results. The communications regarding the survey restated the questions asked each candidate and reported both responses and non-responses to questions. The candidates' yes or no answers or no response answers were reported. The Commission concluded that because the sole purpose of these communications was to influence candidates to agree with USDC's position and to enlist the assistance of the public in this endeavor, the communications primarily reflected a grass roots

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lobbying effort.

The other proposed materials submitted were two letters which USDC intended to send to the general public after it had compiled the initial results of the candidate survey. Both of the letters were to be sent to the general public and to members of specific congressional districts less than four weeks before the state primary election. The first letter characterized the candidates' responses as right or wrong answers and suggested that the recipient of the letter contact any candidate whose answers differed from USDC's position so as to persuade the candidate to change his or her mind before the election. Additionally, the letter continued to urge the public to encourage those people who had not responded to do so and asked the public to thank those who agreed with USDC's position.

The second letter focused on the candidates in a specific congressional district and was targeted at the constituents of that district. In this letter, USDC discussed the voting records of those incumbents who had not responded to the survey and labeled those incumbent candidates unfavorably to USDC supporters. In addition, USDC requested that the recipients contact the incumbent and other nonresponsive candidates so as to persuade the candidates to show that they represented their constituents. USDC advised recipients that it was easier to convince an officeholder when he is looking for votes rather than when he is safely in office.

The Commission concluded that the context, content, and timing of these two letters, in addition to the contemporaneous

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issuance of the survey results, indicated that the materials no longer represented primarily a grass roots lobbying effort. The Commission noted that USDC's prior issue advocacy approach was overshadowed by the election message within the two letters and USDC's advocacy concerning specific candidates in the upcoming election. Furthermore, the Commission stated that the letters were election-related and, therefore, did not meet the nonpartisan requirements of 11 C.F.R. § 114.4(b)(5)(i). Thus, payments for the expenses related to these letters were prohibited by 2 U.S.C. § 441b.<sup>3</sup>

In Advisory Opinion 1989-28, the Commission concluded that Maine Right to Life's (MRLC) proposed newsletter which it planned to distribute in Maine before the 1990 primary election did not comply with the required characteristics for a nonpartisan voter guide. MRLC, a Section 501(c)(4) corporation, was formed to promote the sanctity of all human life. The proposed newsletter was to include candidate survey responses and other candidate

3. USDC filed a suit in U.S. District Court for the Northern District of New York asking the court to take action in regard to Advisory Opinions 1983-43, 1984-14, and 1987-7. See United States Defense Committee, Inc. v. FEC, No. 84-CV-450 (N.D.N.Y. April 27, 1988) (unpublished order), vacated and remanded, 861 F.2d 765 (2d Cir. 1988). USDC requested that the court declare that USDC's proposed expenditures for voter guides were not proscribed by FEC regulations. The district court rejected USDC's argument that the voter guides were not covered by 2 U.S.C. § 441b because they did not include an explicit request for the recipients to vote one way or the other. The district court granted summary judgment to the FEC.

USDC appealed and the U.S. Court of Appeals for the Second Circuit held that USDC's complaint against the FEC was not ripe for review. See United States Defense Committee, Inc. v. FEC, 861 F.2d 765 (2d Cir. 1988). The Court of Appeals remanded to the district court with instructions to dismiss the case.

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viewpoints on MRLC policy positions. MRLC's submitted newsletters from May 1984 and November 1988 as examples of what the 1990 newsletter would be like.

The issues addressed in the sample newsletters included candidate responses to numerous MRLC questions concerning possible amendments to the Constitution such as the "Human Life Amendment" and an "abortion-neutralization" amendment to the ERA. The surveys also sought Federal candidates' responses that would indicate their support or opposition to the Federal legislation such as human life bills.

The 1984 newsletter included a voter guide which contained survey questions which were limited only to abortion and right to life issues. Two questions asked the respondent candidates whether, if elected, they would vote for ratification of two specific constitutional amendments the text of which were set forth in the questions. Two additional questions asked whether the candidates would vote in favor of legislation to restore protection of the lives of unborn children and to impose restrictions on the use of public funds for abortion. The Commission noted that although MRLC's position on these issues is apparent from its name, the title of the newsletter, and the articles in the newsletter, the survey questions in context with the rest of the newsletter were not so explicitly partisan as to convert the otherwise nonpartisan guide into one which improperly conveys election messages. Neither the other parts of the newsletter nor the candidate results themselves instructed the reader as to what the MRLC-preferred candidate response should be.

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For these reasons, the Commission concluded that the 1984 MRLC voter guide was nonpartisan according to the requirements of 11 C.F.R. 114.4(b)(5)(i).

The November 1988 newsletter included a voter guide which contained photos of both the Republican and Democratic presidential candidates along with editorial opinions about their views on abortion. The newsletter stated that George Bush was a consistent supporter of pro-life efforts and Michael Dukakis was a candidate on the most pro-abortion presidential ticket in history. These two candidates were not included in the candidate survey as they received no questions and made no responses.

The survey portion of the November newsletter included 10 questions prepared by the NRLC only for the Congressional candidates. Four of the questions were posed in language explicitly indicating the favored pro-life response to the question. A message appears in bold-type which states: PLEASE NOTE: A 'yes' response indicates agreement with the National Right to Life position on each question. The newsletter listed six Federal candidates, four were designated as making no response to all ten survey questions, one was designated as giving yes answers to all questions, and one was designated as giving a no answer to the first two questions and not answering the remaining questions. Because the voter guide indicated support for candidates who agreed with NRLC's positions on issues, the Commission concluded that the 1988 voter guide was not in compliance with 11 C.F.R. 114.4(b)(5)(i).

The Commission stated that MRLC expenditures for a 1990 voter

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guide materially indistinguishable from the 1984 guide would not be prohibited by 2 U.S.C. § 441b. The Commission also stated that if the proposed 1990 voter guide contained partisan election messages similar to those in the 1988 voter guide, it could not be lawfully financed with the treasury funds of MRLC or any other corporation.

In Advisory Opinion 1988-22, the Commission concluded that payment for costs associated with candidate-related statements or references in a proposed newsletter submitted by San Joaquin Valley Republican Associates would be contributions or expenditures under the Act. The proposed newsletter was to be published and distributed monthly or quarterly and was to discuss political activities and events of interest to supporters of the Republican party.

The newsletters submitted as samples indicated that discussion of candidates would not, or need not necessarily, include statements of actual endorsement or explicit advocacy, but might include statements generally supporting or promoting Republican candidates or criticizing their Democratic opponents. The proposed newsletter also would feature a calendar which listed meetings and events sponsored by various candidates for Federal and other elective offices, by political party organizations and by Republican Associates itself. Republican Associates planned to distribute this newsletter to persons who were contributors, who had attended previous Republican Associates events, and who were

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prospects for contributing or attending in the future.<sup>4</sup>

In Advisory Opinion 1984-17, the Commission concluded that voter guides submitted by the National Right to Life Committee, a Section 501(c)(4) corporation, were issue-oriented and not election-oriented and, therefore, permissible under 11 C.F.R. § 114.4(b)(4). The sample voter guides submitted by NRLC described in detail the substance and procedural aspects of various votes in the U.S. Senate, U.S. House, or Senate committees relating to the issue of abortion and set forth NRLC's assessment and position regarding each candidate. The voter guides included all representatives, senators, or committee members, depending on the vote in question, and indicated their party affiliation, state, and, where appropriate, their district. The voter guides also indicated how a senator or representative voted, or whether he or she was absent or not a member of Congress at the time of the vote. In some instances, the guides characterized a vote as either pro-life or pro-abortion and other times as a vote for a measure or a vote against it.

As noted earlier, the Commission concluded that these voter guides were not election-oriented and were permissible under the Act. The Commission based its decision on the fact that no senator or representative was referred to as a candidate in any

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4. The Commission concluded that the newsletter would not appear to fall within the press exemption. The Commission based its conclusion on the fact that the newsletter would not be a regularized periodical deriving revenues from subscriptions or advertising but rather a free communication that Republican Associates would send out to encourage continued or potential financial and organizational support from among the general public.

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Federal election and that with the exception of the reference in a September 1982 voting record to the possibility that some district numbers may have changed for the 1982 elections, the samples submitted make no reference to elections. The Commission also noted that the voter guides did not suggest or urge that anyone vote in any election or consult or use the voting guides in making a decision regarding any election. In addition, the voter guides did not explicitly suggest or urge support for any senator or representative based on that person's vote on any issue.

**B. Facts**

Family Life Seminars is a Section 501(c)(3) corporation, incorporated in California on December 10, 1974, and a membership organization which has no shareholders. Tim LaHaye is president of FLS. According to its articles of incorporation, the specific and primary purposes of FLS are to conduct religious seminars on family life. The articles of incorporation also state that no substantial part of the activities of FLS will consist of carrying on propaganda or otherwise attempting to influence legislation and that the corporation will not participate or intervene in any political campaign, including the publishing or distribution of statements on behalf of any candidate for public office.

The articles of incorporation also state that the property of the corporation is irrevocably dedicated to religious purposes and no part of the net income or assets of the corporation will inure to the benefit of any director, officer, or member thereof or to any private persons. Upon dissolution, FLS' remaining assets, after payment of debts and liabilities, are to be distributed to a

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nonprofit foundation or corporation which operates as a Section 501(c)(3) organization and is organized exclusively for religious purposes.

In response to interrogatories, FLS indicated that its major source of revenue is donations. In 1988, FLS received total revenues of \_\_\_\_\_ of which \_\_\_\_\_ consisted of donations and \_\_\_\_\_ consisted of seminar and speaking honoraria. The following is a summary of FLS' other forms of revenue for 1988:

FLS publishes a monthly newsletter called the Capital Report, and also publishes the Washington Education Report and the Washington Prophecy Report. According to FLS, it uses the terms contributor, supporter and subscriber interchangeably. Any individual who contributes to FLS receives a one-year subscription to the Capital Report and, then each time they give, they receive the Washington Education Report. Those individuals who request it may also receive a copy of the Washington Prophecy Report. FLS stated that it could not indicate how many contributors, supporters, and subscribers FLS had in 1988 because many FLS records were lost when transferred to the Washington area. However, FLS stated that the number of editions of the CAPITAL REPORT mailed in 1988 was between 18,000 and 20,000. FLS stated that the exact number of those who have given to FLS is most likely within this range as well.

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The subject of this matter are two SPECIAL EDITIONS of the CAPITAL REPORT published and distributed by FLS. The following is a discussion of these two newsletters.

**1. CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"**

In response to interrogatories, Dr. Tim LaHaye stated that 31,000 copies of CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" were published in September 1988 and all copies were distributed between October 1, 1988 and November 1, 1988. This report is in the form of a voter guide which includes pictures of the candidates and, below the pictures, quotations from and commentary regarding the candidates' stand on issues. See Attachment 5.

Dr. LaHaye indicated that the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" was prepared at the offices of FLS where Dr. LaHaye wrote the article and two staff members edited and proofread the article. EU Services in Rockville, Maryland printed this SPECIAL EDITION. According to Dr. LaHaye, the cost of printing was \$1,459.29. Dr. LaHaye also stated that FLS does not have records as to whether it was mailed bulk rate to ministers and that "the cost of mailing it with receipt mail was absorbed in that mailing."

Dr. LaHaye also indicated that the report was sent to anyone who contributed to FLS during October 1988 and also to approximately 1,300 ministers. Dr. LaHaye stated that the ministers to whom the newsletter was sent included ministers who

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were active in the American Coalition for Traditional Values<sup>5</sup> and those on FLS' general prospect list, a list which FLS had accumulated over several years for FLS' private use. It is very likely that other individuals and groups may have received the report because FLS granted permission to reproduce and freely distribute the report.

The introductory section of this report states that:

[i]n order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you. . . .If you feel this report would be of interest to your friends and fellow church members feel free to reproduce and distribute it. Most of all be sure to vote on November 8, 1988!

In this same section, Dr. LaHaye states that "[e]very attempt has been made in my research to be fair and objective by quoting specific statements of both candidates or comments from the candidates' own literature, issue position papers, or from press interviews and televised debates." Pictures of Governor Michael Dukakis and Vice-President George Bush appear right below this introduction. The report then lists 13 issues and the "position" of these two candidates on the 13 issues. Most of the statements made under each issue are quotations. However, in some instances, there are statements other than quotations. The following is a

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5. The American Coalition for Traditional Values is an association of evangelical Christian leaders united to restore what the group believes are traditional moral and spiritual values in American government, schools, media, and the fiber of American society. See Encyclopedia of Associations, 25th Ed. 1991. The Coalition urges members to vote and provides advice on registering to vote and voting.

The Coalition was founded in 1984 and Dr. Tim LaHaye is president of the Coalition. On an annual basis, the Coalition publishes The ACTV Network; and, on a monthly basis, it publishes The Washington Report.

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discussion of those statements which include more than quotations.

In regard to Governor Michael Dukakis, there are comments along with quotations under the topics of child care, crime, and military preparedness. The child care section reads: [Michael Dukakis] [w]ould use his Massachusetts program, which Time magazine calls "[t]he country's most comprehensive state-supported day care system," as a model. "Will create a new office of child care in the federal government to assure the 'quality, affordability, and availability of childcare' (cost unknown)." The crime section reads:

After being criticized nationally for his furlough program which resulted in released prisoners committing additional crimes, he stated, 'I support the furlough program because it's an important part of any modern and effective correctional system.'

'I have always opposed capital punishment and will continue to do so. My feeling on this issue is based both on my view that capital punishment is not a deterrent to crime and on my personal, moral belief that killing for any reason is wrong.'

'I have always opposed capital punishment and will continue to do so.'

The SDI topic has a one sentence quotation followed by the statement that "[Michael Dukakis] [r]ecently agreed to spending \$1 billion on SDI research." The topics of pornography, school prayer, and the budget are followed by a statement that Dukakis' headquarters refused to make an official statement on the issue.

In regard to Vice-President Bush, there are general statements made along with quotations under the topics of crime and military preparedness. After the quotations under the crime topic, the statement is made that "[George Bush] favors [the]

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death penalty for certain violent crimes." After a quotation under the topic of military preparedness, the comment is made that "[h]e favors production of strategic weapons such as the B-1 Bomber, and SDI."

According to counsel, this report does not expressly advocate the election or defeat of a candidate as there is no exhortation or directive to vote for or against Michael Dukakis or George Bush.<sup>6</sup> Counsel also states that the positions of the candidates on each issue are presented in a fair and objective manner. Counsel indicates that FLS did not survey the candidates directly but that all statements are direct quotes from the candidates themselves.<sup>7</sup> In closing, counsel states that the statements in the factual and legal analysis that the newsletter makes negative comments in regard to Michael Dukakis are wholly subjective because the comments regarding Michael Dukakis are factual in nature.

2. CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America"

In response to interrogatories, Dr. LaHaye stated that 40,000 copies of the ACLU CAPITAL REPORT were published in September 1988 and that distribution began on September 15, 1988 and continued until the supply was depleted, which was sometime in the last

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6. This Office and the Commission have taken the position that the "in connection standard" does not require express advocacy.

7. This Office noted earlier that there are some additional comments in addition to the quotations.

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year.<sup>8</sup> See Attachment 6. According to Dr. LaHaye, the bulk of the copies were distributed before January 1, 1989. Dr. LaHaye wrote the article in the ACLU CAPITAL REPORT, and two staff members edited and proofread the article. Padre Printers in San Diego, California, printed the ACLU Capital Report, and the cost for printing this report was \$3,258.94. FLS indicated that it did not have records regarding the costs for the mailings which were sent to individuals.

FLS stated that the ACLU CAPITAL REPORT was offered on television and radio and in an August 1988 fund appeal to anyone who requested it. This report was also sent to the ministers identified earlier. In the first sentence of this report, Dr. LaHaye states that:

[e]ver since it was reported that Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU,' I have been besieged by the question, 'What is the ACLU and what does it stand for?' For over 35 years I have carefully observed the American Civil Liberties Union (ACLU) and have watched it attack almost every traditional value in this country.

The report then provides a history of the ACLU along with criticisms of the ACLU regarding certain issues. At the end of the report the following statements are made:

Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly to the Presidency, from which Supreme Court Judges and approximately 200 other Federal Court Judges are appointed.

Give this ACLU expose to all the Christian attorneys you know and urge them, if they are interested in learning more about an aggressive Christian army of lawyers to defend religious freedom under the constitution, to

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8. As we received Dr. LaHaye's response on January 23, 1991, this Office interprets the term "last year" to mean 1990.

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write to. . . .

Dr. Tim LaHaye  
122 C Street, N.W.  
Suite 850  
Washington, D.C. 20001

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According to counsel, this report presents a critical analysis of the American Civil Liberties Union ("ACLU"). Counsel admits that Governor Michael Dukakis is mentioned as a card-carrying member of the ACLU, but notes that there is no directive, exhortation, or similar command with respect to the election or defeat of Michael Dukakis. Counsel states that Mr. Dukakis' candidacy is never mentioned and that the fact that a particular candidate may also have discussed a particular issue cannot transform the issue into a forbidden topic. According to counsel, to do so would effectively outlaw any issue discussion. Counsel also states that respondents still maintain the position that "FLS is exempt from the prohibitions of § 441b by virtue of the First Amendment as further elucidated in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986)." Counsel argues that FLS is eligible for the MCFL exemption.

Counsel indicates that FLS was formed to promote and express certain fundamentalist Christian ideas and that its supporters, contributors, and subscribers are fully aware of and support the promotion of this ideas. Counsel also states that FLS has no shareholders or similar persons in the corporation. Counsel indicates that FLS was not established by a business corporation or a labor union and that FLS has never accepted contributions from such entities. Counsel also indicates that FLS does not have

a policy against accepting contributions from business corporations or other types of corporations or labor unions.

**C. Legal Analysis**

**1. SPECIAL EDITION "1988 Presidential Report"**

As noted earlier, the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Report" was published in the form of a voter guide. The pictures of Michael Dukakis and George Bush appear and below each picture are the quotations and commentary attributed to each candidate. The material relating to Michael Dukakis appears on the left-hand side of the guide while the material relating to George Bush appears on the right-hand side.

As a corporation, FLS was permitted to distribute to the general public voter guides or other types of brochures describing the candidates or their positions which were obtained from a Section 501(c)(3) or (4) organization provided that the material did not support, endorse, or oppose any candidate or political party. As a Section 501(c)(3) organization, FLS was permitted to distribute its own voter guides, which did not have to comply with the requirements of 11 C.F.R. § 114.4(b)(5)(i), provided that the voter guides did not favor one candidate over another. See Advisory Opinion 1983-43. As the voter guide contained unfavorable editorial comment in regard to Michael Dukakis, FLS may not use the 11 C.F.R. § 114.4(b)(5)(ii) exemption.

As an incorporated membership organization, FLS was permitted to make communications permitted by 11 C.F.R. § 114.4(b) and (c) to its members, executive, or administrative personnel, other employees and their families as provided by 11 C.F.R. 114.14(d).

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It appears that "membership" in FLS provides no benefits on persons other than receiving FLS' publications. They do not appear to have any right to participate in the governance of FLS. Thus, they would not appear to qualify as members for purposes of the Act. See, National Right to Work Committee v. FEC, 459 U.S. 197 (1982). Even if the people FLS calls "members" are members under the Act, we note that the distribution appears to have included more than the "members" of the organization. Although FLS never clearly identifies its "members," it appears that contributors are "members" of FLS. As FLS estimates the number of contributors (members) for 1988 to be between 18,000 and 20,000, it appears that the report was distributed to between 11,000 and 13,000 individuals who were not "members" of FLS. In addition to distributing this SPECIAL EDITION to "members," FLS distributed the report to 1,300 ministers who were members of the American Coalition of Traditional Values. See Footnote 5. The statement in the newsletter that "[p]ermission [is] granted to reproduce and distribute freely" is further evidence that this report was not a report published solely for members.

Therefore, this Office concludes that this SPECIAL EDITION was in actuality a voter guide distributed not solely to "members" but also to thousands in the general public. As such, FLS was required to make the voter guide nonpartisan to qualify for the exemption. In this situation, FLS did not send questions to the candidates. Instead, FLS used quotations from the candidates which were obtained from various sources and which included editorial comment. Therefore, because FLS' report in the form of

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a voter guide does not meet the basic requirement of 11 C.F.R. § 114.4(b)(5)(i) that a voter guide contain responses that are verbatim and which answer questions posed by the sponsoring organization, expenses related to the report's publication and distribution were prohibited corporate expenditures.

**2. ACLU SPECIAL EDITION**

A review of The CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" indicates that it has an election message. The report opens with a statement that Michael Dukakis admits to being a "card-carrying member of the ACLU." In the closing, the reader of the report is asked to seek a revival in America by praying that the the right people will be elected to public office, particularly to the Presidency. The report makes no reference to the candidacy of Michael Dukakis and does not expressly advocate the election or defeat of a candidate. However, it does make reference to the upcoming election when it requests that recipients pray that the right people will be elected to the Presidency. FLS suggests that the "right" presidential candidate is not a "card-carrying member of the ACLU."

In this situation, the ACLU SPECIAL EDITION cannot accurately be described as a voter guide or brochure which describes the candidates or their positions and which does not support, endorse, or oppose candidates or political parties. This SPECIAL EDITION was a narrative and criticism of the ACLU which stated that Michael Dukakis was a card-carrying member of the ACLU and then later encouraged recipients to pray that the right Presidential

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candidate might be elected. The SPECIAL EDITION suggests opposition to Michael Dukakis, the well known Democratic candidate for the Presidency, because he is a card-carrying member of the ACLU.

Because the report was distributed to thousands in the general public in addition to FLS "members," Commission regulations require that such communication be nonpartisan. As this SPECIAL EDITION suggests opposition for Michael Dukakis, this report was not nonpartisan. Therefore, expenditures for its publication and distribution were prohibited by 2 U.S.C. § 441b.

3. MCFL

FLS is not eligible for the exemption for two reasons. First, in MCFL, the Court found it critical that MCFL was a corporation formed to promote political ideas, not to engage in business activities. In the present matter, FLS is a Section 501(c)(3) corporation which was formed to conduct religious seminars on family life issues (for which in 1988 it received \$90,808). Besides conducting seminars, FLS publishes books, makes cassettes, rents lists, and designs temperament tests, all of which focus on family life issues. It charges for these items, raising in 1988 a total of \$157,357 or 26 percent of its annual receipts. Thus, FLS is a business selling services. Second, in MCFL, the Court found it important that MCFL had a policy of not accepting corporate and labor union contributions and had no shareholders with claims on the corporation's assets. Although FLS has no shareholders or others with a claim on its assets, it also has no policy of not accepting corporate or labor union

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contributions. FLS stated, however, that it has not accepted such contributions.

In Austin v. Michigan Chamber of Commerce, 110 S.Ct. 1391 (1990), the Court stated that MCFL's narrow focus on the promotion of political ideas ensured that its resources reflected political support while the varied bylaws of the Michigan Chamber of Commerce did not ensure that its resources reflected such support. Similar to the bylaw provisions of the Michigan Chamber of Commerce in Austin, FLS' articles of incorporation indicate that its activities are not political activities. In fact, the articles of incorporation state that no substantial amount of FLS' activities will constitute influencing legislation and publishing statements on behalf of candidates for public office.

Based on the foregoing, it is this Office's view that the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Report" and the CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" were published by FLS, a corporation, in connection with a Federal election in violation of 2 U.S.C. § 441b. We also conclude that FLS is not eligible for the MCFL exemption because it does not possess the required characteristics which the Court identified in MCFL. Therefore, this Office recommends that the Commission reject respondents' request to take no further action in this matter. We also recommend that the Commission grant respondents' request to enter into pre-probable cause conciliation and approve the attached conciliation agreement.

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III. CONCILIATION AGREEMENT AND PROPOSED CIVIL PENALTY

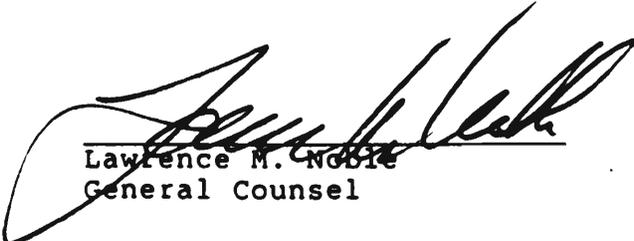
IV. RECOMMENDATIONS

1. Reject request of Family Life Seminars and Dr. Tim LaHaye to take no further action in this matter.
2. Enter into conciliation with Family Life Seminars and Dr. Tim LaHaye prior to a finding of probable cause to believe.
3. Approve the attached conciliation agreement and the appropriate letter.

Date

8/23/91

Lawrence M. Noble  
General Counsel



Attachments

1. FLS response to RTB and interrogatories
2. Dr. LaHaye's response to interrogatories
3. Response to additional interrogatories
4. Conciliation Agreement
5. 1988 PRESIDENTIAL SPECIAL EDITION
6. ACLU SPECIAL EDITION

Staff Assigned: Mary Taksar

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FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. FAISON *BJF*  
COMMISSION SECRETARY

DATE: AUGUST 23, 1991

SUBJECT: MUR 2761 - GENERAL COUNSEL'S REPORT  
DATED AUGUST 23, 1991.

The above-captioned document was circulated to the Commission on MONDAY, AUGUST 26, 1991 at 4:00 P.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

- Commissioner Aikens \_\_\_\_\_
- Commissioner Elliott \_\_\_\_\_ XXX
- Commissioner Josefiak \_\_\_\_\_ XXX
- Commissioner McDonald \_\_\_\_\_
- Commissioner McGarry \_\_\_\_\_
- Commissioner Thomas \_\_\_\_\_

This matter will be placed on the meeting agenda for TUESDAY, SEPTEMBER 17, 1991.

Please notify us who will represent your Division before the Commission on this matter.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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October 25, 1991

**MEMORANDUM**

TO: Commission

FROM: Lawrence M. Noble *LMN*  
General Counsel

SUBJECT: MURs 2761

In light of the decisions in FEC v. NOW, 713 F.Supp. 428 (D.D.C. 1989) and FEC v. Faucher, 928 F. 2d 468 (1st Cir. 1991), cert. denied (Oct. 7, 1991), this Office is withdrawing the reports in the above-captioned MURs in order to reconsider the legal analyses. New reports in these matters will be circulated as soon as the new analyses are completed.

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FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / BONNIE J. FAISON *[Signature]*  
COMMISSION SECRETARY

DATE: DECEMBER 26, 1991

SUBJECT: MUR 2761 - GENERAL COUNSEL'S REPORT  
DATED DECEMBER 19, 1991

The above-captioned document was circulated to the Commission on Friday, Dec. 20, 1991 at 12:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____ XXX
Commissioner McGarry	_____
Commissioner Thomas	_____ XXX

This matter will be placed on the meeting agenda for Tuesday, January 7, 1992.

Please notify us who will represent your Division before the Commission on this matter.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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January 3, 1992

**SENSITIVE**

**MEMORANDUM**

**TO:** The Commission

**FROM:** Lawrence M. Noble  
General Counsel

**BY:** Lois G. Lerner *LL*  
Associate General Counsel

**SUBJECT:** MUR 2761 -- Withdrawal of General Counsel's  
Report

The Office of the General Counsel is withdrawing the General Counsel's Report dated December 19, 1991 in MUR 2761 in order to revise the section of the report which discusses the ACLU SPECIAL EDITION REPORT.

Staff Assigned: Mary Taksar

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2761  
Family Life Seminars and )  
Dr. Tim LaHaye )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 4, 1990, the Commission found reason to believe that Dr. Tim LaHaye and Family Life Seminars violated 2 U.S.C. § 441b(a) by making expenditures for the publication and distribution of two SPECIAL EDITION reports, the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" and the CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" in connection with a Federal election.<sup>1</sup> On November 15, 1990, the Commission sent interrogatories to Family Life Seminars and Dr. Tim LaHaye.

After respondents received an extension to reply, this Office received a response from Family Life Seminars on December 26, 1990. See Attachment 1. We received a response to interrogatories sent to Dr. Tim LaHaye on January 23, 1991.<sup>2</sup> See

1. On October 4, 1990, the Commission failed to find reason to believe that Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. § 441d(a) and 434(c). This finding was based on a cover letter from Hollie Miller, pastor of Sevier Heights Baptist Church, with copies of CAPITAL REPORT SPECIAL EDITION "1988 Presidential Report and CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" attached. In her cover letter, Hollie Miller told her fellow pastors that some of the people in our congregations are still uninformed concerning the critical nature of the election and that the enclosed documents might be helpful to the pastors.

2. Counsel for Family Life Seminars is also representing Dr. Tim LaHaye.

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Attachment 2. After reviewing the responses of December 26, 1990 and January 23, 1991, this Office sent additional interrogatories to Family Life Seminars on February 21, 1991. On February 27, 1991, the Commission declined "at this time" to enter into conciliation with Family Life Seminars and Dr. LaHaye prior to a finding of probable cause to believe. Responses to additional questions were received on March 12, 1991. See Attachment 3.

Respondents claim that they are eligible for the MCFL exemption and, therefore, request that the Commission take no further action in the matter. However, this Office is recommending that the Commission take no further action in this matter in view of the Commission's past action in this matter and in light of the recent decision of the U.S. Supreme Court to deny certiorari in Faucher v. FEC, 928 F.2d 468 (1st Cir. 1991), cert. denied, 112 S. Ct. 79 (1991).

## II. ANALYSIS

### A. Applicable Law

The Federal Election Campaign Act of 1971, as amended ("the Act"), states that it is unlawful for a corporation to make a contribution or expenditure in connection with any election to Federal office. 2 U.S.C. § 441b. For purposes of this section, a "contribution" or "expenditure" includes any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any service, or anything of value to any candidate, campaign committee, or political party or organization in connection with any election to Federal office. 2 U.S.C. § 441b(b)(2). Pursuant to 2 U.S.C. § 431(9)(b)(i), the term "expenditure" does not

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include any news story, commentary, or editorial distributed through the facilities of any broadcasting station, newspaper, magazine or other periodical publication, unless such facilities are owned or controlled by any political party, political committee, or candidate.<sup>3</sup> Section 441b(b)(2)(A) states that contributions or expenditures shall not include "communications by a corporation to its stockholders and executive and administrative personnel and their families on any subject." Commission regulations state that this exception applies to communications by an incorporated membership organization to its members and executive and administrative personnel and their families. 11 C.F.R. § 114.3(a)(2).

Whenever any person makes an expenditure for the purpose of financing a communication expressly advocating the election or defeat of a clearly identified candidate through direct mail or general political advertising, such communication must include a disclaimer that clearly states certain specific information concerning who paid for and authorized the communication. 2 U.S.C. § 441d(a). The term "clearly identified" means that the name of the candidate involved appears, a photograph or drawing of the candidate appears, or the identity of the candidate is apparent by unambiguous reference. 2 U.S.C. § 431(18).

In FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), the Supreme Court recognized a narrow exception to the

3. The Commission has previously concluded that FLS does not qualify for the press exemption in regard to the SPECIAL EDITIONS of the CAPITAL REPORT.

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Section 441b prohibition in regard to independent expenditures made by certain small non-profit groups. In MCFL, the publication at issue was a "Special Election Edition" newsletter which urged voters to vote for pro-life candidates in the upcoming election. In usual circumstances, the publication costs would be considered an expenditure constituting a prohibited corporate contribution. However, the Court concluded that the prohibition on corporate contributions was unconstitutional as it applied to MCFL based on the following characteristics possessed by MCFL: it was a small grass roots organization; it was formed to disseminate political ideas not to engage in business activities; it had no shareholders or other persons having a claim on assets or earnings; it was not established by a business corporation or labor union; and it was MCFL's policy not to accept contributions from business corporations and labor unions.

In Sandra Faucher and Maine Right to Life Committee, Inc. v. FEC, 743 F. Supp. 64 (D.Me. 1990), the court held that 11 C.F.R. § 114.4(b)(5) exceeded the FEC's authority insofar as it prohibited issue advocacy by corporations. The court noted that the statutory basis for this regulation is 2 U.S.C. § 441b and that on the basis of Buckley v. Valeo, 424 U.S. 1, as construed in MCFL, the Supreme Court explicitly limited the scope of this prohibition to express advocacy of the election or defeat of clearly identified candidates. The Court of Appeals affirmed the district court decision and held that Section 441b prohibited corporations from using general treasury funds to make contributions and expenditures in connection with a federal

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election if the expenditures constitute "express advocacy."

Faucher v. FEC, 928 F.2d at 468.

**B. Facts**

Family Life Seminars is a Section 501(c)(3) corporation, incorporated in California on December 10, 1974, and a membership organization which has no shareholders. Tim LaHaye is president of FLS. According to its articles of incorporation, the specific and primary purposes of FLS are to conduct religious seminars on family life. The articles of incorporation also state that no substantial part of the activities of FLS will consist of carrying on propaganda or otherwise attempting to influence legislation and that the corporation will not participate or intervene in any political campaign, including the publishing or distribution of statements on behalf of any candidate for public office.

The articles of incorporation also state that the property of the corporation is irrevocably dedicated to religious purposes and no part of the net income or assets of the corporation will inure to the benefit of any director, officer, or member thereof or to any private persons. Upon dissolution, FLS' remaining assets, after payment of debts and liabilities, are to be distributed to a nonprofit foundation or corporation which operates as a Section 501(c)(3) organization and is organized exclusively for religious purposes.

In response to interrogatories, FLS indicated that its major source of revenue is donations. In 1988, FLS received total revenues of \$606,267, of which \$347,047 consisted of donations and \$90,808 consisted of seminar and speaking honoraria. The

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following is a summary of FLS' other forms of revenue for 1988: \$7,728 for list rentals; \$6,298 for book royalties; \$33,158 for sale of cassette of the month; \$25,027 for sale of temperament tests; \$85,146 for book sales, and \$11,055 for travel reimbursement.

FLS publishes a monthly newsletter called the Capital Report, and also publishes the Washington Education Report and the Washington Prophecy Report. According to FLS, it uses the terms contributor, supporter and subscriber interchangeably. Any individual who contributes to FLS receives a one-year subscription to the Capital Report and, then each time they give, they receive the Washington Education Report. Those individuals who request it may also receive a copy of the Washington Prophecy Report. FLS stated that it could not indicate how many contributors, supporters, and subscribers FLS had in 1988 because many FLS records were lost when transferred to the Washington area. However, FLS stated that the number of editions of the CAPITAL REPORT mailed in 1988 was between 18,000 and 20,000. FLS stated that the exact number of those who have given to FLS is most likely within this range as well.

The subject of this matter are two SPECIAL EDITIONS of the CAPITAL REPORT published and distributed by FLS. The following is a discussion of these two newsletters.

**1. CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report"**

In response to interrogatories, Dr. Tim LaHaye stated that 31,000 copies of CAPITAL REPORT SPECIAL EDITION "1988 Presidential

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Position Report" were published in September 1988 and all copies were distributed between October 1, 1988 and November 1, 1988. This report is in the form of a voter guide which includes pictures of the candidates and, below the pictures, quotations from and commentary regarding the candidates' stand on issues. See Attachment 4.

Dr. LaHaye indicated that the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" was prepared at the offices of FLS where Dr. LaHaye wrote the article and two staff members edited and proofread the article. EU Services in Rockville, Maryland printed this SPECIAL EDITION. According to Dr. LaHaye, the cost of printing was \$1,459.29. Dr. LaHaye also stated that FLS does not have records as to whether it was mailed bulk rate to ministers and that "the cost of mailing it with receipt mail was absorbed in that mailing."

Dr. LaHaye also indicated that the report was sent to anyone who contributed to FLS during October 1988 and also to approximately 1,300 ministers. Dr. LaHaye stated that the ministers to whom the newsletter was sent included ministers who were active in the American Coalition for Traditional Values<sup>4</sup> and

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4. The American Coalition for Traditional Values is an association of evangelical Christian leaders united to restore what the group believes are traditional moral and spiritual values in American government, schools, media, and the fiber of American society. See Encyclopedia of Associations, 25th Ed. 1991. The Coalition urges members to vote and provides advice on registering to vote and voting.

The Coalition was founded in 1984 and Dr. Tim LaHaye is president of the Coalition. On an annual basis, the Coalition publishes The ACTV Network; and, on a monthly basis, it publishes The Washington Report.

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those on FLS' general prospect list, a list which FLS had accumulated over several years for FLS' private use. It is very likely that other individuals and groups may have received the report because FLS granted permission to reproduce and freely distribute the report.

The introductory section of this report states that:

[i]n order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you. . . .If you feel this report would be of interest to your friends and fellow church members feel free to reproduce and distribute it. Most of all be sure to vote on November 8, 1988!

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In this same section, Dr. LaHaye states that "[e]very attempt has been made in my research to be fair and objective by quoting specific statements of both candidates or comments from the candidates' own literature, issue position papers, or from press interviews and televised debates." Pictures of Governor Michael Dukakis and Vice-President George Bush appear right below this introduction. The report then lists 13 issues and the "position" of these two candidates on the 13 issues. Most of the statements made under each issue are quotations. However, in some instances, there are statements other than quotations. The following is a discussion of those statements which include more than quotations.

In regard to Governor Michael Dukakis, there are comments along with quotations under the topics of child care, crime, and military preparedness. The child care section reads:

[Michael Dukakis] [w]ould use his Massachusetts program, which Time magazine calls "[t]he country's most comprehensive state-supported day care system," as a model. "Will create a new

office of child care in the federal government to assure the 'quality, affordability, and availability of childcare' (cost unknown)." The crime section reads:

After being criticized nationally for his furlough program which resulted in released prisoners committing additional crimes, he stated, 'I support the furlough program because it's an important part of any modern and effective correctional system.'

'I have always opposed capital punishment and will continue to do so. My feeling on this issue is based both on my view that capital punishment is not a deterrent to crime and on my personal, moral belief that killing for any reason is wrong.'

'I have always opposed capital punishment and will continue to do so.'

The SDI topic has a one sentence quotation followed by the statement that "[Michael Dukakis] [r]ecently agreed to spending \$1 billion on SDI research." The topics of pornography, school prayer, and the budget are followed by a statement that Dukakis' headquarters refused to make an official statement on the issue.

In regard to Vice-President Bush, there are general statements made along with quotations under the topics of crime and military preparedness. After the quotations under the crime topic, the statement is made that "[George Bush] favors [the] death penalty for certain violent crimes." After a quotation under the topic of military preparedness, the comment is made that "[h]e favors production of strategic weapons such as the B-1 Bomber, and SDI."

According to counsel, this report does not expressly advocate the election or defeat of a candidate as there is no exhortation or directive to vote for or against Michael Dukakis or

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George Bush. Counsel also states that the positions of the candidates on each issue are presented in a fair and objective manner. Counsel indicates that FLS did not survey the candidates directly but that all statements are direct quotes from the candidates themselves.<sup>5</sup> In closing, counsel states that the statements in the factual and legal analysis that the newsletter makes negative comments in regard to Michael Dukakis are wholly subjective because the comments regarding Michael Dukakis are factual in nature.

2. CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America"

In response to interrogatories, Dr. LaHaye stated that 40,000 copies of the ACLU CAPITAL REPORT were published in September 1988 and that distribution began on September 15, 1988 and continued until the supply was depleted, which was sometime in the last year.<sup>6</sup> See Attachment 5. According to Dr. LaHaye, the bulk of the copies were distributed before January 1, 1989. Dr. LaHaye wrote the article in the ACLU CAPITAL REPORT, and two staff members edited and proofread the article. Padre Printers in San Diego, California, printed the ACLU Capital Report, and the cost for printing this report was \$3,258.94. FLS indicated that it did not have records regarding the costs for the mailings which were sent to individuals.

FLS stated that the ACLU CAPITAL REPORT was offered on

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5. This Office noted earlier that there are some additional comments in addition to the quotations.

6. As we received Dr. LaHaye's response on January 23, 1991, this Office interprets the term "last year" to mean 1990.

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television and radio and in an August 1988 fund appeal to anyone who requested it. This report was also sent to the ministers identified earlier. In the first sentence of this report, Dr. LaHaye states that:

[e]ver since it was reported that Governor Michael Dukakis admitted that he 'was a card-carrying member of the ACLU,' I have been besieged by the question, 'What is the ACLU and what does it stand for?' For over 35 years I have carefully observed the American Civil Liberties Union (ACLU) and have watched it attack almost every traditional value in this country.

The report then provides a history of the ACLU along with criticisms of the ACLU regarding certain issues. At the end of the report the following statements are made:

Pray for a revival in America. Pray for those in authority and that the right people will be elected to public office, particularly to the Presidency, from which Supreme Court Judges and approximately 200 other Federal Court Judges are appointed.

Give this ACLU expose to all the Christian attorneys you know and urge them, if they are interested in learning more about an aggressive Christian army of lawyers to defend religious freedom under the constitution, to write to. . .

Dr. Tim LaHaye  
122 C Street, N.W.  
Suite 850  
Washington, D.C. 20001

According to counsel, this report presents a critical analysis of the American Civil Liberties Union ("ACLU"). Counsel admits that Governor Michael Dukakis is mentioned as a card-carrying member of the ACLU, but notes that there is no directive, exhortation, or similar command with respect to the election or defeat of Michael Dukakis. Counsel states that Mr. Dukakis' candidacy is never mentioned and that the fact that a

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particular candidate may also have discussed a particular issue cannot transform the issue into a forbidden topic. According to counsel, to do so would effectively outlaw any issue discussion. Counsel also states that respondents still maintain the position that "FLS is exempt from the prohibitions of § 441b by virtue of the First Amendment as further elucidated in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986)." Counsel argues that FLS is eligible for the MCFL exemption.

Counsel indicates that FLS was formed to promote and express certain fundamentalist Christian ideas and that its supporters, contributors, and subscribers are fully aware of and support the promotion of this ideas. Counsel also states that FLS has no shareholders or similar persons in the corporation. Counsel indicates that FLS was not established by a business corporation or a labor union and that FLS has never accepted contributions from such entities. Counsel also indicates that FLS does not have a policy against accepting contributions from business corporations or other types of corporations or labor unions.

C. Legal Analysis

1. SPECIAL EDITION "1988 Presidential Report"

The CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" was published in the form of a voter guide. It appears that this voter guide was distributed to "members" of FLS

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and to the general public.<sup>7</sup>

The introduction of this SPECIAL EDITION states:

In order to vote responsibly, you should know where the presidential candidates stand on the issues that are important to you. . . . If you feel this report would be of interest to your friends and fellow church members, feel free to reproduce and distribute it. Most of all, be sure to vote on November 8, 1988.

The pictures of Michael Dukakis and George Bush appear and below each picture are the quotations and commentary attributed to each candidate. The material relating to Michael Dukakis appears on the left-hand side of the guide while the material relating to George Bush appears on the right-hand side.

With the exceptions of statements made under the death penalty and military preparedness topics, all statements by Mr. Bush are direct quotations. After the quotations under the crime topic, the statement is made that "[George Bush] favors [the] death penalty for certain crimes." After a quotation under the topic of military preparedness, the statement is made that "[h]e favors production of strategic weapons such as the B-1 Bomber, and SDI."

In addition to direct quotations, Mr. Dukakis' statements under the topics of child care, crime, and military preparedness include negative commentary. The child care section reads:

7. Although FLS never clearly identifies its "members," it appears that contributors are "members" of FLS. As FLS estimates the number of contributors (members) for 1988 to be between 18,000 and 20,000, it appears that the report was distributed to between 11,000 and 13,000 individuals who were not "members" of FLS.

Thus, FLS cannot claim that because the communication was to members, it was exempt from the definition of contribution and expenditure pursuant to 11 C.F.R. § 114.3(a)(2).

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[Michael Dukakis] [w]ould use his Massachusetts program which Time magazine calls "[t]he country's most comprehensive state-supported day care system," as a model. "Will create a new office of child care in the federal government to assure the 'quality, affordability, and availability of childcare' (cost unknown)." The beginning of the crime section states: "[a]fter being criticized nationally for his furlough program which resulted in released prisoners committing additional crimes, [Michael Dukakis] stated, 'I support the furlough program because it's an important part of any modern and effective correctional system.'" The SDI topic has a one sentence quotation followed by the the statement that "[Michael Dukakis] [r]ecently agreed to spending \$1 billion on SDI research."

As was noted earlier in the General Counsel's Report dated August 6, 1990, the voter guide presents a subjective view of the candidates' positions. In the August 6, 1990 report, this Office took the position that costs of the communication constituted expenditures for express advocacy. This Office maintains its position that the CAPITAL REPORT SPECIAL EDITION: "1988 Presidential Position Report" is a communication expressly advocating the election or defeat of a clearly identified candidate under the Furgatch standard. FEC v. Furgatch, 807 F.2d 857 (9th Cir. 1987), cert. denied, 108 S. Ct. 151 (1987). To be "express advocacy" under the Act, speech must, "when read as a whole, and with limited reference to external events, be susceptible of no other reasonable interpretation but as an exhortation to vote for or against a specific candidate."

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Furgatch at 864.

This Office notes that the voter guide refers to only two candidates, candidates who are opposing each other, and to the upcoming election on November 8, 1988. The voter guide then presents the candidates' positions on various issues. As noted above, in addition to direct quotations, some of the topics include negative commentary in regard to Michael Dukakis but no such commentary in regard to George Bush. This Office concludes that the combination of the instruction to voters to know where the candidates' stand on the issues, the subjective presentation of the candidates' stand on the issues, and the exhortation to "be sure to vote on November 8, 1988!" is susceptible to no other reasonable interpretation but an exhortation to vote for George Bush and against Michael Dukakis.

## 2. ACLU SPECIAL EDITION

A review of The CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" indicates that it cannot accurately be described as a voter guide or brochure which describes the candidates or their positions. This SPECIAL EDITION was a narrative and criticism of the ACLU which stated that Michael Dukakis was a card-carrying member of the ACLU and closed by encouraging the reader of the report to seek a revival in America by praying that the the right people will be elected to public office, particularly to the Presidency.

The report makes no explicit reference to Michael Dukakis as a candidate, though it was well known at the time of the publication that he was a candidate for President. It does make

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explicit reference to the upcoming election when it requests that recipients pray that the right people will be elected to the Presidency. FLS clearly suggests that the "right" presidential candidate is not a "card-carrying member of the ACLU."

As was noted in the General Counsel's Report dated August 6, 1990, the ACLU SPECIAL EDITION expressly advocates the defeat of Michael Dukakis, the well-known Democratic candidate for the Presidency, because he is a card-carrying member of the ACLU. This Office notes that this SPECIAL EDITION's use of the word "pray" instead of "vote" does not mean that the communication is not express advocacy. As the court in Furgatch noted, "a test requiring the magic words 'elect,' 'support' etc., or their nearly perfect synonyms for a finding of express advocacy would preserve the First Amendment right of unfettered expression only at the expense of eviscerating the Federal Election Campaign Act." Id. at 863. In our view, after reading the ACLU SPECIAL EDITION, reasonable minds could not dispute that this SPECIAL EDITION urged voters to vote against Michael Dukakis. Id. at 865.

### 3. Conclusion

As noted earlier (Footnote 1), when the Commission found reason to believe that FLS and Dr. Tim LaHaye violated 2 U.S.C. § 441b(a) on October 4, 1990, it also failed by a vote of 3-2 to find reason to believe that Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. § 441d(a). The Commission based its decision to find no reason to believe in regard to Sevier Heights Baptist Church and Hollie Miller on the cover letter from Hollie Miller and the two reports attached to the cover letter,

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CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" and CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America." At that same time, the Commission approved factual and legal analyses which treated the two CAPITAL REPORT SPECIAL EDITIONS as "in connection with" a Federal election. Section 441d applies to communications that expressly advocate the election or defeat of a clearly identified candidate. Thus, the Commission's prior vote indicates that it could not agree whether either or both of these publications contained express advocacy.

This Office still believes that the CAPITAL REPORT SPECIAL EDITION "1988 Presidential Position Report" and CAPITAL REPORT SPECIAL EDITION "The ACLU: One of the Most Harmful Organizations in America" expressly advocate the election or defeat of candidates for Federal office. Nevertheless, in light of the Commission's earlier vote in regard to these communications, we are recommending that the Commission exercise its prosecutorial discretion and take no further action and close the file in this matter.<sup>8</sup>

**III. RECOMMENDATIONS**

1. Take no further action against Family Life Seminars and Dr. Tim LaHaye.
2. Close the file.

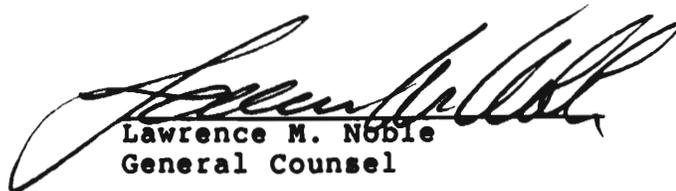
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8. In view of this recommendation, there is no need to address whether FLS is a corporation similar to MCFL.

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3. Approve the appropriate letters.

1/23/92  
Date

  
Lawrence M. Noble  
General Counsel

**Attachments**

1. FLS response to RTB and interrogatories
2. Dr. LaHaye's response to interrogatories
3. Response to additional interrogatories
4. 1988 PRESIDENTIAL SPECIAL EDITION
5. ACLU SPECIAL EDITION

**Staff Assigned: Mary Taksar**

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DONNA ROACH *DR*  
COMMISSION SECRETARY

DATE: JANUARY 29, 1992

SUBJECT: MUR 2761 - GENERAL COUNSEL'S REPORT  
DATED JANUARY 23, 1992.

The above-captioned document was circulated to the Commission on FRIDAY, JANUARY 24, 1992 at 12:00 P.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	XXX _____
Commissioner McDonald	XXX _____
Commissioner McGarry	XXX _____
Commissioner Potter	XXX _____
Commissioner Thomas	XXX _____

This matter will be placed on the meeting agenda for TUESDAY, FEBRUARY 4, 1992.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 2761  
Family Life Seminars and )  
Dr. Tim LaHaye )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 11, 1992, do hereby certify that the Commission took the following actions in MUR 2761:

1. Failed in a vote of 3-3 to pass a motion to reject the recommendations in the January 23, 1992 report from the Office of General Counsel, and instead direct the General Counsel to prepare briefs on whether or not there is probable cause to believe.

Commissioners McDonald, McGarry, and Thomas voted affirmatively for the motion; Commissioners Aikens, Elliott, and Potter dissented.

(continued)

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2. Decided by a vote of 6-0 to -
- A. Take no further action against Family Life Seminars and Dr. Tim LaHaye.
  - B. Close the file.
  - C. Approve the appropriate letters as recommended in the General Counsel's report dated January 23, 1992.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

2-13-92  
Date

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

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 19, 1992

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Robert Uhl Lawson  
Cumberland Baptist Church  
5600 Western Avenue  
Knoxville, TN 37921

RE: MUR 2761

Dear Mr. Lawson:

This is in reference to the complaint you filed with the Federal Election Commission on November 2, 1988, concerning Hollie Miller, Sevier Heights Baptist Church, Dr. Tim LaHaye, Family Life Seminars, and the Presidential Biblical Scoreboard.

Based on the complaint, on October 4, 1990, the Commission failed to find reason to believe that Sevier Heights Baptist Church and Hollie Miller violated 2 U.S.C. §§ 441d(a) and 434(c) and closed the file in regard to these respondents, and found no reason to believe that Presidential Biblical Scoreboard violated 2 U.S.C. § 434(c) and closed the file in regard to this respondent. Additionally, the Commission found that there was reason to believe that Dr. Tim LaHaye and Family Life Seminars violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in this matter. However, after considering the circumstances of this matter, the Commission determined to take no further action against Family Life Seminars and Dr. Tim LaHaye, and closed the file in this matter on February 11, 1992. This matter will become a part of the public record within 30 days.

Enclosed is a copy of the General Counsel's Report in this matter. Please note that the first and second sentences on Page 4 refer to prohibited corporate contributions, when in fact, the sentences should refer to prohibited corporate expenditures. Additionally, the last sentence on Page 16 states that "[t]he Commission based its decision to find no reason to believe in regard to Sevier Heights Baptist Church and Holly Miller on the cover letter from Holly Miller and the two reports attached to the cover letter...." This is incorrect because the

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Mr. Robert Uhl Lawson  
MUR 2761  
Page 2

Commission did not make a finding of no reason to believe. The sentence should state that the Commission based its decision not to find reason to believe in regard to Sevier Heights Baptist Church and Holly Miller on the cover letter and the two reports attached to the cover letter.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

*Mary-Loretta Taksar*

Mary-Loretta Taksar  
Attorney

Enclosure  
General Counsel's Report

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 19, 1992

Sevier Heights Baptist Church  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Sevier Heights Baptist Church

Dear Sir or Madam:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

*Mary-Loretta Taksar*

Mary-Loretta Taksar  
Attorney

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 19, 1992

Hollie Miller, Pastor  
Sevier Heights Baptist Church  
3706 Sevier Heights Road  
Knoxville, TN 37920

RE: MUR 2761  
Hollie Miller

Dear Pastor Miller:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

*Mary-Loretta Taksar*

Mary-Loretta Taksar  
Attorney

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 19, 1992

Mr. David Balsiger, Publisher  
Presidential Biblical Scoreboard  
P.O. Box 10459  
Costa Mesa, CA 92627

RE: MUR 2761

Dear Mr. Balsiger:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact me at (202) 219-3400.

Sincerely,

*Mary-Loretta Taksar*

Mary-Loretta Taksar  
Attorney

92040894466

Alan P. Dye, Esq.  
MUR 2761  
Page 2

Enclosed is a copy of the General Counsel's Report in this matter. Please note that the first and second sentences on page 4 refer to prohibited corporate contributions, when in fact, the sentences should refer to prohibited corporate expenditures. Additionally, the last sentence on page 16 states that "[t]he Commission based its decision to find no reason to believe in regard to Sevier Heights Baptist Church and Holly Miller on the cover letter from Holly Miller and the two reports attached to the cover letter...." This is incorrect because the Commission did not make a finding of no reason to believe. The sentence should state that the Commission based its decision not to find reason to believe in regard to Sevier Heights Baptist Church and Holly Miller on the cover letter and the two reports attached to the cover letter.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

*Mary-Loretta Taksar*

Mary-Loretta Taksar  
Attorney

Enclosure  
General Counsel's Report

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 19, 1992

**CLOSED**

Alan P. Dye, Esq.  
Webster, Chamberlain & Bean  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 2761  
Family Life Seminars and  
Dr. Tim LaHaye

Dear Mr. Dye:

On November 15, 1990, you were notified that the Federal Election Commission found reason to believe that you client, Dr. Tim LaHaye, violated 2 U.S.C. § 441b(a). On November 15, 1990, Family Life Seminars was notified that the Federal Election Commission found reason to believe that Family Life Seminars violated 2 U.S.C. § 441b(a). On December 26, 1990 and January 23, 1991, you submitted responses to the Commission's reason to believe findings and interrogatories. On March 12, 1991, you submitted a response to additional interrogatories.

After considering the circumstances of the matter, the Commission determined on February 11, 1992, to take no further action against Family Life Seminars and Dr. Tim LaHaye, and closed the file. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that a corporate expenditure which expressly advocates the election or defeat of a federal candidate is a violation of 2 U.S.C. § 441b(a). Your clients should take immediate steps to insure that this activity does not occur in the future.

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THIS IS THE END OF MJR # 2761

DATE FILMED 3/13/92 CAMERA NO. 3

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