



FEDERAL ELECTION COMMISSION

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

January 23, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F. X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, MA 02108

Re: MUR 819 (78)

Dear Mr. Powers:

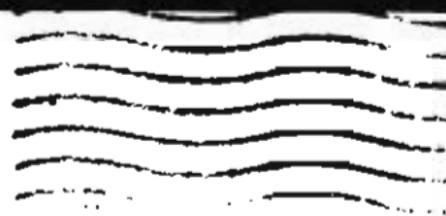
In your letter dated December 8, 1978, you state that House Speaker Thomas P. O'Neill was not named as a complainant or a respondent in the matter before the Commission, and therefore, his name should not appear in the heading of the case. Although you did not name Speaker O'Neill in your complaint, this does not preclude the Commission from considering others as respondents.

With respect to your request for the names of the six Commissioners who participated in the vote on the matter, the names of the Commissioners are Chairman Joan D. Aikens, Vice Chairman Robert O. Tiernan; and Thomas E. Harris, John W. McGarry, William L. Springer, and Vernon W. Thomson.

The attached General Counsel's Report was circulated to the Commissioners for them to vote on a tally sheet basis and was not discussed in a Commission meeting. No letters were written to the respondents requesting information and therefore, no responses were received.



MR. F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET
BOSTON MASS 02108



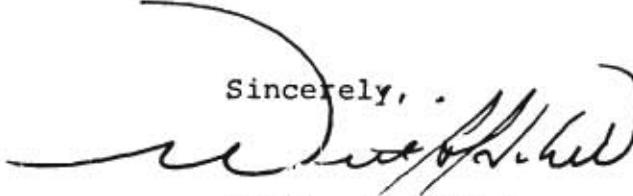
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ATTN: William C. Oldaker, General Counsel

CERTIFIED MAIL

The Commission has also determined in response to your letter that there is no basis for it to reconsider its earlier decision. The file will, therefore, remain closed on this matter.

Sincerely, .



William C. Oldaker
General Counsel

Enclosure
General Counsel's Report

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BCC# 9108

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 830
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

79 JAN 24 PM 2:47

January 18, 1979

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

Attn: William C. Oldaker, General Counsel

Re: Barnstead for Congress Committee Vs. WGBH Educational
Foundation - T.V. Channel 2, et al
MUR 819(78)

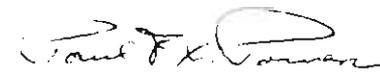
Gentlemen:

81978

In my letter of December 8, 1978, a copy of which has been received in your office by certified mail, I made certain requests with reference to the complaint filed in this case. These requests are set forth in paragraph 2 of the letter of that date. Since we have received no reply to this letter, as of this writing, under the provisions of the Freedom of Information Act, 5 USC, Section 552, it is requested that the information referred to in that request be made available forthwith to this office as counsel for the complainant in this matter.

Your cooperation in taking prompt action on this renewed request will be much appreciated.

Very truly yours,



Paul F. X. Powers
Attorney for the Complainant,
Barnstead for Congress Committee

PFXP/lb

CC: Barnstead for Congress Committee, 77 Ashford St., Allston,
MA 02134

CC: Office of the United States Attorney, District of Massachusetts,
1107 Post Office Building, Boston, MA 02109

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RECEIVED

GCC# 5943

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 830
BOSTON, MASS. 02108
TELEPHONE 523-4870
AREA CODE 617

18 DEC 11 P 4: 52

December 8, 1978

008357

Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463
Attn: William C. Oldaker, General Counsel

Re: Barnstead for Congress Committee Vs. WGBH Educational Foundation -
T.V. Channel 2
Corporation for Public
Broadcasting
Quaker Oats Corporation
MUR 819(78)

Gentlemen:

This will acknowledge receipt of your letter of December 4, 1978 and the copy of the Commission's certification of the vote taken in the above-entitled matter. I draw your attention to the fact that House Speaker Thomas P. O'Neill is neither a complainant nor a respondent in this matter. Since he is not a party to the matter before the Commission it would seem that his name should not be in the heading of the case in that MUR 819(78) refers only to the complainant of record and the respondents named in the complaint.

Although the certification notice indicates that the Commission made its determination on November 7, 1978 by a vote of six to nothing, it is requested herewith that the names of the six members who participated in the vote be furnished to me as counsel for the complainant. In addition, we are requesting at this time copies of minutes of the meeting at which the determination was made, copies of any staff reports or supporting memoranda of any of the above members or other staff personnel along with copies of the replies received from the named respondents each of whom received copies of the original complaint.

In your letter of November 8, 1978 reference is made to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. I call to the attention of the Commission that the expenditures involved in the T.V. production in question were in no way associated with a "news story, commentary, or editorial" distributed by the station. The program, according to one of the exhibits submitted with the complaint, was described as "a dazzling campaign puff piece".

page 2
re: Barnstead for
Congress Committee

It is now suggested that the Commission arrange to obtain a copy of the film and tape of the program from the T.V. licensee so that its content may be reviewed in greater detail. It is submitted that such review will clearly indicate that the program in question fails to fall within the purview of a news story, commentary, or editorial.

We shall appreciate your cooperation in arranging to furnish us with the data outlined herein.

Very truly yours,

THE BARNSTEAD FOR CONGRESS
COMMITTEE

By its Attorney,



Paul F. X. Powers

PFXP/lb

CC: Barnstead for Congress Committee, 76 Ashford Street, Allston,
Massachusetts 02134
CC: Office of the United States Attorney, 1107 Post Office Building,
Boston, Massachusetts 02109

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

PAUL F. X. POWERS

ATTORNEY AT LAW
18 TREMONT STREET
BOSTON MASS 02108



REC 11 4:52



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

ATTN: William C. Oldaker, General Counsel

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5643

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4870
AREA CODE 617

FEDERAL ELECTION
COMMISSION

78 NOV 20 AM 2:10

November 17, 1978

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

807910

ATTN: William C. Oldaker, General Counsel

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation, TV Channel 2 et al
MUR 819 (78)

Gentlemen:

This will acknowledge receipt of the notice of November 8, 1978 covering your action of November 7 on the above-entitled complaint.

I call upon you at this time to furnish the complainant with a copy of the record of the vote of the Commission on this complaint, showing how each member voted on the matter.

Very truly yours,



Paul F.X. Powers
Attorney for the Complainant

PFXP: mep

cc- Barnstead for Congress Committee

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PAUL F. X. POWERS

ATTORNEY AT LAW
118 TREMONT STREET
BOSTON MASS 02108



Federal Election Commission

1325 K Street

Washington, D.C. 20463

ATTN: William C. Oldaker, General Counsel

1140-017

REGISTERED MAIL
RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one):
 Show to whom and date delivered C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY C
 Show to whom and date delivered C
 RESTRICTED DELIVERY C
 Show to whom, date, and address of delivery \$
 CONSULT POSTMASTER FOR FEES

2. ARTICLE ADDRESSED TO
 1000 E. 1st St. S.W.
 Atlanta, Ga. 30334

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 157-55

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY POSTMARK
 11-14-78 NO. 1978

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE CLERK'S INITIALS

☆GPO 1977 - 0 - 249-595

819 M. Brown

REGISTERED MAIL
RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one):
 Show to whom and date delivered C
 Show to whom, date, and address of delivery C
 RESTRICTED DELIVERY C
 Show to whom and date delivered C
 RESTRICTED DELIVERY C
 Show to whom, date, and address of delivery \$
 CONSULT POSTMASTER FOR FEES

2. ARTICLE ADDRESSED TO
 Paul Fx Powers, Esq.

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 458074

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY POSTMARK
 11-14-78

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE CLERK'S INITIALS

☆GPO 1977



FEDERAL ELECTION COMMISSION

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

December 4, 1978

Mr. Paul F.X. Powers, Esquire
Attorney at Law
18 Tremont Street
Suite 530
Boston, MA 02108

Re: MUR 819(78)

Dear Mr. Powers:

Enclosed for your information is a copy of the Commission's Certification of the vote taken on MUR 819 which you requested in your letter dated November 17, 1978.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

Commission's Certification

7901011249



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

Re: MUR 819(78)

Dear Sir or Madam:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosures

Complaint

7904011499

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

Re: MUR 819 (78)

Dear Sir or Madam:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a) (2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures *mb/11/7/78*

Complaint

79040112494



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

Complaint

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. § 437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosure *mb 11/7/78*
Complaint

79040112495



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Corporation for Public
Broadcasting
1111 - 16th Street, N.W.
Washington, D.C. 20036

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

Complaint

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CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Corporation for Public
Broadcasting
1111 - 16th Street, N.W.
Washington, D.C. 20036

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. § 437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosure mb 11/7/78

Complaint

79040112498



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosures

Complaint

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**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819(78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-513-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures *mb 11/7/78*

Complaint
Commission Certification

7904012500



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F.X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: MUR 819(78)

Dear Mr. Powers:

With regard to your complaint dated November 2, 1978, the Commission determined on November 7, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. The Commission expresses no opinion as to possible application of the Federal Communications Commission rules to the described activity. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact me.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

70049112501

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F.X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: NUR 819(78)

Dear Mr. Powers:

With regard to your complaint dated November 2, 1978, the Commission determined on November 7, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. The Commission expresses no opinion as to possible application of the Federal Communications Commission rules to the described activity. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact us.

Sincerely,

William C. Oldaker
General Counsel

mf 11/9/78

79040112502

November 4, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: NUR 819

Please have the attached First General Counsel's Report on NUR 819 distributed to the Commission on an expedited basis.

Thank you.

79040112503

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 819 (78)
House Speaker Thomas P. O'Neill)
WGBH Educational Foundation-TB)
The Corporation for Public Broadcasting)
The Quaker Oats Corporation)

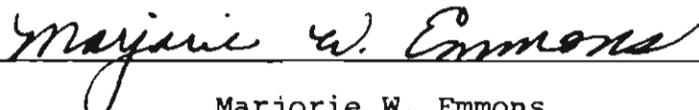
CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 7, 1978, the Commission determined by a vote of 6-0 to approve the following recommendations, as set forth in the First General Counsel's Report dated November 6, 1978, regarding the above-captioned matter:

1. Find no reason to believe a violation of 2 U.S.C. §441b and 11 C.F.R. 114.2(b) has occurred.
2. Close the file.
3. Send the letters attached to the above-named report.

Attest:

11/7/78
Date



Marjorie W. Emmons
Secretary to the Commission

Report received in Office of Commission Secretary: 11-6-78, 3:22
Circulated on an expedited basis at 4:00, 11-6-78

79090111501

73 NOV 6 P 3: 22 FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION NOV 6 1978

MUR # 819 (78)
DATE COMPLAINT RECEIVED
BY OGC November 5, 1978

STAFF MEMBER Brown

COMPLAINANT'S NAME: Paul F.X. Powers, Esquire

RESPONDENT'S NAME: House Speaker Thomas P. O'Neill
WGBH Educational Foundation-TB
The Corporation for Public Broadcasting
The Quaker Oats Corporation

RELEVANT STATUTE: 2 U.S.C. §§ 441b, 431(f)
11 C.F.R. §§ 114.2(b), 100.4(b)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Paul F.X. Powers, the attorney for the Barnstead for Congress Committee submitted a notarized complaint dated November 2, 1978. He alleges that WGBH Educational Foundation-TV, the Corporation for Public Broadcasting, and the Quaker Oats Corporation violated 2 U.S.C. §441b and 11 C.F.R. 114.2(b) by contributing to and sponsoring a TV documentary entitled, "Mr. Speaker: A Portrait of Tip O'Neill" which was broadcast on July 18, 22, and 23, 1978. The broadcast of the program, according to the complainant, constitutes a contribution or expenditure by the above-named corporations in connection with a Federal election.

PRELIMINARY ANALYSIS

Section 100.4(b)(8) of the regulations excludes from the definition of 'contribution.'

[A]ny news story, commentary or editorial of any broadcasting station... unless the facility is owned or controlled by any political party, political committee, or candidate ...

If the station is owned or controlled in such way, the regulation provides for other standards to determine whether a particular broadcast is a contribution.

Section 431(f)(4)(A) of the Act excludes from the definition of 'expenditure.'

Any news story, commentary or editorial distributed through the facilities of any broadcasting station... unless such facilities are owned or controlled by any political party, political committee, or candidate. The telecast complained about here would be excluded from the definition of 'contribution' and 'expenditure' as defined by the regulations and the Act. See also MUR 486. Furthermore, complainant does not include in his complaint any allegations as to the political ownership or control by WGBH, nor is there any other indication that such ownership or control exists. In the absence of such ownership or control, there is also no basis to say that the Corporation for Public Broadcasting or the Quaker Oats Corporation made political contributions or expenditures within the meaning of the Act.

Recommendation

1. Find no reason to believe a violation of 2 U.S.C. § 441b and 11 C.F.R. 114.2(b) has occurred.
2. Close the file.
3. Send the attached letters.

Attachments

1. Complaint
2. Proposed letters

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MUR 819 (78)

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

'78 NOV 5 AM 11:11

November 2, 1978

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

807631

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation-TV, Channel 2 et al

Gentlemen:

Attached herewith is a Complaint filed by the Barnstead for Congress Committee against the respondents named therein for investigation and necessary action by the Commission.

Also enclosed is a copy of a letter forwarded to the office of the U.S. Attorney in Boston for action by the Department of Justice in this matter.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,


Paul F.X. Powers

PFXP:mep
Enclosures

cc: Barnstead for Congress Committee, 76 Ashford Street, Boston, MA. 02134

Office of the U.S. Attorney, 1107 P.O. Bldg, Boston, MA. 02109

7001011350

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

November 2, 1978

Hon. Edward F. Harrington
United States Attorney
1107 Post Office Bldg.
Boston, MA. 02109

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation -TV, Channel 2
Corporation for Public Broadcasting
Quaker Oats Corporation

Dear Sir:

Attached herewith is a copy of a Complaint filed this date with the Federal Election Commission by the Barnstead for Congress Committee. The complaint alleges violations of 2 USC §441 b and 11 CFR 114.2(b) by the respondents, WGBH Educational Foundation-TV, Channel 2, Boston, the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois, all of whom contributed to and sponsored a TV film "documentary", first released on WGBH-TV on July 18, 1978 and repeated on July 22, 1978 and July 23, 1978, entitled "Mr. Speaker: A Portrait of Tip O'Neill", referred to by the critics as "flattering campaign film".

Since the complaint charges violations of federal statutes, this matter is referred to your office for further investigation and appropriate action by the Department of Justice.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,



Paul F.X. Powers

PFXP: mep
cc - WGBH Educational Foundation-TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation
Federal Election Commission

Enclosures

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C O M P L A I N T

TO: The Federal Election Commission
RE: The Barnstead for Congress Committee

vs.

WGBH Educational Foundation, Public Broadcasting,
TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation

The complainant, for its complaint, alleges
that:

1. This complaint is filed under the Federal Election Campaign Act of 1971, as amended, 2 USC §441 b and 11 CFR 114.2 (b).
2. The complainant is the Barnstead for Congress Committee, located at 76 Ashford Street, Allston, MA. 02134, Tel. (617)782-6072. The Committee has filed its report with the Federal Election Commission. The Committee has been formed to advance the candidacy of William A. Barnstead of Arlington, MA., Republican, for election to Congress from the 8th Massachusetts Congressional District. His opponent is incumbent Congressman Thomas P. O'Neill, Jr. of Cambridge, MA., Democrat.

The respondents to the Complaint are WGBH Educational Foundation, Public Broadcasting TV, Channel 2 of Boston, MA., the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois.

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3.
 (a) WGBH Channel 2 on Tuesday, July 18, 1978 at 8 P.M. presented a one-hour long "documentary", entitled "Mr. Speaker: A Portrait of Tip O'Neill" which was widely publicized in advance through the news media and then distributed the program through 182 public broadcasting outlets nationwide. WGBH repeated the broadcast on Saturday, July 22, 1978 at 7 P.M. and Sunday, July 23, 1978 at 2 P.M.

(b) In newspaper advertisements published in the Boston Globe and Boston Herald American the program was described as "a fast-moving hour of cinema verite with one of the country's most powerful men - Speaker of the House Thomas P. O'Neill, Jr." A Boston Globe columnist, questioning the motives of the public broadcasting station in using this program, wrote "I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long 'documentary' celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal" and "If House Speaker Thomas P. O'Neill, Jr. had commissioned the program and had exercised artistic control he could not have produced a more flattering campaign film".

(c) Prior to the initial telecast of this program, Mr. Barnstead made a formal announcement of his candidacy for Congress from the 8th Massachusetts Congressional District and issued press releases of his

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announcement to WGBH-Ch. 2 among several other media outlets.

(d) At the time of the initial broadcast of the TV film in question both Mr. Barnstead and Mr. O'Neill had become legally qualified candidates of their respective parties under the Massachusetts election laws, G.L. Ch. 53, Sections 9 and 10, as amended, for this office, each having filed the necessary certified signatures with the office of the Secretary of the Commonwealth of Massachusetts.

(e) During the TV broadcast on Channel 2 the station acknowledged the sponsorship of the film production by the Corporation for Public Broadcasting and the Quaker Oats Corporation. WGBH-TV allocated the amount of approximately \$200,000. to the production with the Corporation for Public Broadcasting providing \$129,000., the Quaker Oats Corporation \$35,000. and the balance furnished by the station; in addition, the Corporation for Public Broadcasting expended its funds to promote the film production in the newspapers throughout the country.

(f) Under the provisions of 2 USC 441b it is unlawful for any corporation to make a contribution or expenditure in connection with any election at which a Representative in Congress is to be voted for and under 11 CFR 114.2(b) any corporation whatever is prohibited from making a contribution or expenditure in connection with any Federal election.

(g) There has been a violation of the above-cited Code provisions by WGBH-TV, the Corporation for Public Broadcasting and the Quaker Oats Corporation for their contributions to the production of a TV film, which in essence was a political campaign "documentary" released by WGBH-TV not only on Channel 2, Boston, but also throughout the country through other public broadcasting stations, after a political campaign was already underway with the qualification by the State Secretary's office of candidates, William A. Barnstead, Republican, and Thomas P. O'Neill, Jr., Democrat, for election to Congress from the 8th Massachusetts Congressional District; and that the contributions made by the respondents were for the purpose of enhancing the political standing of Mr. O'Neill as Speaker of the U.S. House and of influencing his reelection to Congress.

4. Attached in support of the allegations set forth herein are copies of promotional advertisements, TV feature columns, appearing in the Boston newspapers, and an article by Boston Globe columnist, David B. Wilson.

5. It is respectfully submitted that after a proper investigation is conducted of the complaints set forth herein, if the Commission finds that the respondents have acted in violation of 2 USC 441b and 11 CFR 114.2 (b), the Code provisions for enforcement under 2 USC §§ 437 g and 441 j should be applied.

70710112511

Respectfully submitted,

BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,

Paul F.X. Powers

Paul F.X. Powers
18 Tremont Street
Boston, MA. 02108
Tel. (617) 523-4970

7 0 9 1 1 1 5 1 1
Then personally appeared before me, the above-named affiant, Paul F.X. Powers, and made oath that the foregoing allegations are true to be best of his knowledge.

Judith A. Drinkhall
Judith A. Drinkhall
Notary Public

My Commission Expires:
11/10/78

Robert A. Semonian

Robert A. Semonian,
Treasurer, Barnstead for
Congress Committee

11 Howe Street
Watertown, MA. 02172

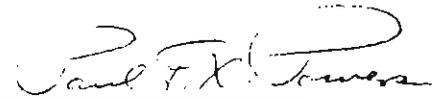
Margaret Reynolds

Margaret Reynolds
Notary Public
My commission expires:
July 17, 1981

AFFIDAVIT OF NOTICE

I, Paul F.X. Powers, attorney for the complainant in the above-entitled action make oath that on the 2nd day of November, 1978, I gave notice by letter postpaid to the respondents, WGBH Educational Foundation-TV, Channel 2, the Corporation for Public Broadcasting and the Quaker Oats Corporation that this complaint has been filed with the Federal Election Commission by certified mail postpaid.

THIS STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY.



Paul F.X. Powers
Attorney for the Complainant

7 9 0 4 0 1 1 1 5 1 1

DAVID B. WILSON

Mr. Speaker, TV show was out of order

The ideal of a public television service beholden to no one but the people it tries to serve, free of government control and advertiser influence, is nowhere pursued so capably and successfully as at WGBH-TV, Channel 2, Boston.

Having filed the above disclaimer of malice, I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long "documentary" celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal.

If House Speaker Thomas P. O'Neill Jr. had commissioned the program "Mr. Speaker: A Portrait of Tip O'Neill" and had exercised artistic control he could not have produced a more flattering campaign film.

Further, had he done so, he could not have, by hook or crook, been able to obtain for the film such superb prime time exposure as Channel 2 gave it from its tower in Needham.

To make these observations is not to say that the program was either false or, necessarily, misleading. I happen to think it was a work of art. If you saw the Speaker reminiscing resonantly with the Barry's Corner friends he genuinely cherishes, you learned a lot. You may even have begun to grasp a little of what the life of politics is really about.

At the conclusion, like his constituents, you wanted to be in the presence of this great man and tell him your troubles. And you discovered that "cigar-chomping politicians"—to resurrect a slanderous cliché—are not idle loafers but work to the point of exhaustion in a uniquely demanding profession.

But that is precisely the point: The better the program, the more advantage it conferred on its protagonist.

Now the Speaker, nothing if not a good Democrat, must be presumed to support public funding of political campaigns in order to remove any suspicion of influence-peddling and private greed from Bobby Baker's old turf. He knows the value of a goo-goo cause.

But even the least partisan observer may question whether it is appropriate for a non-profit educational institution, funded with tax-deductible contributions tax-sheltered foundation grants and appropriated public money, to underwrite a program which, for all its artistic merit, amounts to a dazzling campaign puff piece.

Michael Rice, general manager and vice president of WGBH-TV, reports that Nancy Porter, the show's gifted producer, was given \$200,000 to work with when plans for "Mr. Speaker" were firmed up in January, 1977.

The Corporation for Public Broadcasting put up \$129,000; the Quaker Oats Foundation gave \$35,000; and the remainder was picked up by the station, which distributed the program through 182 public broadcasting outlets nationwide.

In addition, CPB put up \$60,000 to promote the show in newspapers across the country. Both Boston dailies ran feature pieces on it by their lead TV writers. Both papers had promotional ads on their TV pages.

These ads, identifying their purchaser as CPB, ran July 18, the day the show was telecast at 8 pm locally, 9 pm elsewhere. The Globe plugged it on Page 1.

Five and one-half hours earlier, in his place of business in Allston, William A. Barnstead of Arlington, former chairman of the Republican State Committee, had announced his candidacy for the Republican nomination for Congress to oppose O'Neill.

Barnstead put on a firefighter's helmet and brandished a fire extinguisher as an attention-getting device. He accused the Speaker of being the arsonist of inflation. Almost nobody paid attention.

Barnstead is upset and is writing letters to David Ives, Channel 2's president, to the Federal Communications Commission and to Chairman William Brock of the Republican National Committee. It is hard to blame him.

Is there corruption here? Certainly not. But it is not impertinent to observe that the Speaker of the House is in a position to exert considerable influence on such matters as the regulation and funding of public broadcasting, the regulation and subsidization of the grain and processed foods industries and the future of communications policy in the United States. One hand, clearly, washes the other, although that almost certainly was not the intention of any of the parties.

David B. Wilson is a Globe columnist.

Institute.

Wall Street Journal Tribune 7/12/78

A portrait

of 'Tip'

By DANIEL Q. HANEY

BOSTON (AP) — Off and on for five months, a television crew followed House Speaker Thomas P. O'Neill through a blur of official meetings, family outings and arm-around-the-shoulder huddles.

The result is "Mr. Speaker: A Portrait of Tip O'Neill," an inside look at how the man runs Congress with a fluid combination of Irish camaraderie and non-sense power.

The program was produced by WGBH, the public television station on the Boston edge of O'Neill's district, and will be aired Tuesday night by PBS.

The camera trails the white-haired Massachusetts Democrat through sessions

with the congressional elite and backhome voters, picnics, parties and an Oval Office get-together with President Carter.

It captures the jovial, personable manner that is O'Neill's style whether calming constituents or cajoling congressmen. But there are also rare glimpses of the tough, power-flexing side of the speaker, such as when he dresses down a bureaucrat for cutting federal money to a hospital in O'Neill's district.

The program opens with O'Neill walking into an indoor clambake in Medford, Mass., to the applause of old friends and new followers.

He greets people affectionately by name. "My God, how are you," he says to one. "Gee, I'm delighted to see you," he tells another. "Old pal, I'll always love you," he promises a third.

Later, at a gathering of street corner friends from his boyhood Cambridge, O'Neill rattles off name after name of old acquaintances.

But the good fellowship disappears in a meeting with Thomas Tierney, director of the Bureau of Health Insurance. O'Neill berates Tierney for cutting aid to Youville Rehabilitation and Chronic Disease Hospital.

While Tierney nervously twiddles his fingers and rubs his neck, O'Neill reminds him that he grew up near that hospital in Cambridge. Then he threatens to file special legislation to restore funding or go over Tierney's head to Joseph Califano, secretary of Health, Education and Welfare.

Between April and August of last year, the TV crew shot 23 hours of film. O'Neill wore a wireless microphone inside his suit coat.

"I think he gave us an enormous amount of access for a man in political power, yet he was kind of a reluctant subject," said Nancy Porter, the producer.

Polynesian & R

TV WEEK

THE BOSTON GLOBE JULY 16-22, 1978



Mr. Speaker: A portrait of Tip O'Neill

Page 12

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A candid portrait of Tip O'Neill

By Robert A. McLean
Globe Staff

"All politics is local."

Thomas P. "Tip" O'Neill, wired for sound, is a walking, talking graduate course in practical-political science of the "Barry's Corner" grass-roots variety; living proof for aspiring young office holders that the American political dream can work, with work; and a multi-dimensional profile of the man who wields awesome clout as the second most powerful person in the nation.

"Mr. Speaker: A Portrait of Tip O'Neill," a most-remarkable cinema verite excursion behind Washington's closed doors, airs Tuesday at 8 p.m. on WGBH-TV (Channel 2) which produced this first-ever TV glimpse of the power and the glory of our national leadership.

Never a shrinking violet since his first successful run in 1936 as a 22-year-old for state representative from North Cambridge, O'Neill in recent years has preferred to work behind the throne in Washington as a powerful party wheelhorse. The Channel 2 production by Nancy Porter is the first he has allowed, after turning down similar requests from the commercial networks and the BBC.

Most revealing in its candid view, the camera and body microphone he wears capture facets of the O'Neill character that are rarely seen by any except those with whom he is consorting at the time. He is caught informally conferring with aides, lobbyists, the press, Democratic colleagues, fellow congressmen, going about the business of the office of Speaker of the US House of Representatives.

There are the tense days of July 1977, when O'Neill was under pressure in the Koreagate investigation, stalled over the naming of a prosecutor. The Channel 2 camera crew covered a press conference at which O'Neill was assailed by reporters for foot-dragging in the probe.



Tip O'Neill, the picture of a politician.

Porter, who spent "four or five months" just getting O'Neill and his staff accustomed to her crew's presence, was sure the tense Koreagate situation would be an off-limits period for the production, and was pleasantly surprised when they were allowed to film the conference.

Along with the fascinating "inner circle" moments when O'Neill is directing the machinery of national law-making and politicking, there are the lighter sides: hobnobbing casually with the Carters at a White House grounds picnic where Tip delights in showing off his new granddaughter; relaxing while winning and dining — and singing his favorite songs — with his family and friends at their Cape Cod vacation retreat; hacking at a sand-trapped golf ball in a driving rain with daughter Susan.

Perhaps the most persuasive proof of O'Neill's political acumen is revealed when he returns to his home district, to cut a few cordial

capers with the old boyhood gang from Barry's Corner in Cambridge, and hold court in his district office in Watertown, receiving a parade of voters bringing their problems to their representative. This is where it all begins, for, as he says, "All politics is local."

He deals, in turn, with an immigrant couple seeking work for the husband, an award ceremony for a disabled veteran — the third generation of a family O'Neill has known in his 8th Massachusetts Congressional district — a man protesting Turkish coffee imports, a group of Bay State union leaders upset over President Carter's weak support of regional workers.

Big, bluff, commanding, a thatch of white hair capping a map-of-Ireland face — complete with ever-present cigar — O'Neill is the picture of the quintessential politician. His meaty hands have grown large over 42 years of campaigning, a million casual "How are ya?" handshakes,

hands that firmly grasped the gavel of power in January 1977.

The many moods of Mr. Speaker are there: breezily greeting people while striding through the halls of Congress; huddling with Jimmy Carter and the Democratic leadership on administration policy and legislative package strategy; hugging the women and pumping the hands of the men at an indoor Somerville clambake; doing a funny double-take when Carter sidles up to a knot of O'Neill listeners at a reception; muttering in joy and pain when his golf drive goes awry and the rain extinguishes his cigar.

No "authorized biography" puffery, the piece — by virtue of technology, with O'Neill wearing the wireless microphone in most sequences — catches the asides, the nuances, the natural goofs that humanize what might otherwise be a shallow dive into the swim of federal politics, natural feeding ground for this accomplished practitioner.

O'Neill reportedly was a trifle disturbed by one or two moments when he was caught with his briefing down — a hurried corridor conference with an aide on the precise name and the pronunciation of Menachen Begin "it rhymes with Fagan from 'Oliver'" — as O'Neill was to introduce him at a House reception; the quick check of the first names of a group of visiting Boston broadcasting people to be sure he would be able to greet each personally.

The wired-for-sound technique also catches some amusing moments — a meeting with colleague Peter Rodino in a busy House corridor and Rodino's attempt to exchange a confidence, not knowing about the microphone. "I'm wired," O'Neill murmurs into Rodino's ear, with a knowing nod, and Rodino responds with a conspiratorial "Yeh." "I'll call ya later," the speaker promises.

No Prime Time for Super Bowl in '79; NBC Disappointed

Dallas--Next year's Super Bowl in Miami will be played in mid-afternoon instead of prime time as it was last January, when 103 million viewers watched the game on CBS. The current TV contract with the National Football League gives CBS and NBC the right to one prime-time Super Bowl each over the next four years. NBC executives had tried to persuade the NFL to give them their evening game next year. They felt that the Super Bowl telecast had given CBS a big boost in the prime-time ratings and they wanted the same opportunity for NBC. But NFL officials said no because the weather in Miami is riskier at night than in the daytime, and because a late Eastern game complicates press coverage by running too close to sportswriters' deadlines.

Viewers in 21 cities were unable to see ABC's hard-hitting June 29 documentary on teen-age crime called "Youth Terror: The View from Behind the Gun" because of objections by station managers to its frequent use of obscene four- and 12-letter words. ABC's affiliate-relations department had pressed News executives to remove the offending words, but the show's producers stood firm. Says Pam Hill, executive producer of ABC's documentaries, "To delete some of the language would have limited some of the rage and anger. We wanted to stay with the integrity of the show." This is believed to be the first time that commercial network television has carried such language.

After several years of relative stability, public television may be facing a new

era of uncertainty, marked by threats of Federal intrusion. That was the message from public-television leaders to 600 members of the Public Broadcasting Service meeting here last week. PBS officials are concerned about two public-television funding bills before Congress that they say could set Federal standards for programming and expand Federal controls of local public-TV finances. They are also disturbed by what PBS vice chairman Hartford Gunn Jr. called the "unbelievable confusion" generated by Congressional attempts to restructure public television, first with the funding bills and more recently with a bill to rewrite the Communications Act of 1934.

Following much impassioned debate, the PBS membership recommended unanimously that their leaders encourage Congress and the White House to delay action on legislation until the various proposals (including, possibly, a new one provided by public broadcasters themselves) can be reviewed and the report of the Carnegie Commission on the Future of Public Broadcasting, due next Jan. 15, can be considered.

Dr. William McGill, chairman of the Carnegie Commission, cautioned the PBS membership that it is "unrealistic for public television to expect special exemptions from the expanding accountability that goes hand in hand with public funds." --Sally Bedell

Washington--An example of the kind
Continued on next page

TV GUIDE, Suite 2828, 100 Summer St., Boston, Mass. 02110, (617) 492-7715

TV GUIDE A-1

7074011531

As We See It

□ One of the best-read pages in most publications is the one that gives the reader a chance to praise, pan and generally talk back—the letters column.

For the most part, television hasn't yet invented an appealing version of the backtalk page. The closest it comes is in those replies to editorials that last a few minutes and present the "talking head" at its boring worst.

□ But things are looking up. We've just seen an effective TV version of the letters column. It's called *Your Turn: Letters to CBS News*—an irregularly scheduled half-hour program that's carefully written, imaginatively produced and generally absorbing. If it catches on—and that's a big "if"—CBS hopes to produce the program on a regular (monthly or bi-monthly) basis.

Your Turn goes well beyond the talking head; it puts things in context. If viewers have written in to criticize or laud any CBS News broadcast—say,

Morley Safer's *60 Minutes* segment on Rhodesia's white minority—the program shows you a part of the original report. Then CBS News correspondent Sharron Lovejoy not only presents excerpts from viewers' letters but interviews the letter-writers themselves on camera, allowing them to express their views even more fully. And to its credit, *Your Turn* makes no effort to get the last word in; there is no rebuttal by CBS, no defensiveness.

□ The only thing wrong with *Your Turn* is that so few viewers have seen it. The first two programs were buried by the network in Sunday-morning time slots, a period of low viewership. The third program, however, was scheduled to be broadcast on a Tuesday night (June 27), just before the late movie. That's a step in the right direction—toward prime time. What happens to this creditable effort after that will depend on viewer response. *Your Turn* deserves a fair trial—and we'd like to think the network will be pleasantly surprised at the response when you do get your turn.

TV Update/Continued

of political problem public TV can run into is a July 18 documentary on Speaker of the House Thomas P. ("Tip") O'Neill (D-Mass.). The film, "Mr. Speaker," was made by WGBH-TV, Boston, O'Neill's hometown PBS outlet. It shows the Speaker at work on Capitol Hill, visiting the White House, politicking in Massachusetts and enjoying a clam bake on Cape Cod. It does not, however, reveal any of the controversy surrounding O'Neill and his alleged relationship with Korean influence peddler Tongsun Park. Nor does it deal with any of the reported political conflicts between the Speaker and President Carter. The project, coming as the O'Neill-led Congress is about to vote on an appropriation for public broadcasting, could prove an embarrassment.

One high-ranking executive at the Corporation for Public Broadcasting sees it this way: "What you end up with is the appearance of WGBH saying,

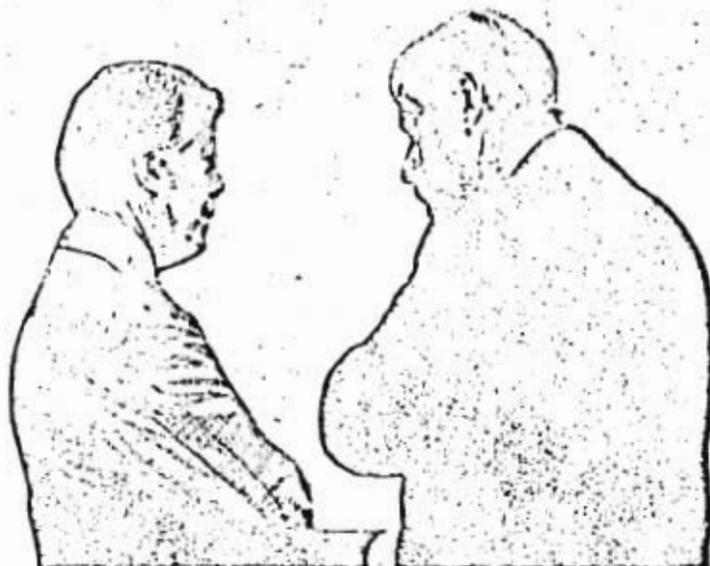
'Take me, I'm yours,' to a guy who controls its purse strings. And whether that is the actual case or not, its mere possibility impugns the integrity of all public broadcasting."

WGBH's Nancy Porter, who produced "Mr. Speaker," says that she left controversial themes out of the project intentionally. "I wanted to get as close to the man and the way he uses power as possible," she says, "not do an investigative piece." Still, Porter admits that while the Speaker had no control over the film's final appearance, "He controlled our access. He would kick us out when he didn't want to be filmed. But I tried to show the whole man—as much as he would let us see."

Nonetheless, Rep. Lionel Van Deerlin (D-Cal.), who has included a PTV funding system in his proposed rewrite of the 1934 Communications Act, says that such projects illustrate the "pressing need" to remove PTV from even the appearance of political pressure.

—John Weisman

Follow the Speaker



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of
cinéma vérité with one of the
country's most powerful men—
Speaker of the House
Thomas P. O'Neill Jr.

Follow Tip to meetings in the
Oval Office... neighborhood
reunions... whispered hallway
conversations... a barbeque
on the White House lawn...
moments alone with his family.

Mr. Speaker:
A Portrait of Tip O'Neill
Tonight at 8:00

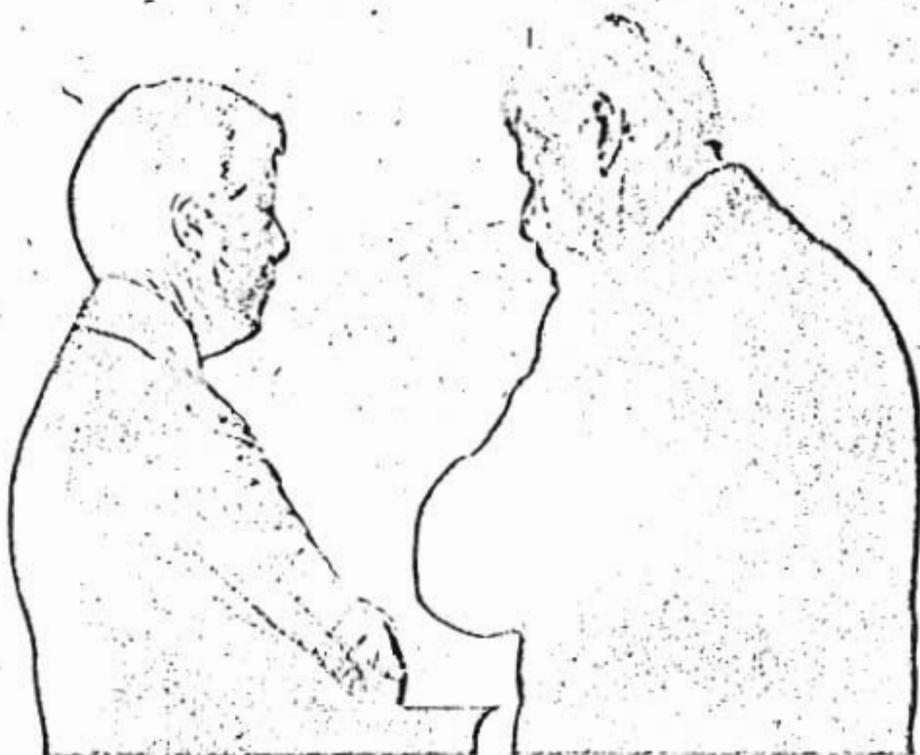


236

Advertising made possible by the Corporation for Public Broadcasting.

79040112521

Follow the Speaker



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of cinéma vérité with one of the country's most powerful men—Speaker of the House Thomas P. O'Neill Jr.

Mr. Speaker:
A Portrait of Tip O'Neill

Tonight at 8:00

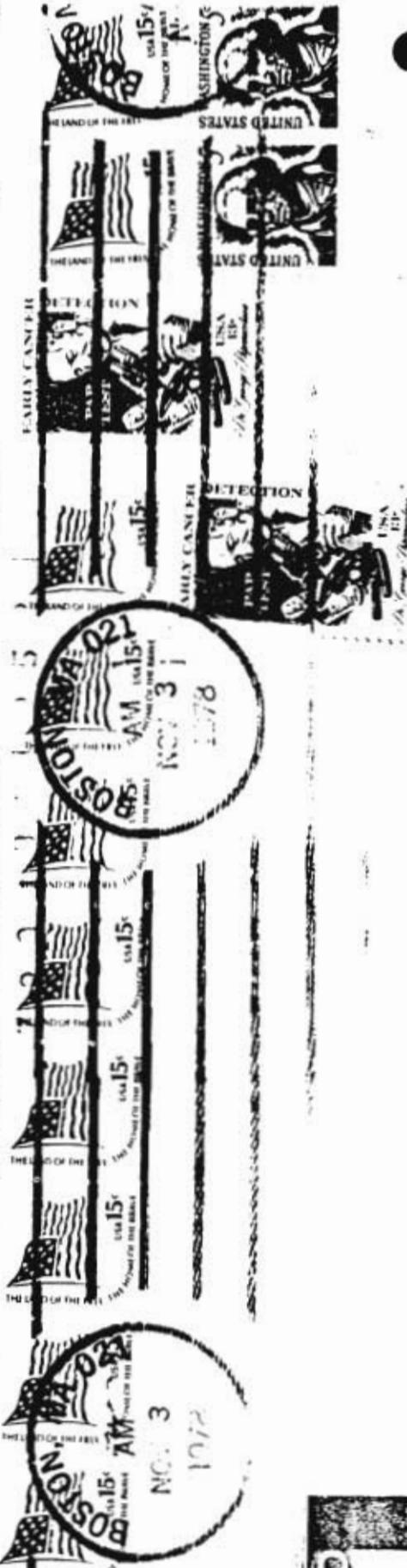
Follow Tip to meetings in the Oval Office... neighborhood reunions... whispered hallway conversations... a barbeque on the White House lawn... moments alone with his family.



PBS

Advertising made possible by the Corporation for Public Broadcasting.

Boston GLOBE - July 18, 1978
p 21



TIFFED
10473
AIL

FEDERAL ELECTION COMMISSION

1325 K Street, NW

Washington, D.C. 20463





1325 K STREET
WASHINGTON, D.C. 20044

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures

Complaint

7004011525



FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

Re: MUR 819(78)

Dear Sir or Madam:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures

Complaint

70040112500



1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Complaint

7074011507



F.E.C.
1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F. X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: MUR 819 (78)

Dear Mr. Powers:

7 0 0 4 0 1 1 3 3 3 3
With regard to your complaint dated November 2, 1978, the Commission determined on November 15, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact me.

Sincerely,

William C. Oldaker
General Counsel



ACC 5471

MUR819

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

'78 NOV 5 AM 11:11

November 2, 1978

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

807631

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation-TV, Channel 2 et al

Gentlemen:

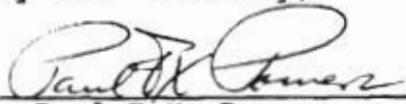
Attached herewith is a Complaint filed by the Barnstead for Congress Committee against the respondents named therein for investigation and necessary action by the Commission.

Also enclosed is a copy of a letter forwarded to the office of the U.S. Attorney in Boston for action by the Department of Justice in this matter.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,


Paul F.X. Powers

PFXP:mep
Enclosures

cc: Barnstead for Congress Committee, 76 Ashford Street, Boston, MA. 02134
Office of the U.S. Attorney, 1107 P.O. Bldg, Boston, MA. 02109

7991711530

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

November 2, 1978

Hon. Edward F. Harrington
United States Attorney
1107 Post Office Bldg.
Boston, MA. 02109

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation -TV, Channel 2
Corporation for Public Broadcasting
Quaker Oats Corporation

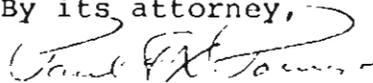
Dear Sir:

Attached herewith is a copy of a Complaint filed this date with the Federal Election Commission by the Barnstead for Congress Committee. The complaint alleges violations of 2 USC §441 b and 11 CFR 114.2(b) by the respondents, WGBH Educational Foundation-TV, Channel 2, Boston, the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois, all of whom contributed to and sponsored a TV film "documentary", first released on WGBH-TV on July 18, 1978 and repeated on July 22, 1978 and July 23, 1978, entitled "Mr. Speaker: A Portrait of Tip O'Neill", referred to by the critics as "flattering campaign film".

Since the complaint charges violations of federal statutes, this matter is referred to your office for further investigation and appropriate action by the Department of Justice.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,

Paul F.X. Powers

PFXP: mep
cc - WGBH Educational Foundation-TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation
Federal Election Commission

Enclosures

79010112531

C O M P L A I N T

TO: The Federal Election Commission
RE: The Barnstead for Congress Committee

vs.

WGBH Educational Foundation, Public Broadcasting,
TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation

The complainant, for its complaint, alleges
that:

1. This complaint is filed under the Federal Election Campaign Act of 1971, as amended, 2 USC §441 b and 11 CFR 114.2 (b).
2. The complainant is the Barnstead for Congress Committee, located at 76 Ashford Street, Allston, MA. 02134, Tel. (617)782-6072. The Committee has filed its report with the Federal Election Commission. The Committee has been formed to advance the candidacy of William A. Barnstead of Arlington, MA., Republican, for election to Congress from the 8th Massachusetts Congressional District. His opponent is incumbent Congressman Thomas P. O'Neill, Jr. of Cambridge, MA., Democrat.

The respondents to the Complaint are WGBH Educational Foundation, Public Broadcasting TV, Channel 2 of Boston, MA., the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois.

7 0 0 4 0 1 1 2 5 3 3 ?

3. (a) WGBH Channel 2 on Tuesday, July 18, 1978 at 8 P.M. presented a one-hour long "documentary", entitled "Mr. Speaker: A Portrait of Tip O'Neill" which was widely publicized in advance through the news media and then distributed the program through 182 public broadcasting outlets nationwide. WGBH repeated the broadcast on Saturday, July 22, 1978 at 7 P.M. and Sunday, July 23, 1978 at 2 P.M.

(b) In newspaper advertisements published in the Boston Globe and Boston Herald American the program was described as "a fast-moving hour of cinema verite with one of the country's most powerful men - Speaker of the House Thomas P. O'Neill, Jr." A Boston Globe columnist, questioning the motives of the public broadcasting station in using this program, wrote "I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long 'documentary' celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal" and "If House Speaker Thomas P. O'Neill, Jr. had commissioned the program and had exercised artistic control he could not have produced a more flattering campaign film".

(c) Prior to the initial telecast of this program, Mr. Barnstead made a formal announcement of his candidacy for Congress from the 8th Massachusetts Congressional District and issued press releases of his

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announcement to WGBH-Ch. 2 among several other media outlets.

(d) At the time of the initial broadcast of the TV film in question both Mr. Barnstead and Mr. O'Neill had become legally qualified candidates of their respective parties under the Massachusetts election laws, G.L. Ch. 53, Sections 9 and 10, as amended, for this office, each having filed the necessary certified signatures with the office of the Secretary of the Commonwealth of Massachusetts.

(e) During the TV broadcast on Channel 2 the station acknowledged the sponsorship of the film production by the Corporation for Public Broadcasting and the Quaker Oats Corporation. WGBH-TV allocated the amount of approximately \$200,000. to the production with the Corporation for Public Broadcasting providing \$129,000., the Quaker Oats Corporation \$35,000. and the balance furnished by the station; in addition, the Corporation for Public Broadcasting expended its funds to promote the film production in the newspapers throughout the country.

(f) Under the provisions of 2 USC 441b it is unlawful for any corporation to make a contribution or expenditure in connection with any election at which a Representative in Congress is to be voted for and under 11 CFR 114.2(b) any corporation whatever is prohibited from making a contribution or expenditure in connection with any Federal election.

(g) There has been a violation of the above-cited Code provisions by WGBH-TV, the Corporation for Public Broadcasting and the Quaker Oats Corporation for their contributions to the production of a TV film, which in essence was a political campaign "documentary" released by WGBH-TV not only on Channel 2, Boston, but also throughout the country through other public broadcasting stations, after a political campaign was already underway with the qualification by the State Secretary's office of candidates, William A. Barnstead, Republican, and Thomas P. O'Neill, Jr., Democrat, for election to Congress from the 8th Massachusetts Congressional District; and that the contributions made by the respondents were for the purpose of enhancing the political standing of Mr. O'Neill as Speaker of the U.S. House and of influencing his reelection to Congress.

4. Attached in support of the allegations set forth herein are copies of promotional advertisements, TV feature columns, appearing in the Boston newspapers, and an article by Boston Globe columnist, David B. Wilson.

5. It is respectfully submitted that after a proper investigation is conducted of the complaints set forth herein, if the Commission finds that the respondents have acted in violation of 2 USC 441b and 11 CFR 114.2 (b), the Code provisions for enforcement under 2 USC §§ 437 g and 441 j should be applied.

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Respectfully submitted,

BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,

Paul F.X. Powers

Paul F.X. Powers
18 Tremont Street
Boston, MA. 02108
Tel. (617) 523-4970

Then personally appeared before me, the above-named affiant, Paul F.X. Powers, and made oath that the foregoing allegations are true to be best of his knowledge.

Judith A. Drinkhall
Judith A. Drinkhall
Notary Public

My Commission Expires:
11/10/78

Robert A. Semonian

Robert A. Semonian,
Treasurer, Barnstead for
Congress Committee

11 Howe Street
Watertown, MA. 02172

Margaret Reynolds

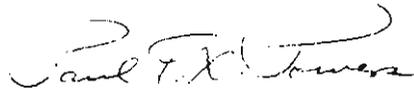
Margaret Reynolds
Notary Public
My commission expires:
July 17, 1981

79040112535

AFFIDAVIT OF NOTICE

I, Paul F.X. Powers, attorney for the complainant in the above-entitled action make oath that on the 2nd day of November, 1978, I gave notice by letter postpaid to the respondents, WGBH Educational Foundation-TV, Channel 2, the Corporation for Public Broadcasting and the Quaker Oats Corporation that this complaint has been filed with the Federal Election Commission by certified mail postpaid.

THIS STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY.



Paul F.X. Powers
Paul F.X. Powers
Attorney for the Complainant

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DAVID B. WILSON

Mr. Speaker, TV show was out of order

The ideal of a public television service beholden to no one but the people it tries to serve, free of government control and advertiser influence, is nowhere pursued so capably and successfully as at WGBH-TV, Channel 2, Boston.

Having filed the above disclaimer of malice, I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long "documentary" celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal.

If House Speaker Thomas P. O'Neill Jr. had commissioned the program "Mr. Speaker: A Portrait of Tip O'Neill" and had exercised artistic control he could not have produced a more flattering campaign film.

Further, had he done so, he could not have, by hook or crook, been able to obtain for the film such superb prime time exposure as Channel 2 gave it from its tower in Needham.

To make these observations is not to say that the program was either false or, necessarily, misleading. I happen to think it was a work of art. If you saw the Speaker reminiscing resonantly with the Barry's Corner friends he genuinely cherishes, you learned a lot. You may even have begun to grasp a little of what the life of politics is really about.

At the conclusion, like his constituents, you wanted to be in the presence of this great man and tell him your troubles. And you discovered that "cigar-chomping politicians"—to resurrect a slanderous cliché—are not idle loafers but work to the point of exhaustion in a uniquely demanding profession.

But that is precisely the point: The better the program, the more advantage it conferred on its protagonist.

Now the Speaker, nothing if not a good Democrat, must be presumed to support public funding of political campaigns in order to remove any suspicion of influence-peddling and private greed from Bobby Baker's old turf. He knows the value of a goo-goo cause.

But even the least partisan observer may question whether it is appropriate for a non-profit educational institution, funded with tax-deductible contributions tax-sheltered foundation grants and appropriated public funds, to write a program which, for all its merit, amounts to a dazzling cam-

Michael Rice, general manager and vice president of WGBH-TV, reports that Nancy Porter, the show's gifted producer, was given \$200,000 to work with when plans for "Mr. Speaker" were firmed up in January, 1977.

The Corporation for Public Broadcasting gave \$29,000; the Quaker Oats Foundation gave \$100,000, and the remainder was picked up by the station, which distributed the program through 12 public broadcasting outlets.

In addition, CPB put up \$60,000 to promote the show in newspapers across the country. The Boston Herald ran feature pieces on it by independent writers. Both papers had promotional ads in their TV pages.

These ads identifying their purchaser as the station, ran the day the show was telecast and 9 pm elsewhere. The Globe printed it.

Seven hours earlier, in his place at Arlington, William A. Barnstead of State confirmed the Republican Party to the announced his candidacy to oppose nomination for Congress.

Barnstead brandished a fighter's helmet and getting deeper as an attention-seeking and the Speaker of paid attention. Almost nobody.

Barnstead David Ives, writing letters to Federal Commission, to the Federal Chairman Commission and to National Commission the Republican.

Is there cause to blame him.

It is not impetuously not. But er of the House at the Speaker-erable influence exert consid-er and funding the regula-regulation and casting, the processed food, the future of communication grain and One hand, clear States that almost certainly States, although any of the party although

David B. Wilson

Institute.

Washington News Tribune 7/12/78

A portrait of 'Tip'

By DANIEL Q. HANEY

BOSTON (AP) - Off and on for five months, a television crew followed House Speaker Thomas P. O'Neill through a blur of official meetings, family outings and arm-around-the-shoulder huddles.

The result is "Mr. Speaker: A Portrait of Tip O'Neill," an inside look at how the man runs Congress with a fluid combination of Irish camaraderie and non-sense power.

The program was produced by WGBH, the public television station on the Boston edge of O'Neill's district, and will be aired Tuesday night by PBS.

The camera trails the whitehaired Massachusetts Democrat through sessions

with the congressional elite and backhome voters, picnics, parties and an Oval Office get-together with President Carter.

It captures the jovial, personable manner that is O'Neill's style whether calming constituents or cajoling congressmen. But there are also rare glimpses of the tough, power-flexing side of the speaker, such as when he dresses down a bureaucrat for cutting federal money to a hospital in O'Neill's district.

The program opens with O'Neill walking into an indoor clambake in Medford, Mass., to the applause of old friends and new followers.

He greets people affectionately by name. "God, how are you," he says to one. "Gee, I'm delighted to see you," he tells another. "Old pal, I'll always love you," he promises a third.

Later, at a gathering of street corner friends from his boyhood Cambridge, O'Neill rattles off names after name of old acquaintances.

But the good fellowship disappears in a meeting with Thomas Tierney, director of the Bureau of Health Insurance. O'Neill berates Tierney for cutting aid to Youville Rehabilitation and Chronic Disease Hospital.

While Tierney nervously twiddles his fingers and rubs his neck, O'Neill reminds him that he grew up near that hospital in Cambridge. Then he threatens to file special legislation to restore the funding or go over Tierney's head to Joseph Califano, secretary of Health, Education and Welfare.

Between April and August of last year, the TV crew shot 23 hours of film. O'Neill wore a wireless microphone inside his suit coat.

"I think he gave us an enormous amount of access for a man in political power, yet he was kind of a reluctant subject," said Nancy Porter, the producer.

Polynesian & R

Institute:

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Polynesian & R

TV WEEK

THE BOSTON GLOBE JULY 16-22 1978



Mr. Speaker: A portrait of Tip O'Neill

Page 12

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A candid portrait of Tip O'Neill

By Robert A. McLean
Globe Staff

"All politics is local."

Thomas P. "Tip" O'Neill, wired for sound, is a walking, talking graduate course in practical-political science of the "Barry's Corner" grass-roots variety; living proof for aspiring young office holders that the American political dream can work, with work; and a multi-dimensional profile of the man who wields awesome clout as the second most powerful person in the nation.

"Mr. Speaker: A Portrait of Tip O'Neill," a most-remarkable cinema verite excursion behind Washington's closed doors, airs Tuesday at 8 p.m. on WGBH-TV (Channel 2) which produced this first-ever TV glimpse of the power and the glory of our national leadership.

Never a shrinking violet since his first successful run in 1936 as a 22-year-old for state representative from North Cambridge, O'Neill in recent years has preferred to work behind the throne in Washington as a powerful party wheelhorse. The Channel 2 production by Nancy Porter is the first he has allowed, after turning down similar requests from the commercial networks and the BBC.

Most revealing in its candid view, the camera and body microphone he wears capture facets of the O'Neill character that are rarely seen by any except those with whom he is consorting at the time. He is caught informally conferring with aides, lobbyists, the press, Democratic colleagues, fellow congressmen, going about the business of the office of Speaker of the US House of Representatives.

There are the tense days of July 1977, when O'Neill was under pressure in the Koreagate investigation, stalled over the naming of a prosecutor. The Channel 2 camera crew covered a press conference at which O'Neill was assailed by reporters for foot-dragging in the probe.



Tip O'Neill, the picture of a politician.

Porter, who spent "four or five months" just getting O'Neill and his staff accustomed to her crew's presence, was sure the tense Koreagate situation would be an off-limits period for the production, and was pleasantly surprised when they were allowed to film the conference.

Along with the fascinating "inner circle" moments when O'Neill is directing the machinery of national law-making and politicking, there are the lighter sides: hobnobbing casually with the Carters at a White House grounds picnic where Tip delights in showing off his new granddaughter; relaxing while winning and dining — and singing his favorite songs — with his family and friends at their Cape Cod vacation retreat; hacking at a sand-trapped golf ball in a driving rain with daughter Susan.

Perhaps the most persuasive proof of O'Neill's political acumen is revealed when he returns to his home district, to cut a few cordial

capers with the old boyhood gang from Barry's Corner in Cambridge, and hold court in his district office in Watertown, receiving a parade of voters bringing their problems to their representative. This is where it all begins, for, as he says, "All politics is local."

He deals, in turn, with an immigrant couple seeking work for the husband, an award ceremony for a disabled veteran — the third generation of a family O'Neill has known in his 8th Massachusetts Congressional district — a man protesting Turkish coffee imports, a group of Bay State union leaders upset over President Carter's weak support of regional workers.

Big, bluff, commanding, a thatch of white hair capping a map-of-Ireland face — complete with ever-present cigar — O'Neill is the picture of the quintessential politician. His meaty hands have grown large over 42 years of campaigning, a million casual "How are ya?" handshakes,

hands that firmly grasped the gavel of power in January 1977.

The many moods of Mr. Speaker are there: breezily greeting people while striding through the halls of Congress; huddling with Jimmy Carter and the Democratic leadership on administration policy and legislative package strategy; hugging the women and pumping the hands of the men at an indoor Somerville clambake; doing a funny double-take when Carter sidles up to a knot of O'Neill listeners at a reception; muttering in joy and pain when his golf drive goes awry and the rain extinguishes his cigar.

No "authorized biography" puffery, the piece — by virtue of technology, with O'Neill wearing the wireless microphone in most sequences — catches the asides, the nuances, the natural goofs that humanize what might otherwise be a shallow dive into the swim of federal politics, natural feeding ground for this accomplished practitioner.

O'Neill reportedly was a trifle disturbed by one or two moments when he was caught with his briefing down — a hurried corridor conference with an aide on the precise name and the pronunciation of Menachen Begin "it rhymes with Fagan from 'Oliver'" — as O'Neill was to introduce him at a House reception; the quick check of the first names of a group of visiting Boston broadcasting people to be sure he would be able to greet each personally.

The wired-for-sound technique also catches some amusing moments — a meeting with colleague Peter Rodino in a busy House corridor and Rodino's attempt to exchange a confidence, not knowing about the microphone. "I'm wired," O'Neill murmurs into Rodino's ear, with a knowing nod, and Rodino responds with a conspiratorial "Yeh." "I'll call ya later," the speaker promises.

No Prime Time for Super Bowl in '79; NBC Disappointed

Dallas—Next year's Super Bowl in Miami will be played in midafternoon instead of prime time as it was last January, when 103 million viewers watched the game on CBS. The current TV contract with the National Football League gives CBS and NBC the right to one prime-time Super Bowl each over the next four years. NBC executives had tried to persuade the NFL to give them their evening game next year. They felt that the Super Bowl telecast had given CBS a big boost in the prime-time ratings and they wanted the same opportunity for NBC. But NFL officials said no because the weather in Miami is riskier at night than in the daytime, and because a late Eastern game complicates press coverage by running too close to sportswriters' deadlines.

Viewers in 21 cities were unable to see ABC's hard-hitting June 28 documentary on teen-age crime called "Youth Terror: The View from Behind the Gun" because of objections by station managers to its frequent use of obscene four- and 12-letter words. ABC's affiliate relations department had pressed News executives to remove the offending words, but the show's producers stood firm. Says Pam Hill, executive producer of ABC's documentaries, "To delete some of the language would have limited some of the rage and anger. We wanted to stay with the integrity of the show." This is believed to be the first time that commercial network television has carried such language.

After several years of relative stability, public television may be facing a new

era of uncertainty, marked by threats of Federal intrusion. That was the message from public-television leaders to 600 members of the Public Broadcasting Service meeting here last week. PBS officials are concerned about two public-television funding bills before Congress that they say could set Federal standards for programming and expand Federal controls of local public-TV finances. They are also disturbed by what PBS vice chairman Hartford Gunn Jr. called the "unbelievable confusion" generated by Congressional attempts to restructure public television, first with the funding bills and more recently with a bill to rewrite the Communications Act of 1934.

Following much impassioned debate, the PBS membership recommended unanimously that their leaders encourage Congress and the White House to delay action on legislation until the various proposals (including, possibly, a new one provided by public broadcasters themselves) can be reviewed and the report of the Carnegie Commission on the Future of Public Broadcasting, due next Jan. 15, can be considered.

Dr. William McGill, chairman of the Carnegie Commission, cautioned the PBS membership that it is "unrealistic for public television to expect special exemptions from the expanding accountability that goes hand in hand with public funds." —Sally Bedell

Washington—An example of the kind
Continued on next page

TV GUIDE, Suite 2828, 100 Summer St., Boston, Mass. 02110, (617) 482-7715

TV GUIDE A-1

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As We See It

[] One of the best-read pages in most publications is the one that gives the reader a chance to praise, pan and generally talk back—the letters column.

For the most part, television hasn't yet invented an appealing version of the backtalk page. The closest it comes is in those replies to editorials that last a few minutes and present the "talking head" at its boring worst.

[] But things are looking up. We've just seen an effective TV version of the letters column. It's called *Your Turn: Letters to CBS News* an irregularly scheduled half-hour program that's carefully written, imaginatively produced and generally absorbing if it catches on—and that's a big "if." CBS hopes to produce the program on a regular (monthly or bi-monthly) basis.

Your Turn goes well beyond the talking head; it puts things in context. If viewers have written in to criticize or laud any CBS News broadcast—say,

Orley Sauer's *60 Minutes* segment on Rhodesia's white minority—the program shows you a part of the original report. Then CBS News correspondent Sharron Lovejoy not only presents excerpts from viewers' letters but interviews the letter writers themselves on camera, allowing them to express their views even more fully. And to its credit, *Your Turn* makes no effort to get the last word in; there is no rebuttal by CBS, no defensiveness.

[] The only thing wrong with *Your Turn* is that so few viewers have seen it. The first two programs were buried by the network in Sunday-morning time slots, a period of low viewership. The third program, however, was scheduled to be broadcast on a Tuesday night (June 27), just before the late movie. That's a step in the right direction—toward prime time. What happens to this creditable effort after that will depend on viewer response. *Your Turn* deserves a fair trial—and we'd like to think the network will be pleasantly surprised at the response when you do get your turn.

TV Update/Continued

of political problem public TV can run into is a July 18 documentary on Speaker of the House Thomas P. ("Tip") O'Neill (D-Mass.). The film, "Mr. Speaker," was made by WGBH-TV, Boston, O'Neill's hometown PBS outlet. It shows the Speaker at work on Capitol Hill, visiting the White House, politicking in Massachusetts and enjoying a clam bake on Cape Cod. It does not, however, reveal any of the controversy surrounding O'Neill and his alleged relationship with Korean influence peddler Tongsun Park. Nor does it deal with any of the reported political conflicts between the Speaker and President Carter. The project, coming as the O'Neill led Congress is about to vote on an appropriation for public broadcasting, could prove an embarrassment.

One high-ranking executive at the Corporation for Public Broadcasting sees it this way: "What you end up with is the appearance of WGBH saying,

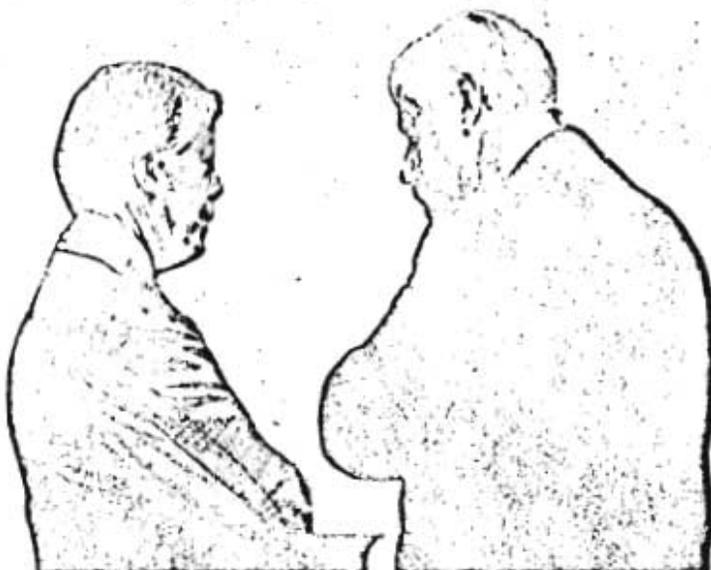
'Take me, I'm yours,' to a guy who controls its purse strings. And whether that is the actual case or not, its mere possibility impugns the integrity of all public broadcasting."

WGBH's Nancy Porter, who produced "Mr. Speaker," says that she left controversial themes out of the project intentionally. "I wanted to get as close to the man and the way he uses power as possible," she says, "not do an investigative piece." Still, Porter admits that while the Speaker had no control over the film's final appearance, "He controlled our access. He would kick us out when he didn't want to be filmed. But I tried to show the whole man—as much as he would let us see."

Nonetheless, Rep. Lionel Van Deerlin (D-Cal.), who has included a PTV funding system in his proposed rewrite of the 1934 Communications Act, says that such projects illustrate the "pressing need" to remove PTV from even the appearance of political pressure.

—John Weisman

Follow the Speaker



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of cinéma vérité with one of the country's most powerful men—Speaker of the House Thomas P. O'Neill Jr.

Follow Tip to meetings in the Oval Office... neighborhood reunions... whispered hallway conversations... a barbeque on the White House lawn... moments alone with his family.

Mr. Speaker:
A Portrait of Tip O'Neill
Tonight at 8:00



CBS

Advertising made possible by the Corporation for Public Broadcasting.

79940113543

Follow the Speaker.



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of
cinéma verité with one of the
country's most powerful men-
Speaker of the House
Thomas P. O'Neill Jr.

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on the White House lawn...
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A Portrait of Tip O'Neill

Tonight at 8:00



Advertising made possible by the Corporation for Public Broadcasting.

BOSTON GLOBE - July 18, 1978
p. 21

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EARLY CANCEL



CERTIFIED
No. [redacted]
MAIL

FEDERAL ELECTION COMMISSION

1325 K Street, NW

Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 819

Date Filmed 3/22/79 Camera No. --- 2

Cameraman bpc

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125 K STREET NW
WASHINGTON, D.C. 20463
FEDERAL ELECTION COMMISSION



FEDERAL ELECTION COMMISSION

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

January 23, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F. X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, MA 02108

Re: MUR 819 (78)

Dear Mr. Powers:

In your letter dated December 8, 1978, you state that House Speaker Thomas P. O'Neill was not named as a complainant or a respondent in the matter before the Commission, and therefore, his name should not appear in the heading of the case. Although you did not name Speaker O'Neill in your complaint, this does not preclude the Commission from considering others as respondents.

With respect to your request for the names of the six Commissioners who participated in the vote on the matter, the names of the Commissioners are Chairman Joan D. Aikens, Vice Chairman Robert O. Tiernan; and Thomas E. Harris, John W. McGarry, William L. Springer, and Vernon W. Thomson.

The attached General Counsel's Report was circulated to the Commissioners for them to vote on a tally sheet basis and was not discussed in a Commission meeting. No letters were written to the respondents requesting information and therefore, no responses were received.

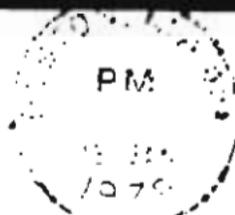


WULF E. X. POWERS

ATTORNEY AT LAW

18 TREMONT STREET

BOSTON, MASS 02100



MAIL

CERTIFIED MAIL
NOV 10 1979

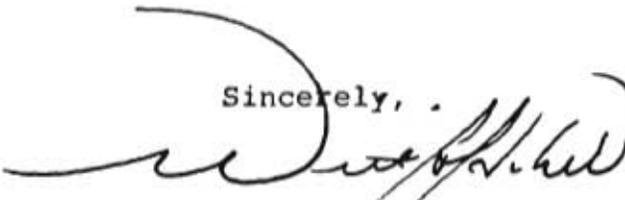
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ATTN: William C. Oldaker, General Counsel

CERTIFIED MAIL

The Commission has also determined in response to your letter that there is no basis for it to reconsider its earlier decision. The file will, therefore, remain closed on this matter.

Sincerely, .



William C. Oldaker
General Counsel

Enclosure
General Counsel's Report

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~~7204011253~~

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9108

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

79 JAN 24 PM 2:47

January 18, 1979

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

Attn: William C. Oldaker, General Counsel

Re: Barnstead for Congress Committee Vs. WGBH Educational
Foundation - T.V. Channel 2, et al
MUR 819(78)

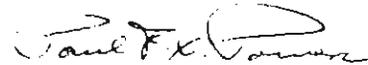
Gentlemen:

001070

In my letter of December 8, 1978, a copy of which has been received in your office by certified mail, I made certain requests with reference to the complaint filed in this case. These requests are set forth in paragraph 2 of the letter of that date. Since we have received no reply to this letter, as of this writing, under the provisions of the Freedom of Information Act, 5 USC, Section 552, it is requested that the information referred to in that request be made available forthwith to this office as counsel for the complainant in this matter.

Your cooperation in taking prompt action on this renewed request will be much appreciated.

Very truly yours,



Paul F. X. Powers
Attorney for the Complainant,
Barnstead for Congress Committee

PFXP/lb

CC: Barnstead for Congress Committee, 77 Ashford St., Allston,
MA 02134

CC: Office of the United States Attorney, District of Massachusetts,
1107 Post Office Building, Boston, MA 02109

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

7904011531
~~7904011531~~

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Proposed Letter to) MUR 819 (78)
Mr. Paul F. X. Powers)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 17, 1979, the Commission approved by a vote of 4-0 the recommendation, as set forth in the General Counsel's Memorandum dated January 15, 1979, that the Commission not reconsider its vote of November 7, 1978 and that the file in this matter remain closed.

Voting for this determination were Commissioners Springer, Tiernan, McGarry, and Thomson.

Attest:

1/18/79

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 1-15-79, 1:16
Circulated on 48 hour vote basis: 1-15-79, 4:30

797401115331

January 15, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 819

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

Thank you.

79040112531



FEDERAL ELECTION COMMISSION

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

79 JAN 15 P 1: 16

January 15, 1979

MEMORANDUM

TO: The Commission
FROM: William C. Oldak *WCO*
SUBJECT: Closed MUR 819 (78)

79011507

The attached letter (Attachment I) was received from Mr. Paul F. X. Powers, the complainant in MUR 819 (78). In his letter, Mr. Powers states that Speaker O'Neill was not named as a respondent in his complaint and therefore his name should not appear in the caption of the MUR. Also, Mr. Powers requests the names of the six Commissioners who voted to close the MUR, copies of the minutes of the meeting at which the vote was determined, copies of staff reports or memoranda, and copies of responses from the named respondents.

Mr. Powers states that the "expenditures involved in the T.V. production in question were in no way associated with a 'news story, commentary, or editorial' distributed by the station". Mr. Powers suggests that the Commission obtain a copy of the film and view it "so that its contents may be reviewed in greater detail". He appears to be requesting that the Commission review its determination to close the file.

Attachment II is a letter we propose to send to Mr. Powers. The letter explains that although a complaint may name respond-

ents, this does not preclude the Commission from considering others as respondents. The names of the six Commissioners are included in the letter and a copy of the General Counsel's Report will be enclosed.

It is our view that a documentary such as the one here is included within the definition of "news story, commentary or editorial". Accordingly, we believe that Mr. Powers should be told in the response letter that the Commission has determined that there is no basis for it to reconsider its earlier decision.

Recommendation

We would recommend therefore, that the Commission not reconsider its vote of November 7, 1978 and that the file in this matter remain closed.

7 9 0 4 0 1 1 2 5 3 1

5943

RECEIVED
FEDERAL ELECTION
COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4870
AREA CODE 617

78 DEC 11 P4:52

December 8, 1978

808357

Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463
Attn: William C. Oldaker, General Counsel

Re: Barnstead for Congress Committee Vs. WGBH Educational Foundation -
T.V. Channel 2
Corporation for Public
Broadcasting
Quaker Oats Corporation
MUR 819(78)

79011011067

Gentlemen:

This will acknowledge receipt of your letter of December 4, 1978 and the copy of the Commission's certification of the vote taken in the above-entitled matter. I draw your attention to the fact that House Speaker Thomas P. O'Neill is neither a complainant nor a respondent in this matter. Since he is not a party to the matter before the Commission it would seem that his name should not be in the heading of the case in that MUR 819(78) refers only to the complainant of record and the respondents named in the complaint.

Although the certification notice indicates that the Commission made its determination on November 7, 1978 by a vote of six to nothing, it is requested herewith that the names of the six members who participated in the vote be furnished to me as counsel for the complainant. In addition, we are requesting at this time copies of minutes of the meeting at which the determination was made, copies of any staff reports or supporting memoranda of any of the above members or other staff personnel along with copies of the replies received from the named respondents each of whom received copies of the original complaint.

In your letter of November 8, 1978 reference is made to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. I call to the attention of the Commission that the expenditures involved in the T.V. production in question were in no way associated with a "news story, commentary, or editorial" distributed by the station. The program, according to one of the exhibits submitted with the complaint, was described as "a dazzling campaign puff piece".

ATTACHMENT I

page 2
re: Barnstead for
Congress Committee

It is now suggested that the Commission arrange to obtain a copy of the film and tape of the program from the T.V. licensee so that its content may be reviewed in greater detail. It is submitted that such review will clearly indicate that the program in question fails to fall within the purview of a news story, commentary, or editorial.

We shall appreciate your cooperation in arranging to furnish us with the data outlined herein.

Very truly yours,

THE BARNSTEAD FOR CONGRESS
COMMITTEE

By its Attorney,



Paul F. X. Powers

PFXP/lb

CC: Barnstead for Congress Committee, 76 Ashford Street, Allston,
Massachusetts 02134

CC: Office of the United States Attorney, 1107 Post Office Building,
Boston, Massachusetts 02109

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

7 9 0 4 0 1 1 1 5 0 1 1



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F. X. Powers, Esquire
16 Tremont Street
Suite 530
Boston, MA 02108

Re: MUR 819 (78)

Dear Mr. Powers:

In your letter dated December 8, 1978, you state that House Speaker Thomas P. O'Neill was not named as a complainant or a respondent in the matter before the Commission, and therefore, his name should not appear in the heading of the case. Although you did not name Speaker O'Neill in your complaint, this does not preclude the Commission from considering others as respondents.

With respect to your request for the names of the six Commissioners who participated in the vote on the matter, the names of the Commissioners are Chairman Joan D. Aikens, Vice Chairman Robert O. Tiernan; and Thomas E. Harris, John W. McGarry, William L. Springer, and Vernon W. Thomson.

The attached General Counsel's Report was circulated to the Commissioners for them to vote on a tally sheet basis and was not discussed in a Commission meeting. No letters were written to the respondents requesting information and therefore, no responses were received.



- 2 -

The Commission has also determined in response to your letter that there is no basis for it to reconsider its earlier decision. The file will, therefore, remain closed on this matter.

Sincerely,

William C. Oldaker
General Counsel

Enclosure
General Counsel's Report

7904011257

CCC# 5843

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

18 DEC 11 14:52

December 8, 1978 008357

Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463
Attn: William C. Oldaker, General Counsel

Re: Barnstead for Congress Committee Vs. WGBH Educational Foundation -
T.V. Channel 2
Corporation for Public
Broadcasting
Quaker Oats Corporation
MUR 819(78)

3435

Gentlemen:

This will acknowledge receipt of your letter of December 4, 1978 and the copy of the Commission's certification of the vote taken in the above-entitled matter. I draw your attention to the fact that House Speaker Thomas P. O'Neill is neither a complainant nor a respondent in this matter. Since he is not a party to the matter before the Commission it would seem that his name should not be in the heading of the case in that MUR 819(78) refers only to the complainant of record and the respondents named in the complaint.

Although the certification notice indicates that the Commission made its determination on November 7, 1978 by a vote of six to nothing, it is requested herewith that the names of the six members who participated in the vote be furnished to me as counsel for the complainant. In addition, we are requesting at this time copies of minutes of the meeting at which the determination was made, copies of any staff reports or supporting memoranda of any of the above members or other staff personnel along with copies of the replies received from the named respondents each of whom received copies of the original complaint.

In your letter of November 8, 1978 reference is made to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. I call to the attention of the Commission that the expenditures involved in the T.V. production in question were in no way associated with a "news story, commentary, or editorial" distributed by the station. The program, according to one of the exhibits submitted with the complaint, was described as "a dazzling campaign puff piece".

page 2
re: Barnstead for
Congress Committee

It is now suggested that the Commission arrange to obtain a copy of the film and tape of the program from the T.V. licensee so that its content may be reviewed in greater detail. It is submitted that such review will clearly indicate that the program in question fails to fall within the purview of a news story, commentary, or editorial.

We shall appreciate your cooperation in arranging to furnish us with the data outlined herein.

Very truly yours,

THE BARNSTEAD FOR CONGRESS
COMMITTEE

By its Attorney,



Paul F. X. Powers

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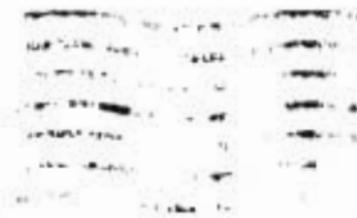
PFXP/lb

- CC: Barnstead for Congress Committee, 76 Ashford Street, Allston, Massachusetts 02134
- CC: Office of the United States Attorney, 1107 Post Office Building, Boston, Massachusetts 02109

CERTIFIED MAIL: RETURN RECEIPT REQUESTED

PAUL F. X. POWERS

ATTORNEY AT LAW
18 TREMONT STREET
BOSTON MASS 02108



DEC 11 4:52

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

ATTN: William C. Oldaker, General Counsel

CERTIFIED MAIL
No. 452

2004
5643

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 830
BOSTON, MASS. 02108
TELEPHONE 523-4870
AREA CODE 617

RECEIVED
FEDERAL ELECTION
COMMISSION

78 NOV 20 AM 2:10

November 17, 1978

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

807918

ATTN: William C. Oldaker, General Counsel

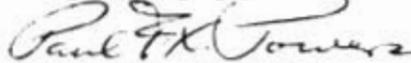
RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation, TV Channel 2 et al
MUR 819 (78)

Gentlemen:

This will acknowledge receipt of the notice of November 8, 1978 covering your action of November 7 on the above-entitled complaint.

I call upon you at this time to furnish the complainant with a copy of the record of the vote of the Commission on this complaint, showing how each member voted on the matter.

Very truly yours,



Paul F.X. Powers
Attorney for the Complainant

PFXP: mep

cc- Barnstead for Congress Committee

79010112530
79040112482

PAUL F. X. POWERS

ATTORNEY AT LAW

18 TREMONT STREET

BOSTON MASS. 02108

REGISTERED

No.

MAIL

Federal Election Commission

1325 K Street

Washington, D.C. 20463

ATTN: William C. Oldaker, General Counsel

819 M. Brown

SENDER: Complete items 1, 2, and 3. Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and date delivered
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
 [Handwritten address]

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 [Handwritten numbers]

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE: [Handwritten signature] Addressee Authorized agent

4. DATE OF DELIVERY: [Handwritten date] POSTMARK: [Handwritten postmark]

5. ADDRESS (Complete only if requested): [Handwritten address]

6. UNABLE TO DELIVER BECAUSE: [Blank] CLERK'S INITIALS: [Blank]

RECIPIENT: Complete items 1, 2, and 3. Add your address in the RETURN TO space on reverse.

1. The following service is requested (check one):
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and date delivered
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery \$
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
 Paul Fx Powers, Esq.

3. ARTICLE DESCRIPTION
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 [Handwritten numbers]

(Always obtain signature of addressee or agent)

I have received the article described above
 SIGNATURE: [Handwritten signature] Addressee Authorized agent

4. DATE OF DELIVERY: [Handwritten date] POSTMARK: [Handwritten postmark]

5. ADDRESS (Complete only if requested): [Handwritten address]

6. UNABLE TO DELIVER BECAUSE: [Blank] CLERK'S INITIALS: [Blank]

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

December 4, 1978

Mr. Paul F.X. Powers, Esquire
Attorney at Law
18 Tremont Street
Suite 530
Boston, MA 02108

Re: MUR 819(78)

Dear Mr. Powers:

Enclosed for your information is a copy of the Commission's Certification of the vote taken on MUR 819 which you requested in your letter dated November 17, 1978.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

Commission's Certification

799401d26240



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

Re: MUR 819(78)

Dear Sir or Madam:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosures

Complaint

7904011124603

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

Re: MUR 819 (78)

Dear Sir or Madam:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 702-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures *mf 11/7/78*
Complaint

~~79040112491~~
79040112604



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20461

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosure

Complaint

7001011601

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. § 437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosure *mb 11/7/78*
Complaint

79040112495
79040112606



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Corporation for Public
Broadcasting
1111 - 16th Street, N.W.
Washington, D.C. 20036

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely,

A handwritten signature in cursive script, appearing to read "W. C. Oldaker".

William C. Oldaker
General Counsel

Enclosure

Complaint

7904012407
79010112607

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Corporation for Public
Broadcasting
1111 - 16th Street, N.W.
Washington, D.C. 20036

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. § 437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act had been committed. The file on this matter has been closed.

If you have any questions, please contact Michele Brown, the staff member assigned to this matter, at (202) 523-4006.

Sincerely, y

William C. Oldaker
General Counsel

Enclosure mb 11/7/78

Complaint

79040112498
79040112603



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November 7, 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures

Complaint

7904011249
7904011267

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-513-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures *mb 11/2/78*

Complaint
Commission Certification

79040112500
79040112610



FEDERAL ELECTION COMMISSION

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

November 8, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F.X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: MUR 819(78)

Dear Mr. Powers:

With regard to your complaint dated November 2, 1978, the Commission determined on November 7, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. The Commission expresses no opinion as to possible application of the Federal Communications Commission rules to the described activity. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact me.

Sincerely,

William C. Oldaker
General Counsel

79040112501
10531101067

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F.X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: MUR 819(78)

Dear Mr. Powers:

With regard to your complaint dated November 2, 1978, the Commission determined on November 7, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. The Commission expresses no opinion as to possible application of the Federal Communications Commission rules to the described activity. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact us.

Sincerely,

William C. Oldaker
General Counsel

mf 11/9/78

79040112502
79040112612

November 6, 1978

MEMORANDUM TO: Marge Egnons
FROM: Elissa T. Garr
SUBJECT: MUR 819

Please have the attached First General Counsel's Report on MUR 819 distributed to the Commission on an expedited basis.

Thank you.

79040112503
79040112613

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 819 (78)
 House Speaker Thomas P. O'Neill)
 WGBH Educational Foundation-TB)
 The Corporation for Public Broadcasting)
 The Quaker Oats Corporation)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 7, 1978, the Commission determined by a vote of 6-0 to approve the following recommendations, as set forth in the First General Counsel's Report dated November 6, 1978, regarding the above-captioned matter:

1. Find no reason to believe a violation of 2 U.S.C. §441b and 11 C.F.R. 114.2(b) has occurred.
2. Close the file.
3. Send the letters attached to the above-named report.

Attest:

11/7/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
 Secretary to the Commission

Report received in Office of Commission Secretary: 11-6-78, 3:22
 Circulated on an expedited basis at 4:00, 11-6-78

79040112501
 70040112611

78 NOV 6 P 3: 22 FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION NOV 6 1978

MUR # 819 (78)
DATE COMPLAINT RECEIVED
BY OGC November 5, 1978

STAFF MEMBER Brown

COMPLAINANT'S NAME: Paul F.X. Powers, Esquire

RESPONDENT'S NAME: House Speaker Thomas P. O'Neill
WGBH Educational Foundation-TB
The Corporation for Public Broadcasting
The Quaker Oats Corporation

RELEVANT STATUTE: 2 U.S.C. §§ 441b, 431(f)
11 C.F.R. §§ 114.2(b), 100.4(b)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Paul F.X. Powers, the attorney for the Barnstead for Congress Committee submitted a notarized complaint dated November 2, 1978. He alleges that WGBH Educational Foundation-TV, the Corporation for Public Broadcasting, and the Quaker Oats Corporation violated 2 U.S.C. §441b and 11 C.F.R. 114.2(b) by contributing to and sponsoring a TV documentary entitled, "Mr. Speaker: A Portrait of Tip O'Neill" which was broadcast on July 18, 22, and 23, 1978. The broadcast of the program, according to the complainant, constitutes a contribution or expenditure by the above-named corporations in connection with a Federal election.

PRELIMINARY ANALYSIS

Section 100.4(b)(8) of the regulations excludes from the definition of 'contribution.'

[A]ny news story, commentary or editorial of any broadcasting station... unless the facility is owned or controlled by any political party, political committee, or candidate ...

If the station is owned or controlled in such way, the regulation provides for other standards to determine whether a particular broadcast is a contribution.

Section 431(f)(4)(A) of the Act excludes from the definition of 'expenditure.'

Any news story, commentary or editorial distributed through the facilities of any broadcasting station... unless such facilities are owned or controlled by any political party, political committee, or candidate.

The telecast complained about here would be excluded from the definition of 'contribution' and 'expenditure' as defined by the regulations and the Act. See also MUR 486. Furthermore, complainant does not include in his complaint any allegations as to the political ownership or control by WGBH, nor is there any other indication that such ownership or control exists. In the absence of such ownership or control, there is also no basis to say that the Corporation for Public Broadcasting or the Quaker Oats Corporation made political contributions or expenditures within the meaning of the Act.

Recommendation

1. Find no reason to believe a violation of 2 U.S.C. § 441b and 11 C.F.R. 114.2(b) has occurred.
2. Close the file.
3. Send the attached letters.

Attachments

1. Complaint
2. Proposed letters

700101150
919110100

MUR 819 (78)

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

'78 NOV 5 AM 11:11

November 2, 1978

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

807631

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation-TV, Channel 2 et al

Gentlemen:

Attached herewith is a Complaint filed by the Barnstead for Congress Committee against the respondents named therein for investigation and necessary action by the Commission.

Also enclosed is a copy of a letter forwarded to the office of the U.S. Attorney in Boston for action by the Department of Justice in this matter.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,


Paul F.X. Powers

PFXP:mep
Enclosures

cc: Barnstead for Congress Committee, 76 Ashford Street, Boston, MA. 02134

Office of the U.S. Attorney, 1107 P.O. Bldg, Boston, MA. 02109

79010112507
29940112617

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

November 2, 1978

Hon. Edward F. Harrington
United States Attorney
1107 Post Office Bldg.
Boston, MA. 02109

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation -TV, Channel 2
Corporation for Public Broadcasting
Quaker Oats Corporation

Dear Sir:

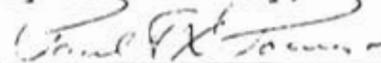
Attached herewith is a copy of a Complaint filed this date with the Federal Election Commission by the Barnstead for Congress Committee. The complaint alleges violations of 2 USC §441 b and 11 CFR 114.2(b) by the respondents, WGBH Educational Foundation-TV, Channel 2, Boston, the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois, all of whom contributed to and sponsored a TV film "documentary", first released on WGBH-TV on July 18, 1978 and repeated on July 22, 1978 and July 23, 1978, entitled "Mr. Speaker: A Portrait of Tip O'Neill", referred to by the critics as "flattering campaign film".

Since the complaint charges violations of federal statutes, this matter is referred to your office for further investigation and appropriate action by the Department of Justice.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,



Paul F.X. Powers

PFXP: mep
cc - WGBH Educational Foundation-TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation
Federal Election Commission

Enclosures

79040112503
79040112611

C O M P L A I N T

TO: The Federal Election Commission
RE: The Barnstead for Congress Committee

vs.

WGBH Educational Foundation, Public Broadcasting,
TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation

The complainant, for its complaint, alleges
that:

1. This complaint is filed under the Federal Election Campaign Act of 1971, as amended, 2 USC §441 b and 11 CFR 114.2 (b).

2. The complainant is the Barnstead for Congress Committee, located at 76 Ashford Street, Allston, MA. 02134, Tel. (617)782-6072. The Committee has filed its report with the Federal Election Commission. The Committee has been formed to advance the candidacy of William A. Barnstead of Arlington, MA., Republican, for election to Congress from the 8th Massachusetts Congressional District. His opponent is incumbent Congressman Thomas P. O'Neill, Jr. of Cambridge, MA., Democrat.

The respondents to the Complaint are WGBH Educational Foundation, Public Broadcasting TV, Channel 2 of Boston, MA., the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois.

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3. (a) WGBH Channel 2 on Tuesday, July 18, 1978 at 8 P.M. presented a one-hour long "documentary", entitled "Mr. Speaker: A Portrait of Tip O'Neill" which was widely publicized in advance through the news media and then distributed the program through 182 public broadcasting outlets nationwide. WGBH repeated the broadcast on Saturday, July 22, 1978 at 7 P.M. and Sunday, July 23, 1978 at 2 P.M.

(b) In newspaper advertisements published in the Boston Globe and Boston Herald American the program was described as "a fast-moving hour of cinema verite with one of the country's most powerful men - Speaker of the House Thomas P. O'Neill, Jr." A Boston Globe columnist, questioning the motives of the public broadcasting station in using this program, wrote "I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long 'documentary' celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal" and "If House Speaker Thomas P. O'Neill, Jr. had commissioned the program and had exercised artistic control he could not have produced a more flattering campaign film".

(c) Prior to the initial telecast of this program, Mr. Barnstead made a formal announcement of his candidacy for Congress from the 8th Massachusetts Congressional District and issued press releases of his

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announcement to WGBH-Ch. 2 among several other media outlets.

(d) At the time of the initial broadcast of the TV film in question both Mr. Barnstead and Mr. O'Neill had become legally qualified candidates of their respective parties under the Massachusetts election laws, G.L. Ch. 53, Sections 9 and 10, as amended, for this office, each having filed the necessary certified signatures with the office of the Secretary of the Commonwealth of Massachusetts.

(e) During the TV broadcast on Channel 2 the station acknowledged the sponsorship of the film production by the Corporation for Public Broadcasting and the Quaker Oats Corporation. WGBH-TV allocated the amount of approximately \$200,000. to the production with the Corporation for Public Broadcasting providing \$129,000., the Quaker Oats Corporation \$35,000. and the balance furnished by the station; in addition, the Corporation for Public Broadcasting expended its funds to promote the film production in the newspapers throughout the country.

(f) Under the provisions of 2 USC 441b it is unlawful for any corporation to make a contribution or expenditure in connection with any election at which a Representative in Congress is to be voted for and under 11 CFR 114.2(b) any corporation whatever is prohibited from making a contribution or expenditure in connection with any Federal election.

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Respectfully submitted,

BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,

Paul F.X. Powers

Paul F.X. Powers
18 Tremont Street
Boston, MA. 02108
Tel. (617) 523-4970

Then personally appeared before me, the above-named affiant, Paul F.X. Powers, and made oath that the foregoing allegations are true to be best of his knowledge.

Judith A. Drinkhall
Judith A. Drinkhall
Notary Public

My Commission Expires:
11/10/78

Robert A. Semonian

Robert A. Semonian,
Treasurer, Barnstead for
Congress Committee

11 Howe Street
Watertown, MA. 02172

Margaret Reynolds

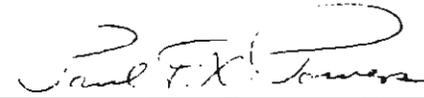
Margaret Reynolds
Notary Public
My commission expires:
July 17, 1981

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AFFIDAVIT OF NOTICE

I, Paul F.X. Powers, attorney for the complainant in the above-entitled action make oath that on the 2nd day of November, 1978, I gave notice by letter postpaid to the respondents, WGBH Educational Foundation-TV, Channel 2, the Corporation for Public Broadcasting and the Quaker Oats Corporation that this complaint has been filed with the Federal Election Commission by certified mail postpaid.

THIS STATEMENT IS MADE UNDER THE PENALTIES OF
PERJURY.



Paul F.X. Powers
Attorney for the Complainant

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79010112621

DAVID B. WILSON

Mr. Speaker, TV show was out of order

The ideal of a public television service beholden to no one but the people it tries to serve, free of government control and advertiser influence, is nowhere pursued so capably and successfully as at WGBH-TV, Channel 2, Boston.

Having filed the above disclaimer of malice, I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long "documentary" celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal.

If House Speaker Thomas P. O'Neill Jr. had commissioned the program "Mr. Speaker: A Portrait of Tip O'Neill" and had exercised artistic control he could not have produced a more flattering campaign film.

Further, had he done so, he could not have, by hook or crook, been able to obtain for the film such superb prime time exposure as Channel 2 gave it from its tower in Needham.

To make these observations is not to say that the program was either false or, necessarily, misleading. I happen to think it was a work of art. If you saw the Speaker reminiscing resonantly with the Barry's Corner friends he genuinely cherishes, you learned a lot. You may even have begun to grasp a little of what the life of politics is really about.

At the conclusion, like his constituents, you wanted to be in the presence of this great man and tell him your troubles. And you discovered that "cigar-chomping politicians"—to resurrect a slanderous cliché—are not idle loafers but work to the point of exhaustion in a uniquely demanding profession.

But that is precisely the point: The better the program, the more advantage it conferred on its protagonist.

Now the Speaker, nothing if not a good Democrat, must be presumed to support public funding of political campaigns in order to remove any suspicion of influence-peddling and private greed from Bobby Baker's old turf. He knows the value of a goo-goo cause.

But even the least partisan observer may question whether it is appropriate for a non-profit educational institution, funded with tax-deductible contributions tax-sheltered foundation grants and appropriated public money, to underwrite a program which, for all its artistic merit, amounts to a dazzling campaign puff piece.

Michael Rice, general manager and vice president of WGBH-TV, reports that Nancy Porter, the show's gifted producer, was given \$200,000 to work with when plans for "Mr. Speaker" were firmed up in January, 1977.

The Corporation for Public Broadcasting put up \$129,000; the Quaker Oats Foundation gave \$35,000; and the remainder was picked up by the station, which distributed the program through 182 public broadcasting outlets nationwide.

In addition, CPB put up \$60,000 to promote the show in newspapers across the country. Both Boston dailies ran feature pieces on it by their lead TV writers. Both papers had promotional ads on their TV pages.

These ads, identifying their purchaser as CPB, ran July 18, the day the show was telecast at 8 pm locally, 9 pm elsewhere. The Globe plugged it on Page 1.

Five and one-half hours earlier, in his place of business in Allston, William A. Barnstead of Arlington, former chairman of the Republican State Committee, had announced his candidacy for the Republican nomination for Congress to oppose O'Neill.

Barnstead put on a firefighter's helmet and brandished a fire extinguisher as an attention-getting device. He accused the Speaker of being the arsonist of inflation. Almost nobody paid attention.

Barnstead is upset and is writing letters to David Ives, Channel 2's president, to the Federal Communications Commission and to Chairman William Brock of the Republican National Committee. It is hard to blame him.

Is there corruption here? Certainly not. But it is not impertinent to observe that the Speaker of the House is in a position to exert considerable influence on such matters as the regulation and funding of public broadcasting, the regulation and subsidization of the grain and processed foods industries and the future of communications policy in the United States. One hand, clearly, washes the other, although that almost certainly was not the intention of any of the parties.

David B. Wilson is a Globe columnist.

Institute.

Walham News Tribune 7/12/78

A portrait of 'Tip'

By DANIEL Q. HANEY

BOSTON (AP) - Off and on for five months, a television crew followed House Speaker Thomas P. O'Neill through a blur of official meetings, family outings and arm-around-the-shoulder huddles.

The result is "Mr. Speaker: A Portrait of Tip O'Neill," an inside look at how the man runs Congress with a fluid combination of Irish camaraderie and non-sense power.

The program was produced by WGBH, the public television station on the Boston edge of O'Neill's district, and will be aired Tuesday night by PBS.

The camera trails the whitehaired Massachusetts Democrat through sessions

with the congressional elite and backhome voters, picnics, parties and an Oval Office get-together with President Carter.

It captures the jovial, personable manner that is O'Neill's style whether calming constituents or cajoling congressmen. But there are also rare glimpses of the tough, power-flexing side of the speaker, such as when he dresses down a bureaucrat for cutting federal money to a hospital in O'Neill's district.

The program opens with O'Neill walking into an indoor clambake in Medford, Mass., to the applause of old friends and new followers.

He greets people affectionately by name. "My God, how are you," he says to one. "Gee, I'm delighted to see you," he tells another. "Old pal, I'll always love you," he promises a third.

Later, at a gathering of street corner friends from his boyhood Cambridge, O'Neill rattles off name after name of old acquaintances.

But the good fellowship disappears in a meeting with Thomas Tierney, director of the Bureau of Health Insurance. O'Neill berates Tierney for cutting aid to Youville Rehabilitation and Chronic Disease Hospital.

While Tierney nervously twiddles his fingers and rubs his neck, O'Neill reminds him that he grew up near that hospital in Cambridge. Then he threatens to file special legislation to restore the funding or go over Tierney's head to Joseph Califano, secretary of Health, Education and Welfare.

Between April and August of last year, the TV crew shot 23 hours of film. O'Neill wore a wireless microphone inside his suit coat.

"I think he gave us an enormous amount of access for a man in political power, yet he was kind of a reluctant subject," said Nancy Porter, the producer.

Polynesian & R

Institute:

Washington News Tribune 7/16/78

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Polynesian & R

TV WEEK

THE BOSTON GLOBE JULY 16-22, 1978



Mr. Speaker: A portrait of Tip O'Neill

Page 12

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A candid portrait of Tip O'Neill

By Robert A. McLean
Globe Staff

"All politics is local."
Thomas P. "Tip" O'Neill, wired for sound, is a walking, talking graduate course in practical-political science of the "Barry's Corner" grass-roots variety; living proof for aspiring young office holders that the American political dream can work, with work; and a multi-dimensional profile of the man who wields awesome clout as the second most powerful person in the nation.

"Mr. Speaker: A Portrait of Tip O'Neill," a most-remarkable cinema verite excursion behind Washington's closed doors, airs Tuesday at 8 p.m. on WGBH-TV (Channel 2) which produced this first-ever TV glimpse of the power and the glory of our national leadership.

Never a shrinking violet since his first successful run in 1936 as a 22-year-old for state representative from North Cambridge, O'Neill in recent years has preferred to work behind the throne in Washington as a powerful party wheelhorse. The Channel 2 production by Nancy Porter is the first he has allowed, after turning down similar requests from the commercial networks and the BBC.

Most revealing in its candid view, the camera and body microphone he wears capture facets of the O'Neill character that are rarely seen by any except those with whom he is consorting at the time. He is caught informally conferring with aides, lobbyists, the press, Democratic colleagues, fellow congressmen, going about the business of the office of Speaker of the US House of Representatives.

There are the tense days of July 1977, when O'Neill was under pressure in the Koreagate investigation, stalled over the naming of a prosecutor. The Channel 2 camera crew covered a press conference at which O'Neill was assailed by reporters for foot-dragging in the probe.



Tip O'Neill, the picture of a politician.

Porter, who spent "four or five months" just getting O'Neill and his staff accustomed to her crew's presence, was sure the tense Koreagate situation would be an off-limits period for the production, and was pleasantly surprised when they were allowed to film the conference.

Along with the fascinating "inner circle" moments when O'Neill is directing the machinery of national law-making and politicking, there are the lighter sides: hobnobbing casually with the Carters at a White House grounds picnic where Tip delights in showing off his new granddaughter; relaxing while wining and dining — and singing his favorite songs — with his family and friends at their Cape Cod vacation retreat; hacking at a sand-trapped golf ball in a driving rain with daughter Susan.

Perhaps the most persuasive proof of O'Neill's political acumen is revealed when he returns to his home district, to cut a few cordial

capers with the old boyhood gang from Barry's Corner in Cambridge, and hold court in his district office in Watertown, receiving a parade of voters bringing their problems to their representative. This is where it all begins, for, as he says, "All politics is local."

He deals, in turn, with an immigrant couple seeking work for the husband, an award ceremony for a disabled veteran — the third generation of a family O'Neill has known in his 8th Massachusetts Congressional district — a man protesting Turkish coffee imports, a group of Bay State union leaders upset over President Carter's weak support of regional workers.

Big, bluff, commanding, a thatch of white hair capping a map-of-Ireland face — complete with ever-present cigar — O'Neill is the picture of the quintessential politician. His meaty hands have grown large over 42 years of campaigning, a million casual "How are ya?" handshakes,

hands that firmly grasped the gavel of power in January 1977.

The many moods of Mr. Speaker are there: breezily greeting people while striding through the halls of Congress; huddling with Jimmy Carter and the Democratic leadership on administration policy and legislative package strategy; hugging the women and pumping the hands of the men at an indoor Somerville clambake; doing a funny double-take when Carter slides up to a knot of O'Neill listeners at a reception; muttering in joy and pain when his golf drive goes awry and the rain extinguishes his cigar.

No "authorized biography" puffery, the piece — by virtue of technology, with O'Neill wearing the wireless microphone in most sequences — catches the asides, the nuances, the natural goofs that humanize what might otherwise be a shallow dive into the swim of federal politics, natural feeding ground for this accomplished practitioner.

O'Neill reportedly was a trifle disturbed by one or two moments when he was caught with his briefing down — a hurried corridor conference with an aide on the precise name and the pronunciation of Menachen Begin "it rhymes with Fagan from 'Oliver'" — as O'Neill was to introduce him at a House reception; the quick check of the first names of a group of visiting Boston broadcasting people to be sure he would be able to greet each personally.

The wired-for-sound technique also catches some amusing moments — a meeting with colleague Peter Rodino in a busy House corridor and Rodino's attempt to exchange a confidence, not knowing about the microphone. "I'm wired," O'Neill murmurs into Rodino's ear, with a knowing nod, and Rodino responds with a conspiratorial "Yeh." "I'll call ya later," the speaker promises.

No Prime Time for Super Bowl in '79; NBC Disappointed

Dallas—Next year's Super Bowl in Miami will be played in midafternoon instead of prime time as it was last January, when 103 million viewers watched the game on CBS. The current TV contract with the National Football League gives CBS and NBC the right to one prime-time Super Bowl each over the next four years. NBC executives had tried to persuade the NFL to give them their evening game next year. They felt that the Super Bowl telecast had given CBS a big boost in the prime-time ratings and they wanted the same opportunity for NBC. But NFL officials said no because the weather in Miami is riskier at night than in the daytime, and because a late Eastern game complicates press coverage by running too close to sportswriters' deadlines.

Viewers in 21 cities were unable to see ABC's hard-hitting June 23 documentary on teen-age crime called "Youth Terror: The View from Behind the Gun" because of objections by station managers to its frequent use of obscene four- and 12-letter words. ABC's affiliate relations department had pressed News executives to remove the offending words, but the show's producers stood firm. Says Pam Hill, executive producer of ABC's documentaries, "To delete some of the language would have limited some of the rage and anger. We wanted to stay with the integrity of the show." This is believed to be the first time that commercial network television has carried such language.

After several years of relative stability, public television may be facing a new

era of uncertainty, marked by threats of Federal intrusion. That was the message from public-television leaders to 600 members of the Public Broadcasting Service meeting here last week. PBS officials are concerned about two public television funding bills before Congress that they say could set Federal standards for programming and expand Federal controls of local public-TV finances. They are also disturbed by what PBS vice chairman Hartford Gunn Jr. called the "unbelievable confusion" generated by Congressional attempts to restructure public television, first with the funding bills and more recently with a bill to rewrite the Communications Act of 1934.

Following much impassioned debate, the PBS membership recommended unanimously that their leaders encourage Congress and the White House to delay action on legislation until the various proposals (including, possibly, a new one provided by public broadcasters themselves) can be reviewed and the report of the Carnegie Commission on the Future of Public Broadcasting, due next Jan. 15, can be considered.

Dr. William McGill, chairman of the Carnegie Commission, cautioned the PBS membership that it is "unrealistic for public television to expect special exemptions from the expanding accountability that goes hand in hand with public funds." —Sally Bedell

Washington—An example of the kind
Continued on next page

TV GUIDE, Suite 2028, 100 Summer St., Boston, Mass. 02110, (617) 452-7715

TV GUIDE A-1

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As We See It

[] One of the best-read pages in most publications is the one that gives the reader a chance to praise, pan and generally talk back—the letters column.

For the most part, television hasn't yet invented an appealing version of the backtalk page. The closest it comes is in those replies to editorials that last a few minutes and present the "talking head" at its boring worst.

[] But things are looking up. We've just seen an effective TV version of the letters column. It's called *Your Turn: Letters to CBS News*—an irregularly scheduled half-hour program that's carefully written, imaginatively produced and generally absorbing. If it catches on—and that's a big "if"—CBS hopes to produce the program on a regular (monthly or bi-monthly) basis.

Your Turn goes well beyond the talking head; it puts things in context. If viewers have written in to criticize or laud any CBS News broadcast—say,

Morley Safer's *60 Minutes* segment on Rhodesia's white minority—the program shows you a part of the original report. Then CBS News correspondent Sharron Lovejoy not only presents excerpts from viewers' letters but interviews the letter writers themselves on camera, allowing them to express their views even more fully. And to its credit, *Your Turn* makes no effort to get the last word in; there is no rebuttal by CBS, no defensiveness.

[] The only thing wrong with *Your Turn* is that so few viewers have seen it. The first two programs were buried by the network in Sunday-morning time slots, a period of low viewership. The third program, however, was scheduled to be broadcast on a Tuesday night (June 27), just before the late movie. That's a step in the right direction—toward prime time. What happens to this creditable effort after that will depend on viewer response. *Your Turn* deserves a fair trial—and we'd like to think the network will be pleasantly surprised at the response when you do get your turn.

TV Update/Continued

of political problem public TV can run into is a July 18 documentary on Speaker of the House Thomas P. ("Tip") O'Neill (D-Mass.). The film, "Mr. Speaker," was made by WGBH-TV, Boston, O'Neill's hometown PBS outlet. It shows the Speaker at work on Capitol Hill, visiting the White House, politicking in Massachusetts and enjoying a clam bake on Cape Cod. It does not, however, reveal any of the controversy surrounding O'Neill and his alleged relationship with Korean influence peddler Tongsun Park. Nor does it deal with any of the reported political conflicts between the Speaker and President Carter. The project, coming as the O'Neill-led Congress is about to vote on an appropriation for public broadcasting, could prove an embarrassment.

One high-ranking executive at the Corporation for Public Broadcasting sees it this way: "What you end up with is the appearance of WGBH saying,

'Take me, I'm yours,' to a guy who controls its purse strings. And whether that is the actual case or not, its mere possibility impugns the integrity of all public broadcasting."

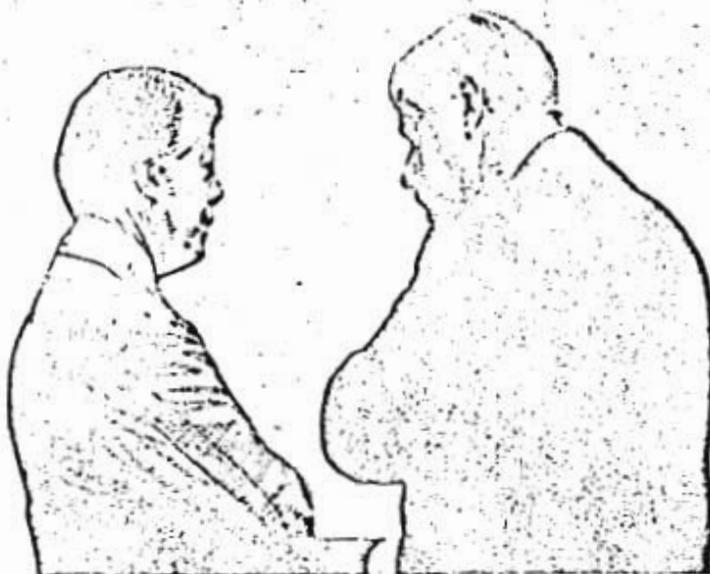
WGBH's Nancy Porter, who produced "Mr. Speaker," says that she left controversial themes out of the project intentionally. "I wanted to get as close to the man and the way he uses power as possible," she says, "not do an investigative piece." Still, Porter admits that while the Speaker had no control over the film's final appearance, "He controlled our access. He would kick us out when he didn't want to be filmed. But I tried to show the whole man—as much as he would let us see."

Nonetheless, Rep. Lionel Van Deerlin (D-Cal.), who has included a PTV funding system in his proposed rewrite of the 1934 Communications Act, says that such projects illustrate the "pressing need" to remove PTV from even the appearance of political pressure.

—John Weisman

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Follow the Speaker



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of cinema verité with one of the country's most powerful men—Speaker of the House Thomas P. O'Neill Jr.

Follow Tip to meetings in the Oval Office... neighborhood reunions... whispered hallway conversations... a barbeque on the White House lawn... moments alone with his family.

Mr. Speaker:
A Portrait of Tip O'Neill
Tonight at 8:00

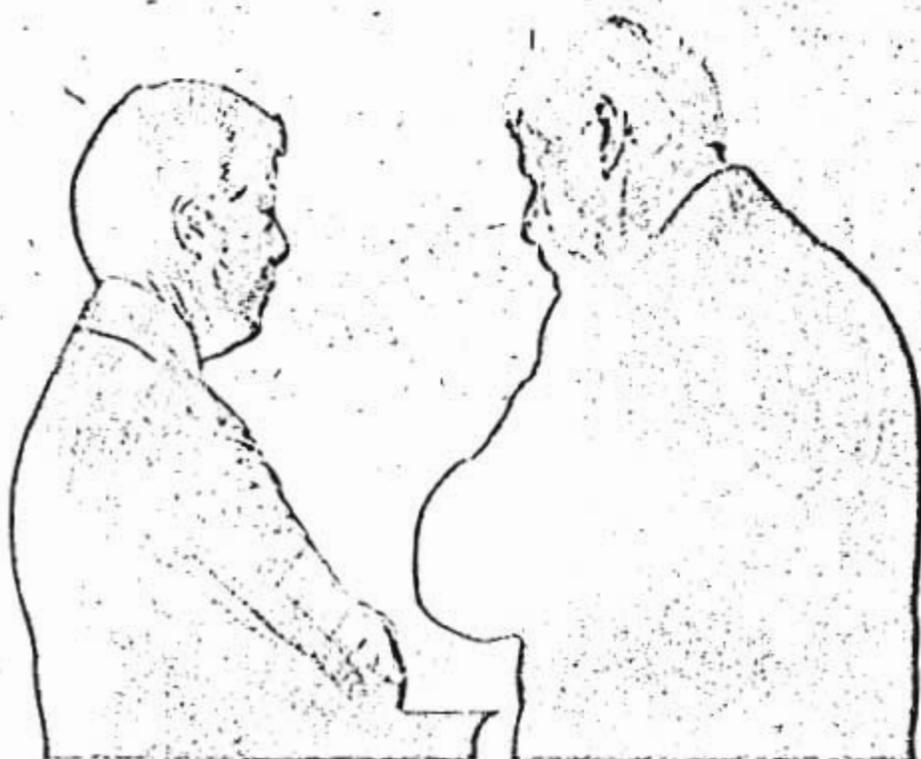


CBS

Advertising made possible by the Corporation for Public Broadcasting.

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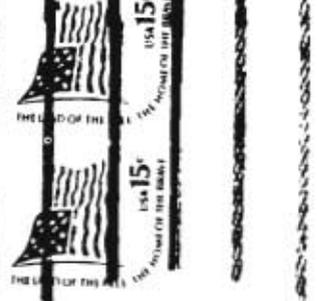
Mr. Speaker:
A Portrait of Tip O'Neill
Tonight at 8:00



PBS

Advertising made possible by the Corporation for Public Broadcasting.

BOSTON GLOBE - July 18, 1978
p. 21



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FEDERAL ELECTION COMMISSION

1325 K Street, NW

Washington, D.C. 20463





1325 K STREET
WASHINGTON, D.C. 20541

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Quaker Oats Corporation
Merchandise Mart Plaza
Chicago, Illinois 60654

Re: MUR 819 (78)

Dear Sir:

I am forwarding to you the enclosed complaint pursuant to 2 U.S.C. §437g(a)(2) of the Federal Election Campaign Act, as amended, for your information.

On November , 1978, the Commission determined that there was no reason to believe a violation of the Act has been committed. The file on this matter has been closed. If you have any questions please contact Michele Brown, the staff member assigned to this matter, at 202-523-4006.

Sincerely,

William C. Oldaker
General Counsel

Enclosures

Complaint

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FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
WGBH Educational Foundation
125 Western Avenue
Allston, Massachusetts 02134

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Sincerely,

William C. Oldaker
General Counsel

Enclosures

Complaint

79040112525
79010112635



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

The Honorable Thomas P. O'Neill, Jr.
c/o Committee to Re-Elect Thomas P.
O'Neill, Jr. to Congress
20 Ashburton Place
Boston, Massachusetts 02109

Re: MUR 819 (78)

Dear Speaker O'Neill:

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Sincerely,

William C. Oldaker
General Counsel

Enclosure

Complaint

7094011527
7001011637



F.E.C.

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Paul F. X. Powers, Esquire
18 Tremont Street
Suite 530
Boston, Massachusetts 02108

Re: MUR 819 (78)

Dear Mr. Powers:

With regard to your complaint dated November 2, 1978, the Commission determined on November 1, 1978, that there is no reason to believe a violation of the Federal Election Campaign Act has occurred. In this regard, we refer you to Section 431(f)(4)(A) of the Act and Section 100.4(b)(8) of the Regulations. Accordingly the file on this matter has been closed.

If you have any other information which you believe indicates a violation of the Act, please contact me.

Sincerely,

William C. Oldaker
General Counsel



79740111523
7901111633



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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

President
The Corporation for Public
Broadcasting
1111 - 16th Street, N.W.
Washington, D.C. 20036

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William C. Oldaker
General Counsel

Enclosure

Complaint

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70040113630

ACC 5471

MUR819

FEDERAL ELECTION COMMISSION

PAUL F. X. POWERS

ATTORNEY AT LAW

18 TREMONT STREET - SUITE 530

BOSTON, MASS. 02108

TELEPHONE 523-4970
AREA CODE 617

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November 2, 1978

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

807631

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation-TV, Channel 2 et al

Gentlemen:

Attached herewith is a Complaint filed by the Barnstead for Congress Committee against the respondents named therein for investigation and necessary action by the Commission.

Also enclosed is a copy of a letter forwarded to the office of the U.S. Attorney in Boston for action by the Department of Justice in this matter.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,


Paul F.X. Powers

PFXP:mep
Enclosures

cc:Barnstead for Congress Committee, 76 Ashford Street, Boston, MA. 02134

Office of the U.S. Attorney, 1107 P.O. Bldg, Boston, MA. 02109

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79040111641

PAUL F. X. POWERS
ATTORNEY AT LAW
18 TREMONT STREET - SUITE 530
BOSTON, MASS. 02108
TELEPHONE 523-4970
AREA CODE 617

November 2, 1978

Hon. Edward F. Harrington
United States Attorney
1107 Post Office Bldg.
Boston, MA. 02109

RE: Barnstead for Congress Committee vs.
WGBH Educational Foundation -TV, Channel 2
Corporation for Public Broadcasting
Quaker Oats Corporation

Dear Sir:

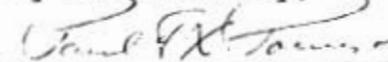
Attached herewith is a copy of a Complaint filed this date with the Federal Election Commission by the Barnstead for Congress Committee. The complaint alleges violations of 2 USC §441 b and 11 CFR 114.2(b) by the respondents, WGBH Educational Foundation-TV, Channel 2, Boston, the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois, all of whom contributed to and sponsored a TV film "documentary", first released on WGBH-TV on July 18, 1978 and repeated on July 22, 1978 and July 23, 1978, entitled "Mr. Speaker: A Portrait of Tip O'Neill", referred to by the critics as "flattering campaign film".

Since the complaint charges violations of federal statutes, this matter is referred to your office for further investigation and appropriate action by the Department of Justice.

Very truly yours,

THE BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,



Paul F.X. Powers

PFXP: mep
cc - WGBH Educational Foundation-TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation
Federal Election Commission

Enclosures

79040112531
79040112641

C O M P L A I N T

TO: The Federal Election Commission
RE: The Barnstead for Congress Committee

vs.

WGBH Educational Foundation, Public Broadcasting,
TV, Channel 2
The Corporation for Public Broadcasting
Quaker Oats Corporation

The complainant, for its complaint, alleges
that:

1. This complaint is filed under the Federal Election Campaign Act of 1971, as amended, 2 USC §441 b and 11 CFR 114.2 (b).

2. The complainant is the Barnstead for Congress Committee, located at 76 Ashford Street, Allston, MA. 02134, Tel. (617)782-6072. The Committee has filed its report with the Federal Election Commission. The Committee has been formed to advance the candidacy of William A. Barnstead of Arlington, MA., Republican, for election to Congress from the 8th Massachusetts Congressional District. His opponent is incumbent Congressman Thomas P. O'Neill, Jr. of Cambridge, MA., Democrat.

The respondents to the Complaint are WGBH Educational Foundation, Public Broadcasting TV, Channel 2 of Boston, MA., the Corporation for Public Broadcasting of Washington, D.C. and the Quaker Oats Corporation of Chicago, Illinois.

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7 9 0 4 0 1 1 1 6 4 2

3. (a) WGBH Channel 2 on Tuesday, July 18, 1978 at 8 P.M. presented a one-hour long "documentary", entitled "Mr. Speaker: A Portrait of Tip O'Neill" which was widely publicized in advance through the news media and then distributed the program through 182 public broadcasting outlets nationwide. WGBH repeated the broadcast on Saturday, July 22, 1978 at 7 P.M. and Sunday, July 23, 1978 at 2 P.M.

(b) In newspaper advertisements published in the Boston Globe and Boston Herald American the program was described as "a fast-moving hour of cinema verite with one of the country's most powerful men - Speaker of the House Thomas P. O'Neill, Jr." A Boston Globe columnist, questioning the motives of the public broadcasting station in using this program, wrote "I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long 'documentary' celebrating the virtues of a powerful and not uncontroverial partisan politician whose constituency is blanketed by the station's signal" and " If House Speaker Thomas P. O'Neill, Jr. had commissioned the program and had exercised artistic control he could not have produced a more flattering campaign film".

(c) Prior to the initial telecast of this program, Mr. Barnstead made a formal announcement of his candidacy for Congress from the 8th Massachusetts Congressional District and issued press releases of his

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announcement to WGBH-Ch. 2 among several other media outlets.

(d) At the time of the initial broadcast of the TV film in question both Mr. Barnstead and Mr. O'Neill had become legally qualified candidates of their respective parties under the Massachusetts election laws, G.L. Ch. 53, Sections 9 and 10, as amended, for this office, each having filed the necessary certified signatures with the office of the Secretary of the Commonwealth of Massachusetts.

(e) During the TV broadcast on Channel 2 the station acknowledged the sponsorship of the film production by the Corporation for Public Broadcasting and the Quaker Oats Corporation. WGBH-TV allocated the amount of approximately \$200,000. to the production with the Corporation for Public Broadcasting providing \$129,000., the Quaker Oats Corporation \$35,000. and the balance furnished by the station; in addition, the Corporation for Public Broadcasting expended its funds to promote the film production in the newspapers throughout the country.

(f) Under the provisions of 2 USC 441b it is unlawful for any corporation to make a contribution or expenditure in connection with any election at which a Representative in Congress is to be voted for and under 11 CFR 114.2(b) any corporation whatever is prohibited from making a contribution or expenditure in connection with any Federal election.

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(g) There has been a violation of the above-cited Code provisions by WGBH-TV, the Corporation for Public Broadcasting and the Quaker Oats Corporation for their contributions to the production of a TV film, which in essence was a political campaign "documentary" released by WGBH-TV not only on Channel 2, Boston, but also throughout the country through other public broadcasting stations, after a political campaign was already underway with the qualification by the State Secretary's office of candidates, William A. Barnstead, Republican, and Thomas P. O'Neill, Jr., Democrat, for election to Congress from the 8th Massachusetts Congressional District; and that the contributions made by the respondents were for the purpose of enhancing the political standing of Mr. O'Neill as Speaker of the U.S. House and of influencing his reelection to Congress.

4. Attached in support of the allegations set forth herein are copies of promotional advertisements, TV feature columns, appearing in the Boston newspapers, and an article by Boston Globe columnist, David B. Wilson.

5. It is respectfully submitted that after a proper investigation is conducted of the complaints set forth herein, if the Commission finds that the respondents have acted in violation of 2 USC 441b and 11 CFR 114.2 (b), the Code provisions for enforcement under 2 USC §§ 437 g and 441 j should be applied.

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Respectfully submitted,

BARNSTEAD FOR CONGRESS COMMITTEE

By its attorney,

Paul F.X. Powers

Paul F.X. Powers
18 Tremont Street
Boston, MA. 02108
Tel. (617) 523-4970

Then personally appeared before me, the above-named affiant, Paul F.X. Powers, and made oath that the foregoing allegations are true to be best of his knowledge.

Judith A. Drinkhall
Judith A. Drinkhall
Notary Public

My Commission Expires:
11/10/78

Robert A. Semonian

Robert A. Semonian,
Treasurer, Barnstead for
Congress Committee

11 Howe Street
Watertown, MA. 02172

Margaret Reynolds

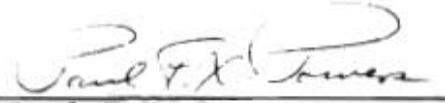
Margaret Reynolds
Notary Public
My commission expires:
July 17, 1981

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79040112645

AFFIDAVIT OF NOTICE

I, Paul F.X. Powers, attorney for the complainant in the above-entitled action make oath that on the 2nd day of November, 1978, I gave notice by letter postpaid to the respondents, WGBH Educational Foundation-TV, Channel 2, the Corporation for Public Broadcasting and the Quaker Oats Corporation that this complaint has been filed with the Federal Election Commission by certified mail postpaid.

THIS STATEMENT IS MADE UNDER THE PENALTIES OF PERJURY.



Paul F.X. Powers
Attorney for the Complainant

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79010112617

DAVID B. WILSON

Mr. Speaker, TV show was out of order

The ideal of a public television service beholden to no one but the people it tries to serve, free of government control and advertiser influence, is nowhere pursued so capably and successfully as at WGBH-TV, Channel 2, Boston.

Having filed the above disclaimer of malice, I am emboldened to inquire, then, what Channel 2 thinks it is up to in funding, producing and broadcasting an hour-long "documentary" celebrating the virtues of a powerful and not uncontroversial partisan politician whose constituency is blanketed by the station's signal.

If House Speaker Thomas P. O'Neill Jr. had commissioned the program "Mr. Speaker: A Portrait of Tip O'Neill" and had exercised artistic control he could not have produced a more flattering campaign film.

Further, had he done so, he could not have, by hook or crook, been able to obtain for the film such superb prime time exposure as Channel 2 gave it from its tower in Needham.

To make these observations is not to say that the program was either false or, necessarily, misleading. I happen to think it was a work of art. If you saw the Speaker reminiscing resonantly with the Barry's Corner friends he genuinely cherishes, you learned a lot. You may even have begun to grasp a little of what the life of politics is really about.

At the conclusion, like his constituents, you wanted to be in the presence of this great man and tell him your troubles. And you discovered that "cigar-chomping politicians"—to resurrect a slanderous cliché—are not idle loafers but work to the point of exhaustion in a uniquely demanding profession.

But that is precisely the point: The better the program, the more advantage it conferred on its protagonist.

Now the Speaker, nothing if not a good Democrat, must be presumed to support public funding of political campaigns in order to remove any suspicion of influence-peddling and private greed from Bobby Baker's old turf. He knows the value of a goo-goo cause.

But even the least partisan observer may question whether it is appropriate for a non-profit educational institution, funded with tax deductible contributions tax-sheltered foundation grants and appropriated public money to underwrite a program which, for all its merit, amounts to a dazzling campaign piece.

Michael Rice, general manager and vice president of WGBH-TV, reports that Nancy Porter, the show's gifted producer, was given \$200,000 to work with when plans for "Mr. Speaker" were firmed up in January, 1977.

The Corporation for Public Broadcasting put up \$129,000; the Quaker Oats Foundation gave \$45,000, and the remainder was picked up by the station, which distributed the program through 182 public broadcasting outlets nationwide.

In addition, CPB put up \$60,000 to promote the show in newspapers across the country. Both Boston dailies ran feature pieces on it by their lead TV writers. Both papers had promotional ads on their TV pages.

These ads, identifying their purchaser as CPB, ran July 18, the day the show was telecast at 8 pm locally, 9 pm elsewhere. The Globe plugged it on Page 1.

Five and one-half hours earlier, in his place of business in Allston, William A. Barnstead of Arlington, former chairman of the Republican State Committee, had announced his candidacy for the Republican nomination for Congress to oppose O'Neill.

Barnstead put on a firefighter's helmet and brandished a fire extinguisher as an attention-getting device. He accused the Speaker of being the arsonist of inflation. Almost nobody paid attention.

Barnstead is upset and is writing letters to David Ives, Channel 2's president, to the Federal Communications Commission and to Chairman William Brock of the Republican National Committee. It is hard to blame him.

Is there corruption here? Certainly not. But it is not impertinent to observe that the Speaker of the House is in a position to exert considerable influence on such matters as the regulation and funding of public broadcasting, the regulation and subsidization of the grain and processed foods industries and the future of communications policy in the United States. One hand, clearly, washes the other, although that almost certainly was not the intention of any of the parties.

David B. Wilson is a Globe columnist.

Institute.

Washington News Tribune 7/12/78

A portrait of 'Tip'

By DANIEL Q. HANEY

BOSTON (AP) — Off and on for five months, a television crew followed House Speaker Thomas P. O'Neill through a blur of official meetings, family outings and arm-around-the-shoulder huddles.

The result is "Mr. Speaker: A Portrait of Tip O'Neill," an inside look at how the man runs Congress with a fluid combination of Irish camaraderie and non-sense power.

The program was produced by WGBH, the public television station on the Boston edge of O'Neill's district, and will be aired Tuesday night by PBS.

The camera trails the white-haired Massachusetts Democrat through sessions

with the congressional elite and backhome voters, picnics, parties and an Oval Office get-together with President Carter.

It captures the jovial, personable manner that is O'Neill's style whether calming constituents or cajoling congressmen. But there are also rare glimpses of the tough, power-flexing side of the speaker, such as when he dresses down a bureaucrat for cutting federal money to a hospital in O'Neill's district.

The program opens with O'Neill walking into an indoor clambake in Medford, Mass., to the applause of old friends and new followers.

He greets people affectionately by name. "My God, how are you," he says to one. "Gee, I'm delighted to see you," he tells another. "Old pal, I'll always love you," he promises a third.

Later, at a gathering of street corner friends from his boyhood Cambridge, O'Neill rattles off name after name of old acquaintances.

But the good fellowship disappears in a meeting with Thomas Tierney, director of the Bureau of Health Insurance. O'Neill berates Tierney for cutting aid to Youville Rehabilitation and Chronic Disease Hospital.

While Tierney nervously twiddles his fingers and rubs his neck, O'Neill reminds him that he grew up near that hospital in Cambridge. Then he threatens to file special legislation to restore the funding or go over Tierney's head to Joseph Califano, secretary of Health, Education and Welfare.

Between April and August of last year, the TV crew shot 23 hours of film. O'Neill wore a wireless microphone inside his suit coat.

"I think he gave us an enormous amount of access for a man in political power, yet he was kind of a reluctant subject," said Nancy Porter, the producer.

Polynesian & R

Institute.

Washington News Tribune 11/16/78

A portrait of 'Tip'

By DANIEL Q. HANEY

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Polynesian & R

TV WEEK

THE BOSTON GLOBE JULY 16, 22 1978

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Mr. Speaker: A portrait of Tip O'Neill

Page 12

A candid portrait of Tip O'Neill

By Robert A. McLean
Globe Staff

"All politics is local."

Thomas P. "Tip" O'Neill, wired for sound, is a walking, talking graduate course in practical-political science of the "Barry's Corner" grass-roots variety; living proof for aspiring young office holders that the American political dream can work, with work; and a multi-dimensional profile of the man who wields awesome clout as the second most powerful person in the nation.

"Mr. Speaker: A Portrait of Tip O'Neill," a most-remarkable cinema verite excursion behind Washington's closed doors, airs Tuesday at 8 p.m. on WGBH-TV (Channel 2) which produced this first-ever TV glimpse of the power and the glory of our national leadership.

Never a shrinking violet since his first successful run in 1936 as a 22-year-old for state representative from North Cambridge, O'Neill in recent years has preferred to work behind the throne in Washington as a powerful party wheelhorse. The Channel 2 production by Nancy Porter is the first he has allowed, after turning down similar requests from the commercial networks and the BBC.

Most revealing in its candid view, the camera and body microphone he wears capture facets of the O'Neill character that are rarely seen by any except those with whom he is consorting at the time. He is caught informally conferring with aides, lobbyists, the press, Democratic colleagues, fellow congressmen, going about the business of the office of Speaker of the US House of Representatives.

There are the tense days of July 1977, when O'Neill was under pressure in the Koreagate investigation, stalled over the naming of a prosecutor. The Channel 2 camera crew covered a press conference at which O'Neill was assailed by reporters for foot-dragging in the probe.



Tip O'Neill, the picture of a politician.

Porter, who spent "four or five months" just getting O'Neill and his staff accustomed to her crew's presence, was sure the tense Koreagate situation would be an off-limits period for the production, and was pleasantly surprised when they were allowed to film the conference.

Along with the fascinating "inner circle" moments when O'Neill is directing the machinery of national law-making and politicking, there are the lighter sides: hobnobbing casually with the Carters at a White House grounds picnic where Tip delights in showing off his new granddaughter; relaxing while wining and dining — and singing his favorite songs — with his family and friends at their Cape Cod vacation retreat; hacking at a sand-trapped golf ball in a driving rain with daughter Susan.

Perhaps the most persuasive proof of O'Neill's political acumen is revealed when he returns to his home district, to cut a few cordial

capers with the old boyhood gang from Barry's Corner in Cambridge, and hold court in his district office in Watertown, receiving a parade of voters bringing their problems to their representative. This is where it all begins, for, as he says, "All politics is local."

He deals, in turn, with an immigrant couple seeking work for the husband, an award ceremony for a disabled veteran — the third generation of a family O'Neill has known in his 8th Massachusetts Congressional district — a man protesting Turkish coffee imports, a group of Bay State union leaders upset over President Carter's weak support of regional workers.

Big, bluff, commanding, a thatch of white hair capping a map-of-Ireland face — complete with ever-present cigar — O'Neill is the picture of the quintessential politician. His meaty hands have grown large over 42 years of campaigning, a million casual "How are ya?" handshakes,

hands that firmly grasped the gavel of power in January 1977.

The many moods of Mr. Speaker are there: breezily greeting people while striding through the halls of Congress; huddling with Jimmy Carter and the Democratic leadership on administration policy and legislative package strategy; hugging the women and pumping the hands of the men at an indoor Somerville clambake; doing a funny double-take when Carter slides up to a knot of O'Neill listeners at a reception; muttering in joy and pain when his golf drive goes awry and the rain extinguishes his cigar.

No "authorized biography" puffery, the piece — by virtue of technology, with O'Neill wearing the wireless microphone in most sequences — catches the asides, the nuances, the natural goofs that humanize what might otherwise be a shallow dive into the swim of federal politics, natural feeding ground for this accomplished practitioner.

O'Neill reportedly was a trifle disturbed by one or two moments when he was caught with his briefing down — a hurried corridor conference with an aide on the precise name and the pronunciation of Menachen Begin "it rhymes with Fagan from 'Oliver'" — as O'Neill was to introduce him at a House reception; the quick check of the first names of a group of visiting Boston broadcasting people to be sure he would be able to greet each personally.

The wired-for-sound technique also catches some amusing moments — a meeting with colleague Peter Rodino in a busy House corridor and Rodino's attempt to exchange a confidence, not knowing about the microphone. "I'm wired," O'Neill murmurs into Rodino's ear, with a knowing nod, and Rodino responds with a conspiratorial "Yeh." "I'll call ya later," the speaker promises.

TV Update

No Prime Time for Super Bowl in '79; NBC Disappointed

Dallas—Next year's Super Bowl in Miami will be played in midafternoon instead of prime time as it was last January, when 103 million viewers watched the game on CBS. The current TV contract with the National Football League gives CBS and NBC the right to one prime-time Super Bowl each over the next four years. NBC executives had tried to persuade the NFL to give them their evening game next year. They felt that the Super Bowl telecast had given CBS a big boost in the prime-time ratings and they wanted the same opportunity for NBC. But NFL officials said no because the weather in Miami is riskier at night than in the daytime, and because a late Eastern game complicates press coverage by running too close to sportswriters' deadlines.

Viewers in 21 cities were unable to see ABC's hard-hitting June 28 documentary on teenage crime called "Youth Terror: The View from Behind the Gun" because of objections by station managers to its frequent use of obscene four- and 12-letter words. ABC's affiliate-relations department had pressed News executives to remove the offending words, but the show's producers stood firm. Says Pam Hill, executive producer of ABC's documentaries, "To delete some of the language would have limited some of the rage and anger. We wanted to stay with the integrity of the show." This is believed to be the first time that commercial network television has carried such language.

After several years of relative stability, public television may be facing a new

era of uncertainty, marked by threats of Federal intrusion. That was the message from public-television leaders to 600 members of the Public Broadcasting Service meeting here last week. PBS officials are concerned about two public-television funding bills before Congress that they say could set Federal standards for programming and expand Federal controls of local public-TV finances. They are also disturbed by what PBS vice chairman Hartford Gunn Jr. called the "unbelievable confusion" generated by Congressional attempts to restructure public television, first with the funding bills and more recently with a bill to rewrite the Communications Act of 1934.

Following much impassioned debate, the PBS membership recommended unanimously that their leaders encourage Congress and the White House to delay action on legislation until the various proposals (including, possibly, a new one provided by public broadcasters themselves) can be reviewed and the report of the Carnegie Commission on the Future of Public Broadcasting, due next Jan. 15, can be considered.

Dr. William McGill, chairman of the Carnegie Commission, cautioned the PBS membership that it is "unrealistic for public television to expect special exemptions from the expanding accountability that goes hand in hand with public funds." —Sally Bedell

Washington—An example of the kind
Continued on next page

TV GUIDE, Suite 2828, 100 Summer St., Boston, Mass. 02110, (617) 482-7715

TV GUIDE A-1

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As We See It

□ One of the best-read pages in most publications is the one that gives the reader a chance to praise, pan and generally talk back—the letters column.

For the most part, television hasn't yet invented an appealing version of the backtalk page. The closest it comes is in those replies to editorials that last a few minutes and present the "talking head" at its boring worst.

□ But things are looking up. We've just seen an effective TV version of the letters column. It's called *Your Turn: Letters to CBS News*, an irregularly scheduled half-hour program that's carefully written, imaginatively produced and generally absorbing. If it catches on—and that's a big "if"—CBS hopes to produce the program on a regular (monthly or bi-monthly) basis.

Your Turn goes well beyond the talking head; it puts things in context. If viewers have written in to criticize or laud any CBS News broadcast—say,

Orley Safer's *60 Minutes* segment on Rhodesia's white minority—the program shows you a part of the original report. Then CBS News correspondent Sharron Lovejoy not only presents excerpts from viewers' letters but interviews the letter-writers themselves on camera, allowing them to express their views even more fully. And to its credit, *Your Turn* makes no effort to get the last word in; there is no rebuttal by CBS, no defensiveness.

□ The only thing wrong with *Your Turn* is that so few viewers have seen it. The first two programs were buried by the network in Sunday-morning time slots, a period of low viewership. The third program, however, was scheduled to be broadcast on a Tuesday night (June 27), just before the late movie. That's a step in the right direction—toward prime time. What happens to this creditable effort after that will depend on viewer response. *Your Turn* deserves a fair trial—and we'd like to think the network will be pleasantly surprised at the response when you do get your turn.

TV Update/Continued

of political problem public TV can run into is a July 18 documentary on Speaker of the House Thomas P. ("Tip") O'Neill (D-Mass.). The film, "Mr. Speaker," was made by WGBH-TV, Boston, O'Neill's hometown PBS outlet. It shows the Speaker at work on Capitol Hill, visiting the White House, politicking in Massachusetts and enjoying a clam bake on Cape Cod. It does not, however, reveal any of the controversy surrounding O'Neill and his alleged relationship with Korean influence peddler Tongsun Park. Nor does it deal with any of the reported political conflicts between the Speaker and President Carter. The project, coming as the O'Neill-led Congress is about to vote on an appropriation for public broadcasting, could prove an embarrassment.

One high-ranking executive at the Corporation for Public Broadcasting sees it this way: "What you end up with is the appearance of WGBH saying,

'Take me, I'm yours,' to a guy who controls its purse strings. And whether that is the actual case or not, its mere possibility impugns the integrity of all public broadcasting."

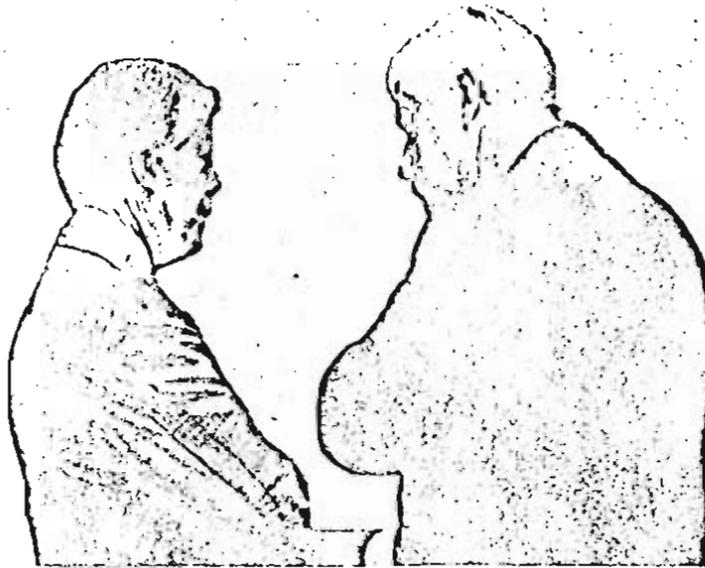
WGBH's Nancy Porter, who produced "Mr. Speaker," says that she left controversial themes out of the project intentionally. "I wanted to get as close to the man and the way he uses power as possible," she says, "not do an investigative piece." Still, Porter admits that while the Speaker had no control over the film's final appearance, "He controlled our access. He would kick us out when he didn't want to be filmed. But I tried to show the whole man—as much as he would let us see."

Nonetheless, Rep. Lionel Van Deerlin (D-Cal.), who has included a PTV funding system in his proposed rewrite of the 1934 Communications Act, says that such projects illustrate the "pressing need" to remove PTV from even the appearance of political pressure.

John Weisman

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Follow the Speaker.



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of cinema verité with one of the country's most powerful men—Speaker of the House Thomas P. O'Neill Jr.

Follow Tip to meetings in the Oval Office...neighborhood reunions...whispered hallway conversations...a barbeque on the White House lawn...moments alone with his family.

Mr. Speaker:
A Portrait of Tip O'Neill

Tonight at 8:00

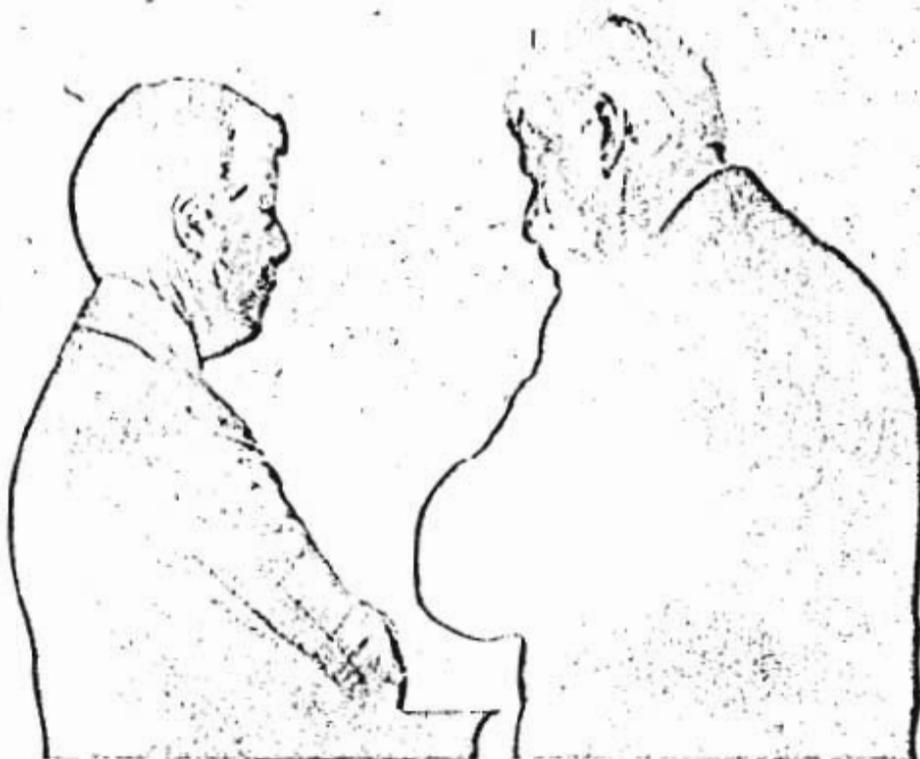


PBS

Advertising made possible by the Corporation for Public Broadcasting.

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Follow the Speaker.



Tip O'Neill. Behind the scenes.

Tonight, a fast-moving hour of
cinéma verité with one of the
country's most powerful men—
Speaker of the House
Thomas P. O'Neill Jr.

Follow Tip to meetings in the
Oval Office... neighborhood
reunions... whispered hallway
conversations... a barbeque
on the White House lawn...
moments alone with his family.

Mr. Speaker:
A Portrait of Tip O'Neill
Tonight at 8:00



Advertising made possible by the Corporation for Public Broadcasting.

Boston GLOBE - July 18, 1978
p. 21



NOV 15 1975

PAID BY ADDRESSEE



CERTIFIED
No.
MAIL

FEDERAL ELECTION COMMISSION

1325 K Street, NW

Washington, D.C. 20463

NOV 15 1975



FEDERAL ELECTION COMMISSION

1125 K STREET NW
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 819

Date Filmed 3/22/79 Camera No. --- 2

Cameraman SPC