



FEDERAL ELECTION COMMISSION

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

4 AUG 1976

FEDERAL ELECTION COMMISSION  
**OFFICIAL FILE COPY**  
OFFICE OF GENERAL COUNSEL

Mr. Anthony J. Hilder  
Post Office Box 1122  
Malibu, California 90265

Re: MUR 070 (75)

Dear Mr. Hilder:

On July 30, 1976, the Commission voted to terminate its inquiry into alleged violations of 2 U.S.C. §§433, 434(b) and (e). On the basis of the information available to it, the Commission determined that there was no reason to believe that the expenditures of your group triggered the reporting provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the Commission intends to close its files in this matter.

A copy of the Commission's determination is enclosed for your information. If you have questions, please contact Gloria R. Sulton (telephone no. 202/382-4041), the attorney assigned to this matter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.  
General Counsel

cc: Mr. Walt Hintzen  
Co-Chairman  
Committee Against the  
Reagan Entrapment  
911 Vincente Way  
Santa Barbara, CA

Enclosure



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FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Citizens Against the )  
Reagan Entrapment )

MUR 070 (75)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 30, 1976, the Commission determined by a vote of 5-0 that there was no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, had been committed in the above-captioned matter. Accordingly, the file in this matter has now been closed.

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary to the Commission



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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Citizens Against the )  
Reagan Entrapment )

MUR 070 (75)

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GENERAL COUNSEL'S REPORT

I. Allegations

That the Committee Against the Reagan Entrapment (CARE) has not registered or filed reports with the Commission, nor disclosed independent expenditures in opposition to Governor Reagan.

II. Evidence

A newspaper account in the Washington Post of December 23, 1975, indicated that CARE was raising funds for mailing anti-Reagan literature. CARE was contacted by letter dated January 13, 1976, addressed to Mr. Walt Hintzen, Co-Chairman. Anthony J. Hilder, also identified as a Co-Chairman of the group, responded in a letter dated February 9, 1976, indicating that the group did not anticipate receiving contributions nor making expenditures during the calendar year in excess of \$1,000. A follow-up letter was sent on March 22, 1976, requesting information to determine whether there was an obligation to report under 2 U.S.C. §434(e). Mr. Hilder

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responded by telephone and confirmed by letter dated June 22, 1976, that the group neither published nor printed material, but engaged in individual efforts to inform fellow conservative Republicans of their opposition to Mr. Reagan. He further stated that no individual expended in excess of \$100 in that effort. The group allegedly terminated its efforts after the Florida Primary. See attached letter.

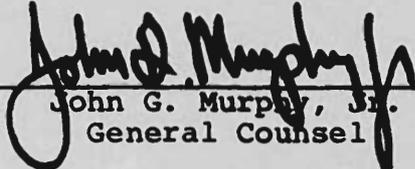
FEDERAL ELECTION COMMISSION  
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OFFICE OF GENERAL COUNSEL

III. Analysis and Recommendation

Based upon the information provided by Mr. Hilder, there is no reason to believe that this group has a registration or reporting obligation under the Act. Mr. Hilder states that each individual acting independently expended less than \$100, and that CARE itself, while active, spent less than \$1,000 (2 U.S.C. §§433, 434(b) and (e)).

IV. Conclusion

Close the file. Send attached letter.

  
\_\_\_\_\_  
John G. Murphy, Jr.  
General Counsel

DATE: \_\_\_\_\_

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JUL 12 1976

Mr. Walt Hintzen, Co-Chairman  
Committee Against the Reagan Entrapment  
911 Vincente Way  
Santa Barbara, California

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

Re: MUR 070 (75)

Dear Mr. Hintzen:

This will confirm your telephone conversation of July 8, 1975 with Gloria R. Sulton of this office in which you agreed to advise the Commission in writing of the activities of the Citizens Against the Reagan Entrapment about which you have knowledge.

En

Your cooperation will be greatly appreciated.

Sincerely yours,

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William Oldaker  
Assistant General Counsel

GSulton:pjg:7/8/76

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RECEIVED  
FEDERAL ELECTION  
COMMISSION

76 JUN 24 AM: 16  
June 22, 1976

Mr. John G. Murphy, Jr.  
General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION  
**OFFICIAL FILE COPY**  
OFFICE OF GENERAL COUNSEL

Re: MUR 070 (75)

Dear Mr. Murphy:

Mr. Neal Janey requested that I write this letter confirming the contents of our conversation regarding the dissolution of the Committee Against the Reagan Entrapment.

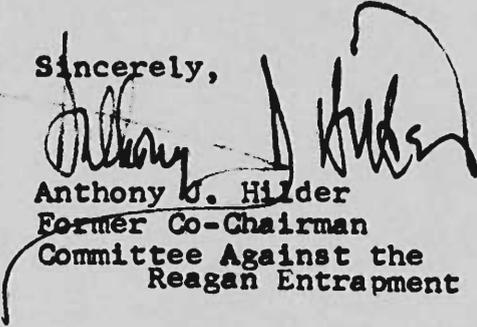
The purpose of our organization was simply to inform the cream of the conservatives across the country that Ronald Reagan has, in fact, "betrayed" the principles which he so ardently adheres to in the press.

During our brief alliance, and I can call it no more than that, we published nor printed no material and engaged only in individual efforts in that endeavor.... which is, of course, our right.

No one in the "project", which ended with the Florida Primary, spent more than \$100.00, much less even a fraction thereof, for postage and literature or a combination.

I do hope this settles the matter as it's been blown totally out of proportion to the project.

Sincerely,

  
Anthony J. Hilder  
Former Co-Chairman  
Committee Against the  
Reagan Entrapment

AJH:as

P. O. Box 1122  
Malibu, California 90265

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14 JUN 1976

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

Mr. Anthony J. Hilder  
Co-Chairman  
Committee Against the  
Resgan Entrapment  
P. O. Box 1122  
Malibu, California 90265

Re: MUR 970 (75)

Dear Mr. Hilder:

On April 6, 1976, you spoke by telephone with a member of my staff, Mr. Neal Janey, with respect to a letter from me dated March 22, 1976. You indicated that you would forward a letter to the Commission reiterating the points discussed in that conversation regarding the activities of the Committee Against the Resgan Entrapment. To date, I have not received such a communication.

We are anxious to dispose of this matter and would appreciate it if you would respond to this letter within ten days of its receipt.

Mr. Janey has left the staff and this matter has been assigned to Ms. Gloria R. Sutton. If you have any further questions, please call her at Area Code 202-382-4041.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.  
General Counsel

mpc:6/9/76

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FEDERAL ELECTION COMMISSION

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

22 MAR 1976

Mr. Anthony J. Hilder  
Co-Chairman  
Committee Against Reagan  
Entrapment  
P. O. Box 1122  
Malibu, California 90265

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

Dear Mr. Hilder:

This letter acknowledges yours of February 9, 1976, in which you explained why the Committee Against Reagan Entrapment has not registered with the Commission or filed reports. You advised that since the Committee "never anticipated receiving contributions nor making expenditures during the calendar year in an amount exceeding \$1,000.00, there was no reason to inform [the] Commission of your activities." Moreover, you pointed out that the Committee's "only purpose and only function is to inform others of Reagan's record."

The Committee would be subject to a reporting requirement under the Federal Election Campaign Law of 1971, as amended, not only if it is a political committee [as defined in 2 U.S.C. §431(d)], but also if it is a person (other than a political committee or candidate) who makes contributions or expenditures, other than by contribution to a political committee or candidate, in an aggregate amount in excess of \$100 within a calendar year, and such contributions or expenditures expressly advocate the election or defeat of a clearly identified candidate [Buckley v. Valeo, 44 U.S.L.W. 4127, 4151 (1976), interpreting 2 U.S.C. §434(e)]. In order for a determination to be made in this regard, it is necessary for this office to examine any literature which has been distributed by the Committee. According to an article published in the Washington Post from Los Angeles on December 23, 1975, ". . . the Committee Against the Reagan Entrapment (CARE) \* \* \* has begun raising funds to mail literature around the country charging Reagan with wholesale abandonment of conservative principles."

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Could you please mail copies of any literature which has been distributed by the Committee, within 10 days, to this office. Should you have any questions, or need additional information, please feel free to call Mr. Neal Janey, who has been assigned to work on this matter, at (202)382-4055.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.  
General Counsel

FEDERAL ELECTION COMMISSION  
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OFFICE OF GENERAL COUNSEL

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DATE AND TIME OF REPORT: March 18, 1976 12:00 noon

NO. MUR 070 (75)

REC'D: 12/23/75

FEDERAL ELECTION COMMISSION  
Washington, D. C.

Complainant's Name: Initiated internally by Kent Cooper

Respondent's Name: Committee Against the Reagan Entrapment (CARE).

Relevant Statute: 2 U.S.C. §§ 433, 434 and 434(e)

Internal Reports Checked: Registration statement and reports

Federal Agencies Checked: \_\_\_\_\_

SUMMARY OF ALLEGATION

The Committee did not register and file reports; nor did it disclose independent expenditures.

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ORIGINAL FILE COPY  
OFFICE OF GENERAL COUNSEL

PRELIMINARY LEGAL ANALYSIS

A newspaper account (Washington Post 12/23/75) indicates that CARE is starting to raise funds for mailing anti-Reagan literature; if so, the Committee will presumably have to register and report.

RECOMMENDATION

Send the attached letter seeking more information from the respondent. (See attached letter.)

Date of Next Commission Review: \_\_\_\_\_

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MUR #1004

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RECEIVED  
FEDERAL ELECTION  
COMMISSION

'76 FEB 11 PM 4:22 A 2:33  
February 9, 1976

Mr. Gordon Andrew McKay  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

Dear Mr. McKay:

In light of the fact that our Committee Against the Reagan Entrapment never anticipated receiving contributions nor making expenditures during the calendar year in an amount exceeding \$1,000.00, there was no reason to inform your commission of our activities.

Firstly, we were unaware that "CARE", as some call it, fell into the category of being a "political committee," since its only purpose and only function is to inform others of Reagan's record. Secondly, in spite of the ambiguity of "2 U. S. C. 433(a) Federal Elections Campaign Act of 1971," we had no anticipation of receiving contributions from anyone ... it's merely an individual effort, collectivized only through news releases which would be put out by individuals in their own way, with their own money, in their own area. We are neither violating our constitutional rights, nor your law.

Sincerely,

Anthony J. Hilder, Co-Chairman  
Committee Against the Reagan Entrapment

Post Office Box 1122  
Malibu, California 90265

cc: Mr. Walt Hintzen

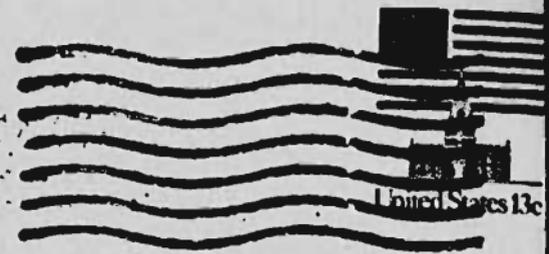
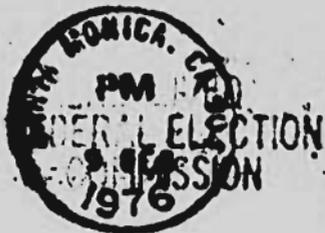
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A. J. Hilder  
P. O. Box 1122  
Malibu, California 90265

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FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK  
WASHINGTON, D. C.

FEDERAL ELECTION  
COMMISSION



76 FEB 12 A 2:15 '76 FEB 11 PM 4:22

Mr. Gordon Andrew McKay  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463



FEDERAL ELECTION COMMISSION

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

January 13, 1976

Mr. Walt Hintzen, Co-Chairman  
Committee Against the Reagan Entrapment  
911 Vincente Way  
Santa Barbara, California

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

Dear Mr. Hintzen:

Public Law 93-443 established the Federal Election Commission to administer the Federal Election Campaign Act of 1971, as amended. The Commission is empowered to conduct audits and investigations to determine whether any violations of the Act have occurred and to take necessary steps to correct them (2 U.S.C. 437(d) and (g)).

The Federal Election Campaign Act of 1971, as amended, (2 U.S.C. 433(a)) states that "each political committee which anticipates receiving contributions or making expenditures during the calendar year in an aggregate amount exceeding \$1,000 shall file with the Commission a statement of organization, within 10 days after its organization..". It appears that "Committee Against the Reagan Entrapment" may qualify as a "political committee" for disclosure purposes. Alternatively, your organization may be subject to the reporting requirements under Section 434(e) if you receive contributions or make expenditures in excess of \$100 but less than \$1,000.01).

In the spirit of promoting full and timely disclosure, you are urged to fulfill the registration and reporting requirements of 2 U.S.C. 433 and 434 as appropriate within ten days from receipt of this letter. Forms are enclosed for your use, together with a copy of a pamphlet entitled "Federal Election Campaign Laws," compiled by the Secretary of the Senate. Further, the Commission encourages you to submit a statement explaining the committee's apparent failure to register and file the required reports on a timely basis.

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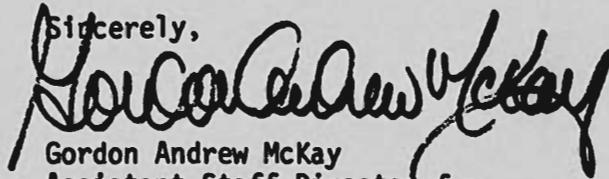


Mr. Walt Hintzen  
Page 2

January 13, 1976

If you have any questions concerning these matters,  
please do not hesitate to write or call Mr. Michael  
Hershman (202/382-6023).

Sincerely,



Gordon Andrew McKay  
Assistant Staff Director for  
Disclosure and Compliance

Enclosures

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

FEDERAL ELECTION COMMISSION  
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OFFICE OF LEGAL COUNSEL

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1. list  
2. p. 22-75

# Conservative Calif. Group Hits Reagan

By Joel Kotkin

Special to The Washington Post

LOS ANGELES—About 20 conservative activists here, including some of former Gov. Ronald Reagan's earliest supporters, have formed a group to rally conservative sentiment nationally in opposition to Reagan's presidential campaign.

Calling itself the Committee Against the Reagan Entrapment (CARE), the group has begun raising funds to mail literature around the country charging Reagan with wholesale abandonment of conservative principles.

Anthony Hilder, cochairman of the organization, charges that as governor of California from 1967 to Jan. 1, 1975, Reagan deserted his previously stated conservative positions on such issues as gun control, Medicare and property rights.

Hilder, a member of former Sen. George Murphy's (R-Calif.) campaign staff and presently on the national policy board of the Liberty Lobby, maintains that Reagan has come under the influence of large financial interests in Southern California and in the East.

Dismissing Reagan's credentials as a true conservative, Hilder maintains that Reagan "speaks out of both sides of his mouth."

Most of CARE's political help is expected to come from the 15,000-member United Republicans of California (UROC), a conservative group that played a key grassroots role in Reagan's 1966 campaign for governor.

Walt Hintzen, twice state chairman of the group and a leader of the GOP right-wing here, has been named cochairman of CARE with Hilder.

Hintzen, a former Reagan supporter, played an important role earlier this year in getting UROC to adopt a strongly anti-Reagan resolution at its state convention.

Despite the group's key role in Reagan's early political successes, Reagan's press secretary, Lyn Nofziger, doubts that either CARE or UROC could do any serious damage to the Reagan effort in conservative areas. "There aren't enough of them to influence a municipal election in California," Nofziger said, "least of all in Orange County," a bastion of conservatism in Southern California.

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