FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1279

Date Filmed 2/16 Camera No. --- 2

Cameraman CAB

FEDERAL ELECTION COMMISSION

Proposed Adjustment To Cancel Agmt & letter

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

| | | | |
|---|---|---|---|
| ____ | (1) Classified Information | ____ | (6) Personal privacy |
| ____ | (2) Internal rules and practices | ____ | (7) Investigatory files |
| ____ | (3) Exempted by other statute | ____ | (8) Banking Information |
| ____ | (4) Trade secrets and commercial or financial information | ____ | (9) Well Information (geographic or geophysical) |
| V | (5) Internal Documents | | |

Signed _____

date 1-12-83

FEC 9-21-77

8304037461 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 11, 1983

Kevin T. Ahern, Esquire
Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On January 6, 1983, the Commission accepted the conciliation agreement signed by your client and a civil penalty in settlement of a violation of 2 U.S.C. §§ 433 and 434, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504074611

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 10, 1983

Martin Bacal, Chairman
Udall for Congress Committee 1980
2547 East Broadway
Tucson, Arizona 85716

Re: MUR 1279

Dear Mr. Bacal:

This is in reference to the complaint you filed with the Commission on August 19, 1980 concerning the Committee for the Record.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the Committees' president, John Wayne Watson, violated 2 U.S.C. §§ 433 and 434, provisions of the Federal Election Campaign Act of 1971, as amended. On January 6, 1983, a conciliation agreement signed by the respondent was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1279. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross - by S&T
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8304037461 5

RECEIVED AT THE FEC
82 DEC 16 P1:40

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson | ) | |
| (Committee for the Record) | ) | |

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Martin Bacal. An investigation was conducted, and reason to believe has been found that J. Wayne Watson (Committee for the Record) ("Respondent") violated 2 U.S.C. §§ 433 and 434 for failing to register as a political committee and failing to file its financial reports.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Respondent, J. Wayne Watson was the coordinator of an informal group of individuals known as the Committee for the Record.

8204037461 4

2. Respondent conducted political activity regulated by the Federal Election Campaign Act of 1971, as amended.

V. Respondent failed to register as a political committee and failed to file reports of financial activity in violation of 2 U.S.C. § 433 and § 434 respectively.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one hundred dollars ($100.00) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

3040374617

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

Charles N. Steele
General Counsel

January 7, 1983
Date

BY: Kenneth A. Gross - by KT
Kenneth A. Gross
Associate General Counsel

December 10, 1982
Date

J. Wayne Watson

BY: _____

ITS: _____

8304037461 8

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson | ) | |
| (Committee for the Record) | ) | |

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 6, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1279:

1. Accept the signed conciliation agreement as submitted with the General Counsel's January 4, 1983, Memorandum to the Commission.

2. Close the file.

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

Attest:

Jan. 7, 1983
Date

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

Received in Office of Commission Secretary: 1-5-83, 9:32
Circulated on 48 hour tally basis: 1-5-83, 4:00

8304037461 9

January 4, 1983

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1279

Please have the attached Memo to the Commission distributed to the Commission on a 48 hour tally basis as a sensitive matter. Thank you.

Attachment

cc: Brown

3304067461

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 JAN 5 A9: 32

**SENSITIVE**

January 4, 1983

**MEMORANDUM TO:** The Commission

**FROM:** Charles N. Steele
General Counsel

**BY:** Kenneth A. Gross
Associate General Counsel

**SUBJECT:** MUR 1279 - Conciliation Agreement

---

Attached is a conciliation agreement which has been signed by the respondent John Wayne Watson.

The attached agreement contains no changes from the agreement approved by the Commission. A check for the civil penalty imposed by the Commission has also been received.

Recommendation:

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Attachments
1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Closing letter with signed Conciliation Agreement to Complainant

8304037462 1

RECEIVED AT THE FEC

82 DEC 16 P1:40

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson | ) | |
| (Committee for the Record) | ) | |

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Martin Bacal. An investigation was conducted, and reason to believe has been found that J. Wayne Watson (Committee for the Record) ("Respondent") violated 2 U.S.C. §§ 433 and 434 for failing to register as a political committee and failing to file its financial reports.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Respondent, J. Wayne Watson was the coordinator of an informal group of individuals known as the Committee for the Record.

3040374622

2. Respondent conducted political activity regulated by the Federal Election Campaign Act of 1971, as amended.

V. Respondent failed to register as a political committee and failed to file reports of financial activity in violation of 2 U.S.C. § 433 and § 434 respectively.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one hundred dollars ($100.00) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

8304037462

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

Charles N. Steele
General Counsel

_____ BY: _____
Date Kenneth A. Gross
Associate General Counsel

December 10, 1982 J. Wayne Watson
Date

BY: _____

ITS: _____

8304037462

RECEIVED AT THE FEC
82 DEC 16 P1:10

Ahern & McCormley, P.C.
Lawyers

J. Lawrence McCormley
Kevin T. Ahern

Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

(602) 957-0300

December 13, 1982

Duane Brown
Assistant General Counsel
Federal Election Commission
1325 K Street
Washington, D.C. 20463

Re: MUR 1279

Dear Mr. Brown

Enclosed is the Conciliation Agreement which has been executed by J. Wayne Watson, along with Mr. Watson's check in the amount of $100.00.

Very truly yours,

AHERN & McCORMLEY, P.C.

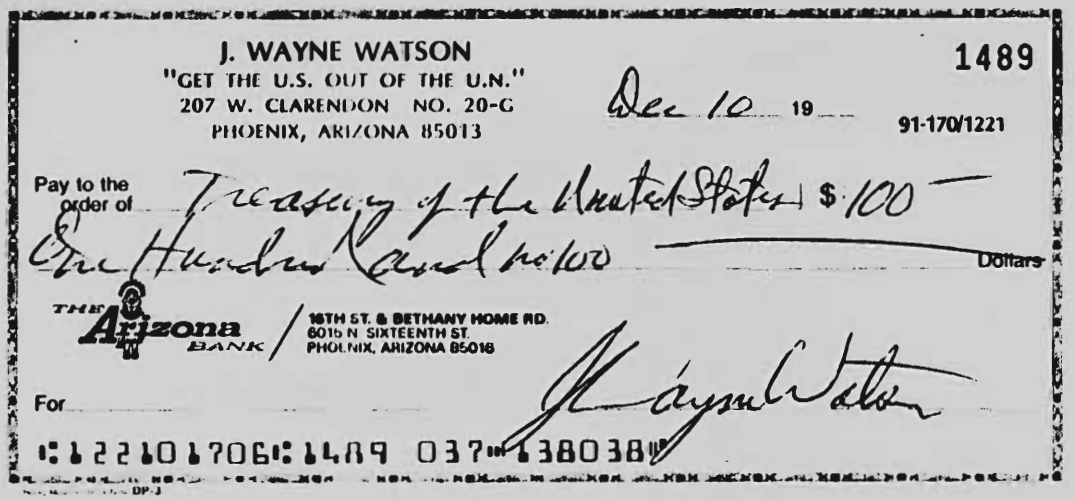
Kevin T. Ahern

KTA:kb

Enclosures

8304037462

(4)



J. WAYNE WATSON
"GET THE U.S. OUT OF THE U.N."
207 W. CLARENDON NO. 20-G
PHOENIX, ARIZONA 85013

1489

Dec 10 19__

91-170/1221

Pay to the order of Treasury of the United States $ 100 —

One Hundred and no/100 Dollars

THE Arizona BANK
16TH ST. & BETHANY HOME RD.
6015 N. SIXTEENTH ST.
PHOENIX, ARIZONA 85016

For

J. Wayne Watson

⑆122101706⑆1489 037⑈38038⑈

DP-3

8 3 0 4 0 3 7 4 6 2 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Martin Bacal, Chairman
Udall for Congress Committee 1980
2547 East Broadway
Tucson, Arizona 85716

Re: MUR 1279

Dear Mr. Bacal:

This is in reference to the complaint you filed with the Commission on August 19, 1980 concerning the Committee for the Record.

After conducting an investigation in this matter, the Commission determined there was reason to believe that the Committees' president, John Wayne Watson, violated 2 U.S.C. §§ 433 and 434, provisions of the Federal Election Campaign Act of 1971, as amended. On December 13, 1982, a conciliation agreement signed by the respondent was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1279. If you have any questions, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY:
Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

(6)

8304037467

202604

RECEIVED AT THE FEC
Cert 9/27
82 DEC 16 P 1:

Ahern & McCormley, P.C.
Lawyers

J. Lawrence McCormley
Kevin T. Ahern

Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

(602) 957-0300

December 13, 1982

Duane Brown
Assistant General Counsel
Federal Election Commission
1325 K Street
Washington, D.C. 20463

Re: MUR 1279

Dear Mr. Brown

Enclosed is the Conciliation Agreement which has been executed by J. Wayne Watson, along with Mr. Watson's check in the amount of $100.00.

Very truly yours,

AHERN & McCORMLEY, P.C.

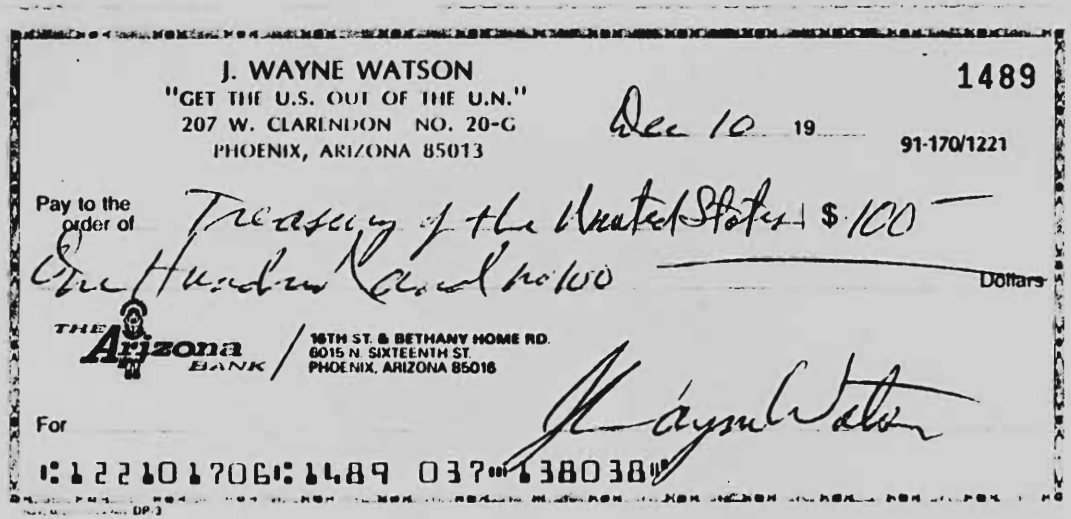
Kevin Ahern KB

Kevin T. Ahern

KTA:kb

Enclosures

8304037462 8



J. WAYNE WATSON
"GET THE U.S. OUT OF THE U.N."
207 W. CLARENDON NO. 20-G
PHOENIX, ARIZONA 85013

1489

Dec 10 19

91-170/1221

Pay to the order of Treasury of the United States $ 100

One Hundred and no/100 Dollars

THE Arizona BANK
16TH ST. & BETHANY HOME RD.
6015 N. SIXTEENTH ST.
PHOENIX, ARIZONA 85016

For

J. Wayne Watson

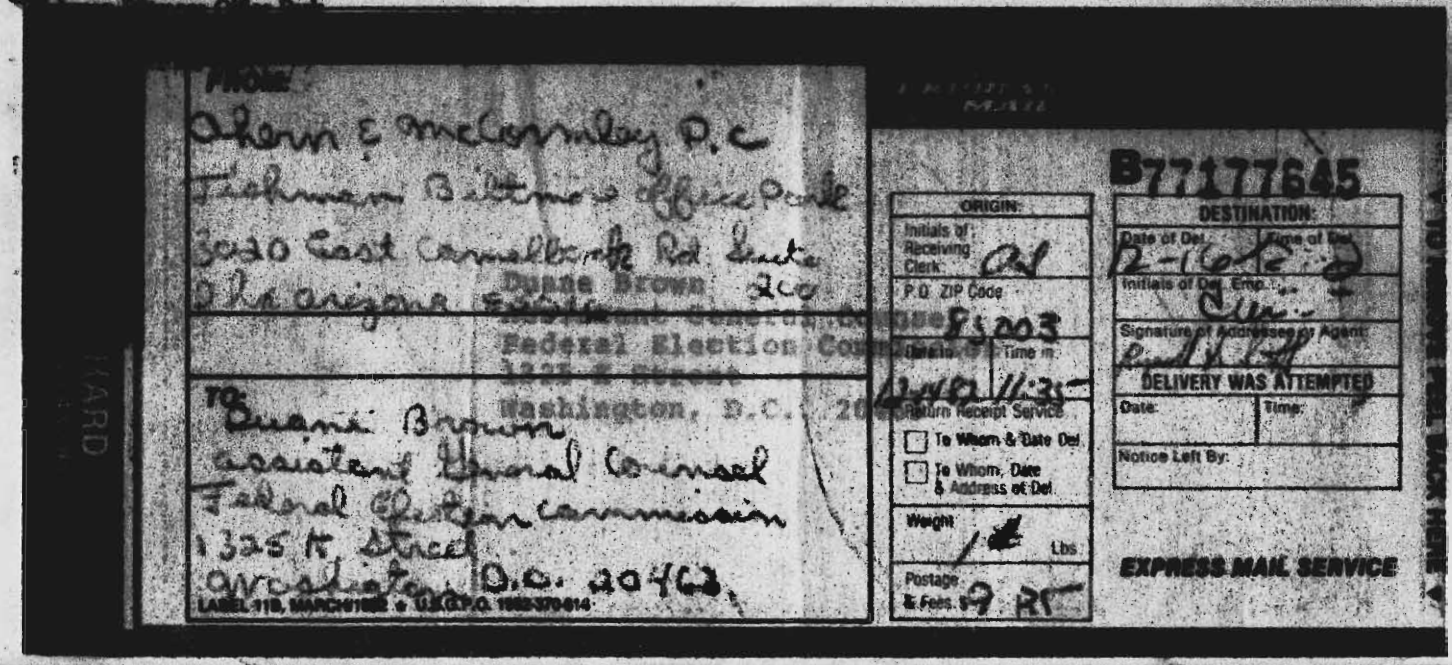
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DP3

8 3 0 4 0 5 7 4 6 2 9

Ahern & McCormley, P.C.

RECEIVED AT THE FEC






NOV 1982
RECEIVED
Ahern & McCormley

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Kevin T. Ahern, Esquire
Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission found reason to believe that J. Wayne Watson (Committee for the Record) violated 2 U.S.C. § 433 and § 434. At your request, the Commission determined on November 3, 1982, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures

3304037461

bpi
J. WAYNE WATSON
biltmore properties, inc.
P. O. BOX 27430 PHOENIX, ARIZONA 85061

830437

PHOENIX, AZ 850
PM
2 DEC
1982

DEC-2
AM 17

Mr.Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C., 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Kevin T. Ahern, Esquire
Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission found reason to believe that J. Wayne Watson (Committee for the Record) violated 2 U.S.C. § 433 and § 434. At your request, the Commission determined on November 3, 1982, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Enclosures

8304037463 2

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson | ) | |
| (Committee for the Record) | ) | |

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Martin Bacal. An investigation was conducted, and reason to believe has been found that J. Wayne Watson (Committee for the Record) ("Respondent") violated 2 U.S.C. §§ 433 and 434 for failing to register as a political committee and failing to file its financial reports.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Respondent, J. Wayne Watson was the coordinator of an informal group of individuals known as the Committee for the Record.

8304037463

2. Respondent conducted political activity regulated by the Federal Election Campaign Act of 1971, as amended.

V. Respondent failed to register as a political committee and failed to file reports of financial activity in violation of 2 U.S.C. § 433 and § 434 respectively.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one hundred dollars ($100.00) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

8304174535

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

Charles N. Steele
General Counsel

_____ BY: _____
Date Kenneth A. Gross
Associate General Counsel

_____ _____
Date J. Wayne Watson

BY: _____

ITS: _____

8304057463 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
) MUR 1279
Committee for the Record )
J. Wayne Watson )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 3 1982, the Commission decided by a vote of 6-0 to take the following actions in MUR 1279:

1. Enter into pre-probable cause conciliation with J. Wayne Watson.

2. Approve the conciliation agreement as attached to the General Counsel's Report signed October 28, 1982.

3. Send the letter as attached to the General Counsel's Report signed October 28, 1982.

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

Attest:

11-3-82
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 10-29-82, 12:34
Circulated on 48 hour tally basis: 11- 1-82, 11:00

8304037463 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

**MEMORANDUM TO:** **CHARLES STEELE**

**FROM:** **MARJORIE W. EMMONS /JODY C. RANSOM**

**DATE:** NOVEMBER 3, 1982

**SUBJECT:** COMMENTS RE: MUR 1279

**Attached is a copy of Commissioner** Reiche **vote sheet with comments regarding** a civil penalty on MUR 1279.

8304037463 8

**ATTACHMENT:**
Copy of Vote Sheet

48-HOUR BALLOT

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 NOV 2 P 2:38

# SENSITIVE

Date & Time Transmitted: MONDAY, 11-1-82, 11:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, NOVEMBER 3, 1982, 11:00

SUBJECT: MUR 1279 - General Counsel's Report signed October 28, 1982

(✓) I approve the recommendation in the attached report.

( ) I object to the recommendation.

COMMENTS: But the penalty is too light.

Date: 11/2/82 Signature: Frank P. Reiche

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

8304037463 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 29, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: George Demougeot (GD)

SUBJECT: MUR 1279

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

8304057464 0

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

82 OCT 29 P12: 34

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| Committee for the Record | ) | |
| J. Wayne Watson | ) | |

GENERAL COUNSEL'S REPORT

Background

On October 14, 1981, the Commission found reason to believe that J. Wayne Watson and Committee for the Record (the "Committee") violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file the appropriate financial reports. It appeared that Watson and the Committee were responsible for the distribution of a letter and reprint article, the purposes of which were to influence the 1980 Congressional election in Arizona.

Interrogatories were sent to Mr. Watson along with notification of the RTB finding. After considerable delay, the response to the interrogatories were received at the Commission on February 22, 1982.

The responses to the interrogatories raised additional questions. One such response included an invoice which indicated that an entity known as Biltmore Properties may have paid for 25,000 copies of the reprinted article. Biltmore Properties is an incorporated entity in the state of Arizona. Since Mr. Watson did not include a cancelled check, it was unclear as to whether

he paid for the printing. If Biltmore Properties made the expenditure for the printing a possible 441b violation would have occurred.

Based on this information, the OGC requested in March, 1982 that the Commission submit additional interrogatories to Watson in an effort to clarify the source of the funds used for printing expenses. Again, after considerable delay the answers to the second set of interrogatories were not produced. At this time, the Office of General Counsel recommended that the Commission take the deposition of J. Wayne Watson in an effort to expedite the proceedings in this matter. The deposition was taken on September 3, 1982.

8304037461

## Legal Analysis

J. Wayne Watson testified that Committee for the Record was an informal group organized mostly at pot luck dinners. Mr. Watson indicated that the group consisted of all volunteers, "kids on rollerskates" and some friends.

Mr. Watson also indicated that with regard to the material distributed by the group only a minimal number, 500 copies, of Exhibit A were distributed. Exhibit A was a short statement which asked the recipient to read the "Review of the News" article, (Exhibit B) and to "make a change at the polls on November 4." The bulk of what the respondent distributed was a reprint of the "Review of the News" article without Exhibit A

attached and this is what accounted for the bill from Aristocrat Printers. There were no distribution costs as all of the material was distributed by volunteers. Watson did indicate that the total cost of reproducing both Exhibits A and B was approximately $5,000.

With regard to a possible corporate contribution by Biltmore Properties, Watson stated that Biltmore did not pay for the printing costs. Watson explained, however, why he believed Aristocrat Printing mailed an invoice to Biltmore for printing costs. Watson said he was responsible for making the arrangements with Aristocrat Printing to print the brochures although he said he was not responsible for the total payment of the brochures. Watson stated that as a result of his making the arrangments for the printing, he left his personal card with the printers, who in turn forwarded the finished product and invoice to the address on the card, Biltmore Properties.

The printing, he testified, was paid for by individuals of the group who paid from $50 to $300 with checks made payable directly to the printer and not to the group. At the deposition Watson provided the Commission with copies of four checks made out to Aristocrat Printers and with the names of four other individuals who made payments to Aristocrat Printers. Two of the checks totaling $400 appear to be drawn on corporate or business accounts. Watson also stated that no monies were deposited in a bank depository and the group did not have a checking account.

8304037464 2

Watson also stated that all other costs, e.g. gas, travel, etc., were paid out of pocket and no records were kept.

Finally, Watson swore that the group never intended to involve itself in any activity that was regulated by the Federal Election Campaign Act and indicated that any future political activities will be conducted in strict compliance with the Act.

By letter dated October 7, 1982, Kevin Ahern, counsel for Watson requested that the Commission accept his client's offer to enter into pre-probable cause conciliation. General Counsel staff has discussed recommending and the respondent has agreed to pay a $100 civil penalty. In light of the fact that this was an informal gathering of individuals who by their activity became inadvertantly involved in federal election activity under the jurisdiction of the Act and who indicate that any future political activity will be conducted in compliance with the Act we feel that the proposed civil penalty is appropriate.

8304037461

**Recommendation**

The Office of General Counsel recommends:

1. The Commission enter into pre-probable cause conciliation with J. Wayne Watson.

2. Approve the attached conciliation agreement.

3. Send attached letter.

Oct 28, 1982
Date

Charles N. Steele
General Counsel

BY: _____
Kenneth A. Gross
Associate General Counsel

Attachments:
1. Letter from Respondent
2. Letter to Respondent
3. Conciliation Agreement

33040374644

202486

RECEIVED FEC
82 OCT 8 P12:38

ATTACHMENT I

Ahern & McCormley, P.C.
Lawyers

J. Lawrence McCormley
Kevin T. Ahern

Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

(602) 957-0300

October 7, 1982

82 OCT 8 P3:41

Duane Brown, Esq.
Assistant General Counsel
Federal Election Commission
1325 K Street
Washington, D. C. 20463

Re: MUR 1279

Dear Mr. Brown:

Please consider this letter as Mr. Watson's request to enter into informal pre-probable cause conciliation with the Federal Election Commission in connection with the matter referenced above.

We believe that the record is devoid of any evidence of Mr. Watson's intent to violate the Commission regulations or the Federal Election Campaign Act. Likewise, Mr. Watson has expressed to you his absolute commitment that any future political activities will be conducted in strict compliance with the letter and spirit of the Federal Election Campaign Act. Furthermore, if there are any future activities (and there probably will not be) by the "Committee for the Record", your office's advice and direction as to the propriety of those activities or the necessity of disclosure will be first solicited.

I would like to personally thank you for the courteous and professional manner in which you and other members of your staff, including Gary Johansen, have proceeded in connection with this matter. Of course, if you need further information or have any questions, please give me a call.

Very truly yours,

AHERN & McCORMLEY, P.C.

Kevin T. Ahern

KTA:mm

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Kevin T. Ahern, Esquire
Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission found reason to believe that J. Wayne Watson (Committee for the Record) violated 2 U.S.C. § 433 and § 434. At your request, the Commission determined on October , 1982, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY:
Kenneth A. Gross
Associate General Counsel

Enclosures

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BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson | ) | |
| (Committee for the Record) | ) | |

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Martin Bacal. An investigation was conducted, and reason to believe has been found that J. Wayne Watson (Committee for the Record) ("Respondent") violated 2 U.S.C. §§ 433 and 434 for failing to register as a political committee and failing to file its financial reports.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Respondent, J. Wayne Watson was the coordinator of an informal group of individuals known as the Committee for the Record.

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2. Respondent conducted political activity regulated by the Federal Election Campaign Act of 1971, as amended.

V. Respondent failed to register as a political committee and failed to file reports of financial activity in violation of 2 U.S.C. § 433 and § 434 respectively.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one hundred dollars ($100.00) pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

Charles N. Steele
General Counsel

_____ BY: _____
Date Kenneth A. Gross
Associate General Counsel

_____ _____
Date J. Wayne Watson

BY: _____

ITS: _____

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**Ahern & McCormley, P.C.**
Lawyers

J. Lawrence McCormley
Kevin T. Ahern

Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

(602) 957-0300

October 7, 1982

2 OCT 8 P3:41

Duane Brown, Esq.
Assistant General Counsel
Federal Election Commission
1325 K Street
Washington, D. C. 20463

Re: MUR 1279

Dear Mr. Brown:

Please consider this letter as Mr. Watson's request to enter into informal pre-probable cause conciliation with the Federal Election Commission in connection with the matter referenced above.

We believe that the record is devoid of any evidence of Mr. Watson's intent to violate the Commission regulations or the Federal Election Campaign Act. Likewise, Mr. Watson has expressed to you his absolute commitment that any future political activities will be conducted in strict compliance with the letter and spirit of the Federal Election Campaign Act. Furthermore, if there are any future activities (and there probably will not be) by the "Committee for the Record", your office's advice and direction as to the propriety of those activities or the necessity of disclosure will be first solicited.

I would like to personally thank you for the courteous and professional manner in which you and other members of your staff, including Gary Johansen, have proceeded in connection with this matter. Of course, if you need further information or have any questions, please give me a call.

Very truly yours,

AHERN & McCORMLEY, P.C.

Kevin T. Ahern

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Duane Brown, Esq.
Assistant General Counsel
Federal Election Commission
1325 K Street
Washington, D.C. 20463

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BEFORE THE FEDERAL ELECTION COMMISSION

STATE OF ARIZONA

| | | |
|---|---|---|
| J. WAYNE WATSON | ) | |
| | ) | |
| COMMITTEE FOR THE RECORD | ) | NO. MUR 1279 |
| | ) | |
| MATTER UNDER REVIEW | ) | |
| | ) | |

# DEPOSITION OF J. WAYNE WATSON

Phoenix, Arizona
September 3, 1982
10:20 o'clock a.m.

SCHMALZER CORPORATION
CERTIFIED COURT REPORTERS
DEPOSITION NOTARIES, RPRs, CPs, CMs

FIRST NATIONAL BANK PLAZA
20 EAST MAIN STREET, SUITE 775
MESA, ARIZONA 85201
TELEPHONE (602) 833-5363

PREPARED FOR:

Mr. Duane A. Brown,
Attorney at Law

TAKEN BY:

Teresa M. Hudson

Original

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| By Mr. Brown | 5 |


## EXHIBITS


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THE DEPOSITION OF J. WAYNE WATSON, taken at 10:20 o'clock a.m., on September 3, 1982, at the United States Attorney's Office, 230 North First Avenue, Phoenix, Arizona, before Teresa M. Hudson, a Notary Public in and for the County of Maricopa, State of Arizona.

The Federal Election Commission, was represented by their attorney Mr. Duane A. Brown, Attorney at Law, 1325 K. Street NorthWest, Washington, D.C., 20463, and also by Mr. Gary L. Johansen, Assistant General Counsel.

Mr. J. Wayne Watson was represented by his attorneys Bistrow and Mikal, 818 East Osborn #111, Phoenix, Arizona, 85014, by Mr. Kevin T. Ahern, Esq.

STIPULATION

IT IS STIPULATED by and between Counsel, for the respective parties hereto that the deposition of J. WAYNE WATSON may be taken at this time and place before TERESA M. HUDSON, a Notary Public in and for the County of Maricopa, State of Arizona, pursuant to the Rules of Federal Procedure.

Next page, please.

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MR. AHERN: Let the record reflect I've handed him the original, bearing the original verification, J. Wayne Watson, some interrogatories that were sent several months ago. As a housekeeping record, I'd like to get it out of the way in advance. Mr. Watson has, apparently, been residing most of the month of August in Newport Beach, California, where his father's been seriously ill. He was back over this week, until I called him and said: You are just going to have to get back over here for this. As far as we're concerned, the mileage that he is supposed to get is mileage from Newport Beach, California to here and back or in other words, air fare, because that is where he has been residing for the entire summer -- or excuse me, for the entire month of August, taking care of his father. So whoever makes arrangements on the mileage, that's the position that we would take.

I just wanted to get that out ahead of time; otherwise I would forget about it.

THE WITNESS: No, I wouldn't let you forget about it.

MR. BROWN: We have our witness fee before I forget.

MR. AHERN: Already made out?

MR. BROWN: Yes, already made out.

MR. JOHANSEN: What would be the added expense

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that you're claiming?

MR. AHERN: Just that because we're here at your request, and we're supposed to be here.

THE WITNESS: This is not enough; I want to point that out.

MR. AHERN: He was over there, and if he's being subpoenaed to come back here, and he did come here under subpoena, that pursuant to the Statute and the CFR regs, that he is entitled to get his mileage from wherever he was.

MR. BROWN: My question is how much additionally are you claiming?

MR. AHERN: I don't know; just the round trip air fare.

THE WITNESS: Round trip is $183 bucks.

MR. AHERN: What's the amount of the check?

THE WITNESS: $30 bucks.

MR. AHERN: See, if we're looking at 20 cents a mile, we're looking at something like 450 miles each way, if you're talking about ground miles. I don't know how far it is to Newport.

MR. BROWN: It was my impression that that Statute pertains to the residence of the individual, and not a temporary residence. And if we had known previously that that's where his temporary residence would have been,

we may have scheduled the subpoena for that location, and so --

MR. AHERN: I wanted to get it on the record. We can quibble about it later.

MR. JOHANSEN: We'll take your request back. We can't promise anything at this time.

MR. AHERN: We appreciate it.

Off the record.

(Whereupon, an off-the-record discussion ensued.)

J. WAYNE WATSON,

called as a witness herein, having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MR. BROWN:

Q. Okay. For the record, would you please state your full name?

A. Full name is John Wayne Watson.

Q. Mr. Watson, are you employed?

A. Yes, I am.

Q. With whom?

A. Biltmore Properties after this last year, I think.

Q Okay. In what capacity are you employed?

A I am the designated broker, and I handle the brokerage sales relationship with the company.

Q Do you have any financial interest in the company at all?

A If it doesn't make money, I don't make money, I guess. I'm not a shareholder.

Q You don't own any part of it then?

A No. We have separate profit centers, and my brokerage business is separate from the main company itself.

Q Okay. Did you have any interest, ownership interest in the past?

A No, never did. Let me take that back; prior to this, I think, gosh, when we first got started, yes, and then about three years ago, I think, two and a half, three years ago, whatever, we separated it out, because we never could figure out how to have management and brokerage work together, so we separated it. My partners handle the company 100 percent, and I handle the brokerage, if that makes any sense.

Q So you sold out to the partner?

A We never sold it out. There was never any money or anything, the transaction changed hands. It was just a matter of we couldn't figure out how to work

together.

MR. AHERN: For purposes of the record, Biltmore Properties, at one time, was a partnership, and it became incorporated. I don't believe Wayne's ever been a shareholder in the corporation. He has, since it's been incorporated several years ago, been solely a salaried employee or a commissioned employee, as it will.

BY MR. BROWN:

Q Okay. Fine. How long have you been with Biltmore?

A Well, we associated ourselves together about five years ago, close to that.

Q Okay. I want to show you this letter and article, so that you can identify it. Just for purposes of the record, can you identify that document?

A Yeah, sure can.

Q So you are familiar with it?

A That's right.

MR. JOHANSEN: Mark it as an Exhibit.

MR. BROWN: Could we?

(Whereupon, Exhibit 1, document, was marked for identification.)

BY MR. BROWN:

Q It has come to the attention of the Commission that you and others, in some way, were

responsible for the printing and dissemination of this document, which you just identified, pertaining to Mo Udall; is this true?

A. That's true.

Q. What I'd like to know is who were the other people who were involved in the printing and dissemination of this document? Okay. Let's start off primarily with the dissemination?

A. Okay. Dissemination, there's no way in the world I could tell you everyone. There was no real -- nobody belongs to any special group or anything. A bunch of people got together, and their friends, and some kids came along; some were on rollerskates, et cetera. We did not have any formal organization. It was just a group that got together, and I have no record of that whatsoever.

Q. Did the group have a name?

A. Well, we just called ourselves Committee For The Record, for lack of anything else.

Q. Okay. Did any of the other individuals who were members of this group, were any of them employed by Biltmore?

A. No, I'm pretty sure they're not. I'm sure somebody would have mentioned to me that they happened to be one of our managers or something, but I'm almost 100 percent sure no one was employed by Biltmore.

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Q. Exactly what role did you play as a member of the group?

A. I was pretty much the guy that headed it up.

Q. You mean organized the effort that necessarily -- whatever, to get the printing?

A. Coordinator of it, yeah. I wrote the letter to the people, Review of the News, bought permission to reprint that article that gave the voting record and background history of Morris Udall, and told the people where to send their checks to help in whatever way they could to pay for the article, and that sort of thing, coordinator.

Q. Where was the letter and the reprinted article reproduced?

A. The article was reproduced at, I think, Aristocratic Printers (sic), if I'm not mistaken, Tucson, if that's the name of it -- Aristocrat Printing in Tucson.

Q. Is that the letter and the article?

A. That's where the article was printed. Okay. This letter, there was just a few of them, like 500 or 600, something like that. I don't even remember, since there were just a few made up, whether or not that was printed up by them or not. I really don't know. Like I say, we had various -- we had a bunch of people. We got

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together at different pot luck dinners, and we put them on the old classic door hanger, so we could hang them on the doors. And after we started using these, we started talking about it, and it was decided that: Well, this really was not just the exact straight record, and we just would not even use this anymore; just put the article out. Okay. We determined we really wouldn't use this; just use this one article, so that's what we did.

Q Was the article and the letter disseminated as a package; in other words, were they disseminated as individually or as disseminated in that form there, in that package?

A I think 500, I think, that were in a package together, okay, because I certainly didn't know about everything, putting these things together, so this got in about 500 of them, and we determined that it should not be in the package; just this should be in the package. Okay. So it was in about 500 of them, so about 45,000 or some went out.

Q So sometime after the article was reprinted by Aristocrat Printing, at some point thereafter, the letter was adjoined to it at some process?

A Yes.

Q And then disseminated?

A It was never a part of this, okay? Well, they

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were both put in a plastic door hanger, all right, and it was hung together as one.

Q I see. Okay.

A Because this talks about the article, okay?

Q Right. Okay. Who, from the group, was responsible for contracting with the Aristocrat Printing for reproducing the article? I know you mentioned that you were the coordinator, you headed most of that, and you wrote the letter?

A Yeah, and I don't even know, to tell you the truth. I'm not really sure. I know that one of the other fellows in the group there was familiar with them, and had done some work there. I think they had done some work for us at one time, and he felt that we could get a good rate from the guy or I don't know, so we used them; I don't know.

Q Now, you did state though that you were responsible for writing the letter to Aristocrat Printing?

A No, there was no letter to Aristocrat Printing. The letter that I mean that was written, that was written to the Review of the News people that first published that article in their news magazine, and I had to get permission from them to get it reproduced, of course. It's a patent copyrighted news magazine, so that was the

letter that I copied from them. There was never any correspondence, to my knowledge, with the printing firm. Just said: Here's the stuff to print, and print it up.

Q. Okay. Again, for the record, how was the reproduction of the letter and the article financed?

A. By various people of the group paying for it.

Q. I am trying to get an idea how, exactly, you decided to put money in; in other words, did you get together in a group meeting and decide if we did an effort like this, it would cost $5,000 dollars, and everyone give $50, something to that effect or how, someone on their own decide?

A. I had people give a couple of bucks to the printer, and I had people, I think, checks as large as $200 and $300 dollars from different people in the like, and there was -- I wish it was that easy, just to get everybody and pay $50 or $100 bucks, whatever they could to help out with, so it got done. I hate to sound so unorganized, but we really, we weren't a structured group.

Q. How did the people get paid then?

A. People send in checks to the printers and give them to -- made out to the printers, and take them down to him. Whenever they came in and as soon as we got enough money there and gathered, we got our stuff printed; that's about how it worked.

Q So all the checks that were received for financing the reproduction were given to you?

A No, that's not true; they weren't all given to me. Some were taken directly to the printer; some other guys took them down; some --

Q Do you recall if any of the checks that you received were in an amount in excess of $1,000 dollars?

A Not to my knowledge.

Q Do you recall if any of the checks you received were derived from corporate or business accounts?

A Corporate or business accounts? Now that, I don't know. Let me take a look. Some of these I do have some records on, and some I don't.

MR. AHERN: For purposes of the record, in connection with the interrogatories that we have answered today, there were two Exhibits, Exhibit A and Exhibit B. Exhibit B contained reproductions of the face of all the checks that Mr. Watson had or the copies that he had made, and some of those do -- are written on what appear to be business accounts. And I searched his records, and he has searched his records, and he has copies of no other checks. But all of the checks that he did have copies of, he has provided to you. All of them are made out directly to Aristocrat Printers.

THE WITNESS: A couple in here from Jolly Realty

Investment Company, and Anco Properties.

BY MR. BROWN:

Q Did you make a copy of all the checks that were given to you?

A Oh, no, like I say, this is not a structured group, and whenever, you know, if people are from Tucson, in that area or whatnot or just send their checks to an associate or whoever it was, Aristocrat Printers, fine, they did so. And I checked whenever we got enough money down there, we did the printing. So the ones that I had that people just give me, the checks are already made out to them, and I tried to keep account of, as best I possibly could, just to have some sort of a record of what was given.

Q Okay. Did Biltmore Properties pay any of the expenses of the group incurred in connection with the printing of the letter or the reprinted article?

A No, Biltmore Properties didn't pay any of that.

Q Okay. Then for the record, please, explain why the invoice from Aristocrat Printers was sent to Biltmore Properties?

A Oh, okay. I'm not really sure. The only thing I can probably have some logical explanation for is that I used my business card just to hand out to people

whenever I talked to them of how to find me or send stuff to me or whatever. And since this guy was in Tucson, he had my business cards, so that's probably why he put Biltmore Properties on it, because we had to get the stuff back up here to stuff them in our envelopes and whatnot, the door hangers.

Q. Once the reproduced article and material arrived at Biltmore Properties, was it paid for at that time?

A. No. No, in fact, I think, I know half of the reprinted articles, about 25,000 of them, were picked up by a fellow who's got a trucking company that was helping us out, and he was going back and forth. He picked up some of them direct from the printer, when that first half was through.

Q. Back and forth from Tucson where Aristocrat is located?

A. Yeah.

Q. Do you recall his name?

A. Parker, I believe, is his last name. I don't even know if I have got his name real handy for you. His wife's name is Dolly. I can't remember his name right off the bat, but he's transferred -- he has transportation coming, and I know he brought some for it, so they had to be paid for before he was going to get any of them out

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of the shop. He was a good businessman, so he had his money there. When he had enough money, he'd print them, have them available for us to pick up or ship up here, one of the two.

Q Okay. The subpoena requested that you prepare a list of all individuals and/or entities that made contributions to you and/or the political record for the purposes of financing the reproduction, dissemination of the article and the letter; are you prepared with that list at this time?

A Well, I am prepared as best as possible, because there was no donations to Committee For The Record, okay? There was never any checking account or anything like that for the Committee For The Record. That was just a name to, you know, more or less designate what are we, you know, that sort of thing. Everything that I have, you guys have got already, okay? That came in to me. Everything else went direct to Aristocrat Printers or it was given to other people in the group or whatever, you know. All the members, all the people that really associated with Committee For The Record just paid direct to the printers. There was never even reason for any other expenses, that was it.

Q Were there any other types of expenditures incurred by either you or the Committee For The Record

in regard to the Udall --

A. Gas bill, driving down there, that sort of thing.

Q. That was paid out of pocket, too?

A. Oh, yeah, just guys chip in for the cars when we went down there.

Q. All right. You indicated earlier that certain individuals from time to time gave you checks; I think you indicated some of the checks were made out directly to the Aristocrat Printing?

A. All of them were, I believe.

Q. Were those checks deposited and then you wrote a check from your account or did you turn those checks directly over to the printer or how exactly was that done?

A. All the ones that I got were made out to Aristocrat Printers. One guy messed up and made it to Associate Printing, but they still ran through Aristocrat Printers' account, I assume. I turned it over to the printing company or to whoever was going down to Tucson to take it to them or we just mailed it to them, because I made no deposits through my own account that I can recall at all.

Q. Were there ever any deposits made to any account, the source of which were from these individuals,

this group that you are referring to, that's known as Committee For The Record?

A. Were there any deposits to an account titled Committee For The Record?

Q. Which were derived from the group known as Committee For The Record?

A. No.

Q. All right. Is the name Edward Ahrens available to you -- I mean, familiar to you A-h-r-e-n-s?

A. Ed Ahrens, yeah, sure is.

Q. How are you familiar with him?

A. Well, that was his address that we had on the Committee For The Record down in Tucson.

Q. What were you using his address for?

A. As more or less a central point, if anyone wanted to call in or write to him and get some more prints or whatever for that article.

Q. Was he a member of the Committee For The Record?

A. I never talked to the guy. Someone else who was helping out there gave me his name and address, that he'd be able to use that as a mailing point down in Tucson, so he called him a member of the Committee, even though I never talked to him or met the guy. He was just told that he would be able to -- he'd be glad, you know,

to help out in whatever way he could.

Q Okay. So that was the address that the Committee used if any individuals were to receive additional reprints of the Udall article?

A Anybody yeah, that was not a member of the Committee, okay? Anyone else that got one of these fliers on their door or was handing one on the street, if they wanted some more of these to get ahold of, they could contact Ed down there, and get some more, yeah.

Q And he would go to who to get the article, to get the reprint done?

A He would either have some or he could give me a call or contact me, because I had a bunch of them around.

Q Okay.

A Now, we had communication problems, because evidently, Ed was out of pocket, and no one failed to notify Ed that he was part of the Committee, so we had a little foul-up there, but that was the intention anyway.

Q All right. What do you exactly mean by out of pocket, and why was Ed Ahrens not notified of the fact that he was part of the Committee?

A I don't know why he wasn't notified. I thought he was.

Q How did he become a part of the Committee in

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the first place?

A. Well, one of the guys said that: Hey, he'd be a -- he'd have a local address there in Tucson. He'd be glad to help out with what we're doing.

Q. Did he?

MR. AHERN: Do you know?

THE WITNESS: I don't know if he did or not.

MR. AHERN: If you don't know, say you don't know.

THE WITNESS: I don't know.

BY MR. BROWN:

Q. Do you know whether or not any individuals wrote to this address, his address requesting any reprints, and whether or not he, in fact, supplied any of the reprints?

A. I do not know.

Q. Okay. And again, now, what were we saying, what is meant by out of pocket?

A. Well, the way I understand, he was building a home, and whatnot, and he didn't really know what was going on, so we had a little -- a severe communication breakdown with Ed.

Q. Okay. Earlier you indicated that you had a bunch of people contributing to the effort to put some money in and get some of these articles out, et cetera, et cetera; about how many people would you say made

contributions to help pay for the reprints and reproduction?

A. Gee, I would say -- estimate around 35, 40.

Q. Okay. And most of these were friends of yours or social --

A. No, some I knew and some I didn't know at all. Okay. They were friends of friends who wanted to help out, okay? So I don't know everybody.

Q. Okay. Were you aware at any time that the activity which you and the Committee were involved in, that that activity was regulated by the Federal Election Campaign Act?

A. Not at all. I had no idea one couldn't print up any information on the Congressmen and pass it out. I had no idea that was against any rule or regulation of the United States. I thought we were still a free country.

Q. I have no doubts that we are.

A. Well, I am beginning to doubt it.

Q. Okay. Did you intend to form a committee under the structure that is set out in the Federal Election Campaign Act?

MR. AHERN: I think I have to object to that; it calls for a legal conclusion. He already stated he wasn't aware of any of the statutes, so he could not have formed any specific intent that would form something that's defined as it's defined in the statute.

Go ahead and answer the question if you know what the political structure is in the statute. Answer the question, if you don't know what it was, then you just don't know.

THE WITNESS: Well, you raised a good point. I'd like to answer all the questions, but you bring up a very same point I was trying to get out of my attorney, okay. What is a political committee, and Kevin has done a pretty good job to tell me what was going on with the Federal Election Commission, whatnot. I still am not too clear on it. I don't know really what a political committee is.

MR. BROWN: Okay. Go off the record.

(Whereupon, an off-the-record discussion ensued.)

MR. AHERN: I would like the record to reflect Mr. Watson's answer to the question is in the negative to the extent that he understands what a political committee was, and he's already stated he didn't have any idea at that time. He did not intend to violate any statutes or regulations of the Federal Government or the F.E.C., and had he known that he was pretty remotely close to being in violation of something like that, he would have consulted his attorney to find out if he was, and had followed the rules and regs. But I think you need that

kind of a statement for purposes of whoever is going to take an action or no action position on this particular case.

THE WITNESS: Well, yeah, that's pretty much it. If I knew there was some sort of violation that we're involved with, we'd sure as heck found out what in the world is going on. As long as there's some way that we can pass out Congressmen's voting record, which is really the main intent of what we're trying to do, I had no idea there is some sort of violation that we were going against by doing --

MR. AHERN: Another thing I'd like noted on the record is if it is important, my understanding is how you conclude one of these matters is either you take some sort of a no action position, there is no violation whatsoever or you undertake some sort of a conciliatory agreement or prosecute or hand it over to the U.S. Attorney to prosecute, and they make a determination. If it would be helpful to conclude this for us, to enter into some sort of a conciliation agreement, we'll be more than happy to, if the conciliation agreement was something along the lines that he didn't know he was doing something wrong, and he is to solicit an opinion from the F.E.C., and we will, in all ways and forms, act with the F.E.C. in the future. I am very interested in that, because I am retainer with his

company, and these sorts of things end up in my lap, and it's my job to make sure everybody is walking along correctly.

So if that is helpful in terms of any type of resolution of this matter, I just want it to go on the record stating that.

MR. BROWN: Well, again, we will always try to work along that line of including the case, anyhow, but we should let you know that we make recommendations to the Commission, and it's the Commission's final decision as to how they will proceed.

MR. AHERN: That's fine.

BY MR. BROWN:

Q Okay. I guess just one other question then.

Has the Committee For The Record, as the entity itself, continued its activity or its efforts, whether in connection with the Udall campaign or any other Federal candidate?

A No.

MR. BROWN: Okay. Off the record.

MR. AHERN: Is that the Committee doing that or you and some other people?

THE WITNESS: Some other people, no, some other people.

MR. AHERN: So that's not --

THE WITNESS: Nothing to do with that. I mean, it's some other people, and we are doing basically this, you know, we are handing out -- we are handing out to the Congressmen voting records from all four congressional districts.

MR. BROWN: Right, I understand that.

THE WITNESS: And information on inflation, so --

MR. BROWN: I just fear that you may be lining yourself up again for an assault by a complainant that you are again influencing federal action, if the individual is a federal candidate, and you are doing about the same activity, and you are spending a certain amount of money.

THE WITNESS: If his voting record is damaging to his election, then that's what we are doing.

MR. AHERN: Okay. I would let you know this is the first time I found out about this was in the car on the way over here this morning, and I think I've made it pretty clear to Wayne that if at any time someone gets politically active and spends money directly or indirectly on campaigns, the long arm of the law is going to grab him, and we are going to view whatever he is doing now, and if it remotely comes through what they were doing with Committee For The Record, then we are going to follow any guidelines that we can get from you people that would help us determine what's the correct mode of

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operating and the correct mode not to.

MR. BROWN: Okay.

MR. AHERN: I mean, it's obviously outside the scope of the investigation that you are investigating this morning, and we appreciate the insight, and we don't want to be in this position again or have you guys come out again.

MR. BROWN: Okay. For the record -- off the record.

(Whereupon, an off-the-record discussion ensued.)

MR. BROWN: For our purposes, this concludes the deposition.

(Signature Waived)
J. WAYNE WATSON

* * *

93040574676

STATE OF ARIZONA )
) ss
COUNTY OF MARICOPA )

BE IT KNOWN that the foregoing deposition was taken before me, TERESA M. HUDSON, a Notary Public in and for the County of Maricopa, State of Arizona; that the witness before testifying was duly sworn by me to testify to the whole truth; that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting under my direction; that the witness waived the reading and signing of the deposition; that the foregoing 26 pages are a true and correct transcript of all proceedings had upon the taking of said deposition, all done to the best of my skill and ability.

I FURTHER CERTIFY that I am in no way related to any of the parties hereto nor am I interested in the outcome hereof.

DATED at Mesa, Arizona, this 10th day of Spetember, 1982.

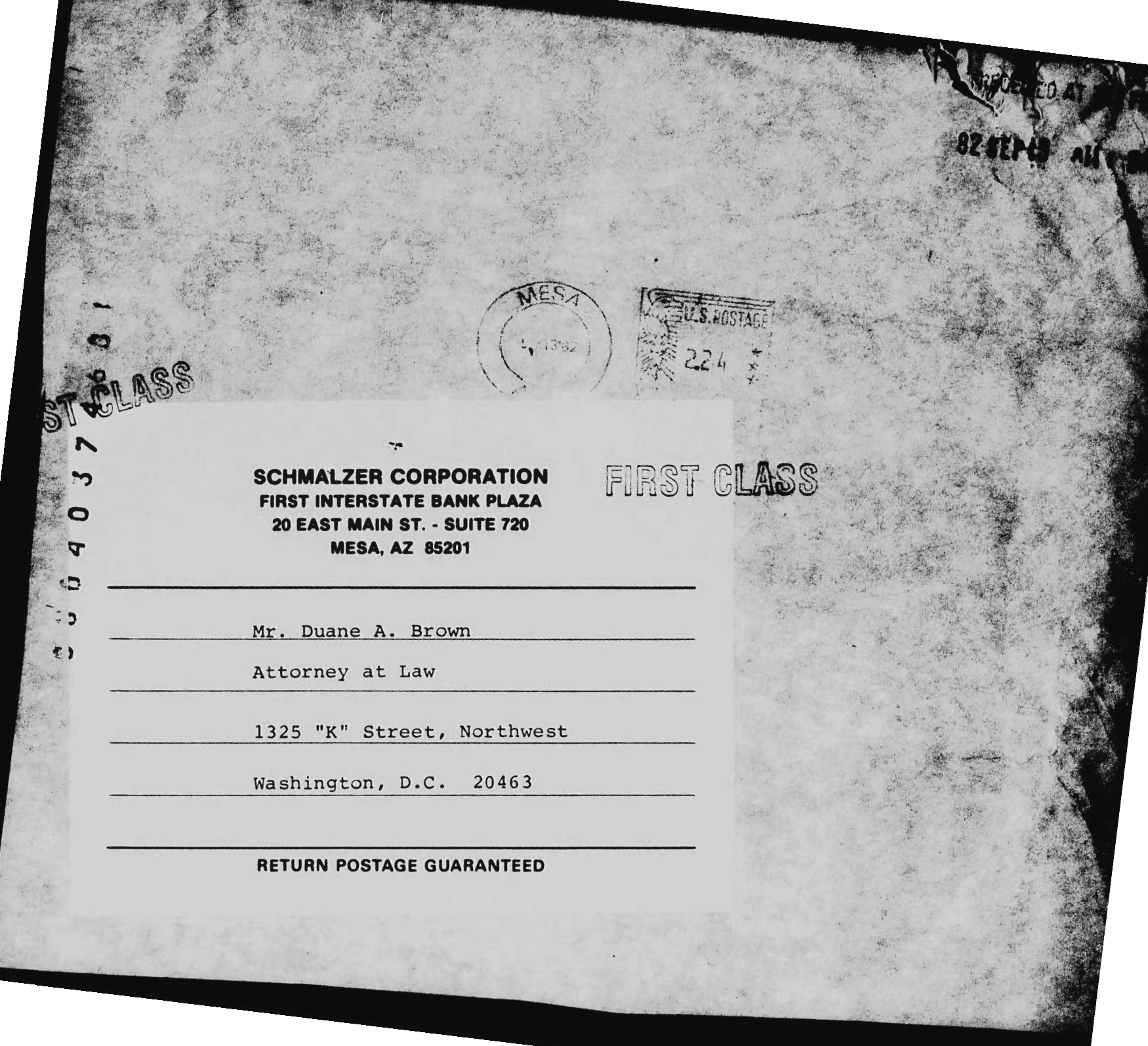
Teresa M. Hudson
Notary Public

My Commission expires:
August 1, 1985.

## LAWYER'S NOTES

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

Exhbt. 1 For I.D. Date 9-3-82
SCHNAZER CORPORATION

TEST. OF J. WAYNE WATSON

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

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# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble

by Robert W. Lee



THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-



Exhibit C

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Ken[illegible]y in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his b[illegible]her's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

Friends And Foes. An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

of funds for military credit sales that nation (December 11, 1973), prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment allowed importation of chrome from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force U.S. into compliance with immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit the Commerce Department funds . . . conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June , 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for operations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed-grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 *for* every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

Panama Canal. Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

Gun Control. The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

Legal Aid For Homosexuals. On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

Social Security Earnings Limitation. Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

Internal Security. An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

National Speed Limit. The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

Consumer Protection Agency, *et al.* Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

Defense. Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

Equal Rights Amendment. On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

Taxes. Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

Energy And Environment. Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* REVIEW OF THE NEWS.

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*order from:* Committee for the Record
6401 N. Val Dosta Drive
Tucson, Arizona 85718

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 12, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Wayne Watson
207 West Clarendon Avenue
Suite 20-G
Phoenix, Arizona 85013

Re: MUR 1279

Dear Mr. Watson:

On October 21, 1982, you received notification that the Commission had found reason to believe that you had violated 2 U.S.C. §§ 433 and 434, provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to appear and give sworn testimony on September 3, 1982, at 10 a.m.

Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid $30, plus mileage at the rate of 20 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

Please confirm your schedule appearance with Duane A. Brown on our toll free line (800/424-9530) within two days of your receipt of this notification.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

8304037463 5

**SUBPOENA TO APPEAR FOR DEPOSITION UPON ORAL EXAMINATION AND TO PRODUCE RECORDS AND OTHER RELEVANT DOCUMENTS**

TO: John Wayne Watson

At the instance of the Federal Election Commission pursuant to section 437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for deposition with regard to the distribution of a letter and reprinted article pertaining to Morris Udall. Notice is hereby given that the depositon is to be taken at the U.S. Courthouse, 230 N. First Avenue, 4th Floor, Phoenix, Arizona beginning at ten o'clock a.m. and continuing each day thereafter as necessary.

Pursuant to section 437d of Title 2, United States Code, you are hereby subpoenaed to produce on September 3, 1982, at the above stated location:

(a) All documents, records or other material related to contributions received by you and/or the Committee for the Record and pertaining to the distribution letter and reprinted article regarding Morris Udall.

(b) All documents, records or other material related to expenditures made by you and/or the Committee for the Record and pertaining to the distribution letter and reprinted article regarding Morris Udall.

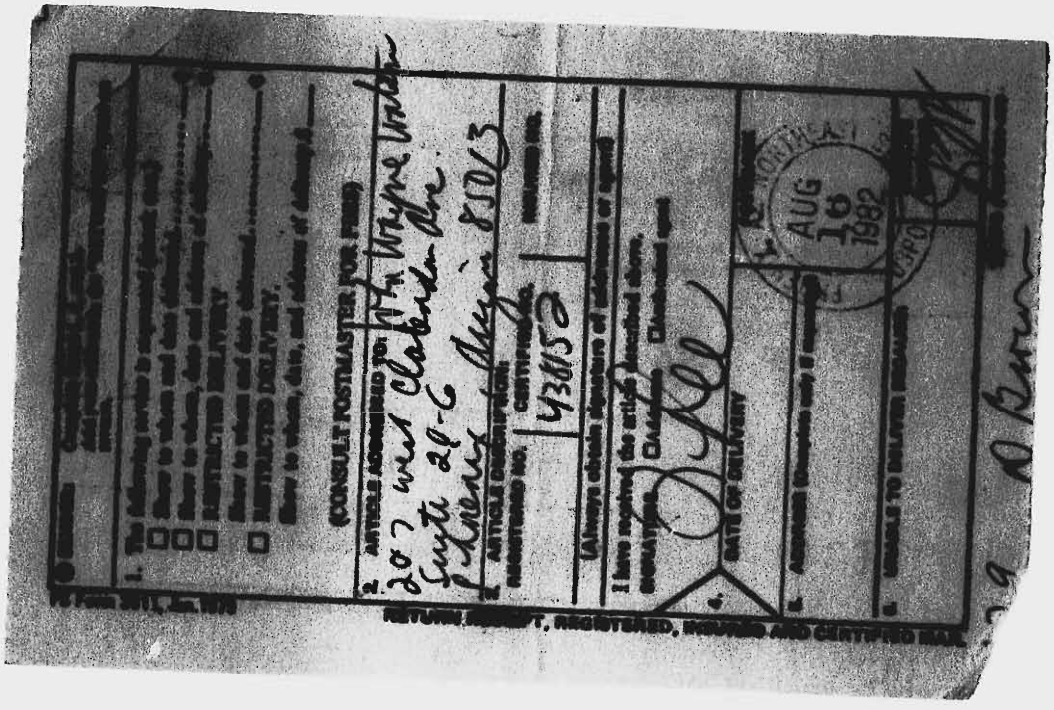
8304037460

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., this 11th day of August, 1982.

Frank P. Reiche
Frank P. Reiche
Chairman
Federal Election Commission

ATTEST:

Marjorie W Emmons
Marjorie W. Emmons
Secretary to the Commission




8304037462 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**
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Sincerely,

Charles N. Steele
General Counsel

BY:
Kenneth A. Gross
Associate General Counsel

Enclosure

8304037469 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
)
J. Wayne Watson )
Committee for the Record )

MUR 1279

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on August 10, 1982, do hereby certify that the Commission decided by a vote of 6-0 to authorize the subpoena and letter attached to the General Counsel's August 2, 1982 report on MUR 1279 and send them to J. Wayne Watson.

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

Attest:

8-10-82
Date

Marjorie W. Emmons
Secretary of the Commission

8304037469 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: AUGUST 11, 1982

SUBJECT: SUBPOENA REGARDING MUR 1279

The attached subpoena in MUR 1279, which was approved by the Commission on August 10, 1982 by a vote of 6-0, has been signed and sealed this date.

3 3 0 4 0 3 7 4 5 9 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY RANSON

DATE: August 4, 1982

SUBJECT: OBJECTION - MUR 1279
Memorandum to the Commission dated 8-2-82

The above-named document was circulated to the Commission on August 2, 1982 at 4:00.

Commissioner Aikens submitted an objection at 5:27 on August 3, 1982.

This matter will be placed on the agenda for the Executive Session of Tuesday, August 10, 1982.

8304037469 5

48-HOUR BALLOT

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date & Time Transmitted: MONDAY, 8-2-82, 4:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, AUGUST 4, 1982, 4:00

SUBJECT: MUR 1279 - Memorandum to the Commission dated August 2, 1982

( ) I approve the recommendation in the attached report.

(✓) I object to the recommendation.

COMMENTS: _____

Date: 8-3-82 Signature: J. Aikens

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

82 AUG 3 PM 2:27

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

8304057469 26

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS /JODY C. RANSOM

DATE: AUGUST 4, 1982

SUBJECT: MUR 1279 - Memorandum to the Commission dated August 2, 1982

Attached is a copy of Commissioner Reiche's vote sheet with comments regarding typographical errors.

ATTACHMENT:
Copy of Vote Sheet

8304037467

20

48-HOUR BALLOT

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON 82 AUG 3 A11 : 16

Date & Time Transmitted: MONDAY, 8-2-82, 4:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, RELCHE, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, AUGUST 4, 1982, 4:00

SUBJECT: MUR 1279 - Memorandum to the Commission dated August 2, 1982

(✓) I approve the recommendation in the attached report.

( ) I object to the recommendation.

COMMENTS: BUT -- note typo in subpoena -- and the appropriate mileage rate is 20¢/mile.

Date: 8/4/82 Signature: Frank P. Reiche

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

8304037469 6

August 2, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1279

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

Attachment

cc: Brown

8304037469

# SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
82 AUG 2 P1:16

August 2, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

SUBJECT: Authorization to Issue Subpoena in Connection with MUR 1279

---

On October 14, 1981, the Commission found reason to believe that J. Wayne Watson and Committee for the Record (the "Committee") violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file the appropriate financial reports. It appeared that Watson and the Committee were responsible for the distribution of a letter and reprint article, the purposes of which were to influence the 1980 Congressional election in Arizona.

Accordingly, the Commission sent interrogatories to Mr. Watson on October 21, 1981, along with notification of RTB finding. Throughout November and December, Mr. Watson's attorney repeatedly stated that answers would be provided. However, we did not receive answers until we sent a letter informing counsel that we would request the Commission issue a subpoena. Mr. Watson's attorney sent an unnotarized set of answers on February 8, and a notarized set on February 22.

The response to the interrogatories raised more questions than it answered. One such response included an invoice which indicates that an entity known as Biltmore Properties may have paid for 25,000 copies of the reprinted article. The OGC has learned that Biltmore Properties is Mr. Watson's place of business, and further, that it is an incorporated entity in the state of Arizona. Since Mr. Watson did not include a cancelled

8 0 0 4 0 3 7 4 7 0 0

check, it is unclear whether he paid for the printing or whether the business did. If Biltmore Properties made the expenditure, the issue of a possible § 441b(a) violation must be addressed.

Based on this information, the OGC requested in March, 1982 that the Commission submit additional interrogatories to Watson in an effort to clarify the source of the funds used for printing expenses. As of this date and after considerable delay and telephone communications, the answers to the second interrogatories have not been produced. Although subpoena enforcement might be the first alternative, the OGC believes that it is not the best. Because interrogatories often raise more questions than they answer, the OGC feels that the taking of a deposition will help expedite the proceedings in this matter. In addition, since documents will have to be produced to verify certain statements, the on location inspection of those documents will also facilitate our bringing this matter to a close. It is for these reasons that we request the Commission to authorize the OGC to obtain the deposition of J. Wayne Watson.

Recommendation

1. Authorize the attached subpoena to J. Wayne Watson.
2. Send attached letter

Attachments
1. Subpoena
2. Letter

8304037401

ATTACHMENT I
(1)

**SUBPOENA TO APPEAR FOR DEPOSITION UPON ORAL EXAMINATION AND TO PRODUCE RECORDS AND OTHER RELEVANT DOCUMENTS**

**TO:** John Wayne Watson

At the instance of the Federal Election Commission pursuant to section 437d of Title 2 of the United States Code, you are hereby subpoenaed to appear for deposition with regard to the distribution of a letter and reprinted article pertaining to Morris Udall. Notice is hereby given that the depositon is to be taken at _____, beginning at _____ and continuing each day thereafter as necessary.

Pursuant to section 437d of Title 2, United States Code, you are hereby subpoenaed to produce on August , 1982, at the above stated location:

(a) All documents, records or other material related to contributions received by you and/or the Committee for the Record and pertaining to the distribution letter and reprinted article regarding Morris Udall.

(b) All documents, records or other material related to expenditures made by you and/or the Committee for the Record and pertaining to the distribution letter and reprinted article regarding Morris Udall.

8040574702

(2)

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand at Washington, D.C., this _____ day of August , 1982.

Frank P. Reiche
Chairman
Federal Election Commission

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8304037470 3

ATTACHMENT II

(3)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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Consequently, the Federal Election Commission has issued the attached subpoena which requires you to appear and give sworn testimony on August ,1982, at .

Pursuant to 11 CFR 111.14, a witness summoned by the Commission shall be paid $30.00, plus mileage at the rate of 22.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

Please confirm your scheduled appearance with Duane A. Brown on our toll free line (800/424-9530) within two days of your receipt of this notification.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

8204037470 4

MUR 1279

**INTERROGATORIES**

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

a) Exhibit A

b) Exhibit B

See attachment.

Please provide a copy of all cancelled checks by which the payments were made.

See attachment.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

a) Exhibit A — No

b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

N/A

3. Is Biltmore Properties incorporated?

Yes

4. Please name all individuals who contributed money to be used in connection with the printing of:

a) Exhibit A

b) Exhibit B

See attachment.

For each person, please state how much money they contributed.

See attachment.

8304037470

| NAME | AMOUNT |
|---|---|
| James R. Clark | $ 250.00 |
| J. Wayne Watson | 250.00 |
| William C. Attaway | 150.00 |
| Jack Silvernale | 100.00 |
| Earl Bronson | 100.00 |
| Lewis H. Urling III | 25.00 |
| Don Barnette | 100.00 |
| William Jolly | 150.00 |

8304037406

STATE OF ARIZONA )
) ss.
County of Maricopa )

J. WAYNE WATSON, being first duly sworn according to law, upon oath, deposes and says:

That he is associated with the Committee for the Record, the subject of Federal Election Commission Complaint MUR 1279; that he has read the foregoing Answers to Interrogatories and that to the best of his knowledge, the statements made therein are true and correct, except as to those matters alleged on information and belief, and as to such matters, he believes them to be true.

J. Wayne Watson

SUBSCRIBED AND SWORN to before me this 3rd day of September, 1982.

Judith Miller
Notary Public

My Commission expires:
2/28/85

8304374707

B 3 0 4 0 3 7 4 7 8

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

Representative

# MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-



Exhibit C

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being elected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

Friends And Foes. An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

...e of funds for military credit sales ... that nation (December 11, 1973), ...d prohibit military assistance (in...uding cash sales of weapons) to anti...ommunist Chile (March 3, 1976).

• Approve an amendment barring ...e sale of jet fighter planes to Na...onalist China (December 20, 1968).

• Repeal the Byrd Amendment ...hi... allowed importation of chrome ...e from anti-Communist Rhodesia ...arch 4, 1977). Udall thus helped ...rce ... U.S. into compliance with ...e immoral, double-standard U.N. ...ycott of Rhodesia. Indeed, he even ...ent so far as to support the giving of ...S. aid to the nations bordering Rho...esia which were working, through ter...rism and guerrilla warfare, to liqui...ate Salisbury's pro-Western Govern...ent (June 22, 1977). These Udall-...acked pressures eventually helped ...rn Rhodesia (now called Zimbabwe) ...ver to the regime led by Marxist ter...rist Robert Mugabe.

In contrast to this treatment of pro-... Governments, consider Con...ressman Udall's votes to:

• Kill an amendment to prohibit ... of Commerce Department ...unds for conducting trade with Com...unist Cuba (June 14, 1978) and to ...ill another amendment to prohibit ...he use of foreign-aid funds from ...eing used for any form of trade or ...ssistance to Communist Cuba (June ..., 1977).

• Defeat an amendment to prohib...t the use of any funds in a State Department authorization bill for ...eparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

Panama Canal. Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

Gun Control. The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

Legal Aid For Homosexuals. On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

Social Security Earnings Limitation. Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

Internal Security. An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

National Speed Limit. The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

Consumer Protection Agency, *et al*. Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1979) Morris Udall voted to establish this new bureaucracy.

Defense. Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

Equal Rights Amendment. On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

Taxes. Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

Energy And Environment. Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

B 0 4 0 3 7 4 7 1 B

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

Though far from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* REVIEW OF THE NEWS.

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* REVIEW OF THE NEWS, *Belmont, Massachusetts 02178.*

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Sincerely,

Lew Urling

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: JUNE 1, 1982

SUBJECT: MUR 1279 - Comprehensive Investigative Report #1, dated May 25, 1982; Received in OCS, 5-27-82, 2:26

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 2:00, May 28, 1982.

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

8304037419

May 27, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1279

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

Attachment

cc: Johansen

8304037470

PAM 5.27.97

FEDERAL ELECTION COMMISSION
O.G.C. Enforcement Section - Routing Slip

TRACK 1 TRACK 2 TRACK 3

MUR # 1279 Type of Report Compliance Investigative

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To___ On___ From___ for reworking.

To DM On 5-26 From MJ for typing of final.

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To___ On___ From___ for approval of final by team leader or case supervisor.

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0403747211

BEFORE THE FEDERAL ELECTION COMMISSION

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COMMISSION SECRETARY

May 25, 1982

82 MAY 27 P 2: 26

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson/Committee for the Record | ) | |
| | ) | |

COMPREHENSIVE INVESTIGATIVE REPORT #1

On April 6, 1982 an Order to Answer Interrogatories was sent to J. Wayne Watson seeking information regarding who paid for the communications distributed by Mr. Watson (Committee for the Record). In a telephone conversation on May 20, 1982 Kevin Ahern, counsel for Mr. Watson, informed a staff member in the Office of General Counsel that Mr. Watson was having difficulty compiling the information requested by the interrogatories. Since Mr. Watson did not comprehend that his activities could come within the jurisdiction of the Federal Election Commission Act of 1971, as amended, causing the formation of a political committee he does not have records of receipts and disbursements. Mr. Watson's efforts have been aimed at reconstructing who might have given money to help pay for the printing costs of the communications.

Mr. Ahern indicated that he would send answers to the interrogatories containing as much information as was available. It was also agreed that copies of FEC Form 1 Statement of Organization and FEC Form 3X Reports of Receipts and Disbursements would be sent to Mr. Ahern for his review. This has been done.

8304037477

The Offic of General Counsel will report to the Commission further on this matter once we are able to obtain the requested information from Mr. Watson.

May 27, 1982
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

8304037472 3

FEDERAL ELECTION COMMISSION
O.G.C. Enforcement Section - Routing Slip

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Staff Peace / Johansen

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To ___ On ___ From ___ for typing.

To ___ On ___ From ___ for approval of draft by AGC.

To ___ On ___ From ___ for reworking.

To ___ On ___ From ___ for typing of final.

To ___ On ___ From ___ for approval of final by auth

To ___ On ___ From ___ for approval of final by team leader or case supervisor.

To ___ On ___ From ___ for approval of final by AGC.

To ___ On ___ From ___ for signature of report.

To ___ On ___ From ___ for reworking.

To ___ On ___ From ___ for signature of report.

To ___ On ___ From ___ for staff initial of carbon.

To ___ On ___ From ___ for signature of letters.

To PK On 5-24 From ___ for mailing by Docket.

To ___ On ___ From ___ for notification of mailing.

COMMENTS (Please date and initial all comments)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 21, 1982

Mr. Kevin T. Ahern
Ahern & McCormley, P.C.
Tishman Biltmore Office Park
3020 East Camelback Road
Suite 200
Phoenix, AZ 85016

RE: MUR 1279

Der Mr. Ahern:

This letter is to confirm my telephone conversation with you on May 20, 1982. Pursuant to our conversation, I am enclosing FEC Form 1 Statement of Organization and FEC Form 3X Report of Receipts and Disbursements. The instructions for filling out the forms are found on the reverse side of each page.

If you have any questions, please feel free to contact me at (202)523-4143.

Sincerely,

Gary L. Johansen

Gary L. Johansen
Assistant General Counsel

Enclosures:

Forms

8204037472

FEDERAL ELECTION COMMISSION
O.G.C. Enforcement Section -- Routing Slip

TRACK 1 TRACK 2 TRACK

MUR # 1279 Type of Report GC

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To DP On 3/15 From DM for reworking.

To Pace On 3/16 From DP for typing. corrections

To DP On 3-16 From DM for approval of draft by AGC.

To ___ On ___ From ___ for reworking.

To ___ On ___ From ___ for typing of final.

To ___ On ___ From ___ for approval of final by author

To Jerry On 3/14 From DP for approval of final by team leader or case supervisor.

To KG On 3-18 From DM for approval of final by AGC.

To ___ On ___ From ___ for signeture of report.

To ___ On ___ From ___ for reworking.

To ___ On ___ From ___ for signature of report.

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PMK On 4/5 From PMK for ~~signature of letters~~.

PMK On 3/19 From PMK for ~~mailing~~ by Docket.

PMK On 4/5 From KAG for notification of mailing.

COMMENTS (Please date and initial all comments)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 6, 1982

Kevin T. Ahern, Esquire
Ahern & McCormley, P.C.
3020 East Camelback Road
Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission sent you a notification that it had found reason to believe that your client, J. Wayne Watson/Committee for the Record, had violated 2 U.S.C. § 433 and § 434, provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from Mr. Watson is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires Mr. Watson to provide information which will assist it in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may assist Mr. Watson in the preparation of his responses to this order. However, it is required that he submit the information under oath and that he do so within fifteen days of your receipt of this order.

If you have any questions please direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Order
Questions with Exhibits

8304037427

BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| J. Wayne Watson/ | ) | MUR 1279 |
| Committee for the Record | ) | |

ORDER TO SUBMIT WRITTEN ANSWERS

TO: J. Wayne Watson
207 West Clarendon Avenue
Suite 20-G
Phoenix, Arizona 85013

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 15 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 1st day of April, 1982.

Frank P. Reiche

Frank P. Reiche

ATTEST:

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 1 page with attached Exhibits A and B

8304037472 8

# INTERROGATORIES

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

a) Exhibit A

b) Exhibit B

Please provide a copy of all cancelled checks by which the payments were made.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

a) Exhibit A

b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

3. Is Biltmore Properties incorporated?

4. Please name all individuals who contributed money to be used in connection with the printing of:

a) Exhibit A

b) Exhibit B

For each person, please state how much money they contributed.

8304037479

# INTERROGATORIES

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of all cancelled checks by which the payments were made.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

3. Is Biltmore Properties incorporated?

4. Please name all individuals who contributed money to be used in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

For each person, please state how much money they contributed.

8304037473 0

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

0 2 0 4 0 5 7 4 7

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

The Review Of The NEWS, July 2, 1980

Exhibit C

let settled by his Mormon forebears. While Udall continues formally to list his religious affilintion as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

Friends And Foes. An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

...e of funds for military credit sales ... that nation (December 11, 1973), ...d prohibit military assistance (in...uding cash sales of weapons) to anti...ommunist Chile (March 3, 1976).

• Approve an amendment barring ...e sale of jet fighter planes to Na...onalist China (December 20, 1968).

• Repeal the Byrd Amendment ...hi... allowed importation of chrome ...e from anti-Communist Rhodesia ...arch 4, 1977). Udall thus helped ...uce ... U.S. into compliance with ...e immoral, double-standard U.N. ...ycott of Rhodesia. Indeed, he even ...ent so far as to support the giving of ...S. aid to the nations bordering Rho...esia which were working, through ter...orism and guerrilla warfare, to liqui...ate Salisbury's pro-Western Govern...ment (June 22, 1977). These Udall-...acked pressures eventually helped ...urn Rhodesia (now called Zimbabwe) ...ver to the regime led by Marxist ter...orist Robert Mugabe.

In contrast to this treatment of pro-...Western Governments, consider Con...ressman Udall's votes to:

• Kill an amendment to prohibit ...e use of Commerce Department ...unds ... conducting trade with Com...munist Cuba (June 14, 1978) and to ...ill another amendment to prohibit ...he use of foreign-aid funds from ...eing used for any form of trade or ...assistance to Communist Cuba (June ...4, 1977).

• Defeat an amendment to prohib...it the use of any funds in a State ...Department authorization bill for ...operations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

Panama Canal. Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

Gun Control. The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

Legal Aid For Homosexuals. On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

Social Security Earnings Limitation. Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

Internal Security. An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

National Speed Limit. The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

Consumer Protection Agency, *et al.* Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

Defense. Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

Equal Rights Amendment. On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

Taxes. Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

Energy And Environment. Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

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trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

Though far from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* REVIEW OF THE NEWS.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Kevin T. Ahern, Esquire
Ahern & McCormley, P.C.
3020 East Camelback Road
Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission sent you a notification that it had found reason to believe that your client, J. Wayne Watson/Committee for the Record, had violated 2 U.S.C. § 433 and § 434, provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from Mr. Watson is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires Mr. Watson to provide information which will assist it in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may assist Mr. Watson in the preparation of his responses to this order. However, it is required that he submit the information under oath and that he do so within fifteen days of your receipt of this order.

If you have any questions please direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY:
Kenneth A. Gross
Associate General Counsel

Enclosures
Order
Questions with Exhibits

MJP 4-5-82

3304037436

# INTERROGATORIES

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of all cancelled checks by which the payments were made.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

3. Is Biltmore Properties incorporated?

4. Please name all individuals who contributed money to be used in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

For each person, please state how much money they contributed.

4-5-82

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER

DATE: APRIL 1, 1982

SUBJECT: ORDER - MUR 1279

The attached order, which was Commission approved in the Executive Session of March 30, 1982, has been signed and sealed this date.

Attachment:
Order

3304037416

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
)
J. Wayne Watson/ ) MUR 1279
Committee for the Record )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session of March 30, 1982, do hereby certify that the Commission decided by a vote of 6-0 to authorize the order to answer interrogatories and letter to counsel for Mr. Watson as submitted with the FEC General Counsel's report of March 16, 1982 in the above-captioned matter.

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

Attest:

3/30/82
Date

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

3304057471

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY CUSTER

DATE: MARCH 24, 1982

SUBJECT: OBJECTION - MUR 1279 - General Counsel's Report dated 3-16-82; Received in OCS, 3-19-82, 4:01

The above-named document was circulated to the Commission on March 22, 1982 at 11:00.

Commissioner Elliott submitted an objection to this matter at 10:42, March 24, 1982.

This matter will be placed on the agenda for the Executive Session of Tuesday, March 30, 1982.

3304037474?

March 19, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1279

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

cc: Pesce

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# SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

March 16, 1982

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| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | MUR 1279 |
| J. Wayne Watson/ | ) | |
| Committee for the Record | ) | |

## GENERAL COUNSEL'S REPORT

I. Background

On October 14, 1981, the Commission found reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 and § 434. The Commission determined to proceed in this matter in order to find out the total amount of expenditures made by Watson/Committee. Through its investigation the OGC had learned that Watson/Committee was responsible for the distribution of a letter and reprint article, the purposes of which were to influence the 1980 Congressional election in Arizona. There was no information in the complaint on the number of items distributed nor on costs involved.

Accordingly, the Commission sent interrogatories to Mr. Watson on October 21, 1981, along with notification of RTB finding. Throughout November and December, Mr. Watson's attorney repeatedly stated that answers would be provided. However, we did not receive answers until we sent a letter informing counsel that we would request the Commission issue a subpoena. Mr. Watson's attorney sent an unnotarized set of answers on February 8, and a notarized set on February 22 (Attachment 1).

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II. Factual and Legal Analysis

Based on the complaint, it appeared that the letter and reprint article (see Exhibits A and B of Attachment 2 to General Counsel's Report dated September 24, 1981) were distributed as a package to residents of the Second Congressional District of Arizona. However, Mr. Watson states that about 500 copies of Exhibit A were printed and distributed, while for Exhibit B, approximately 45,000 were printed and 42,000 distributed (Answers 3 and 5). He provides no information on the printing costs for Exhibit A, and only an estimate for Exhibit B - $5,000 - supported by partial documentation (Answer 4). Specifically, he includes an invoice from Aristocrat Printing in Tucson for a printing of 25,000 copies at the cost of $2,650. The invoice job title reads "Biltmore Properties."

The OGC has learned that Biltmore Properties is Mr. Watson's place of business, and further, that it is an incorporated entity in the state of Arizona. Since Mr. Watson did not include a cancelled check, it is unclear whether he paid for the printing or whether his business did. If Biltmore Properties made the expenditure, the issue of a possible § 441b(a) violation must be addressed.

The OGC would like to submit to Mr. Watson interrogatories that seek clarification on who provided funds for printing expenses. Since Mr. Watson responded to our first set of

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interrogatories only after considerble delay, we recommend that the Commission issue an order for the production of answers by Mr. Watson.

III. Recommendation

Authorize the attached order to answer interrogatories and letter to counsel for Mr. Watson.

March 19, 1982
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments
1. Mr. Watson's answers to interrogatories
2. Order to answer interrogatories and letter to counsel for Mr. Watson

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GCC # 7252

Peace

(1)

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OFFICE OF THE
COMMISSION SECRETARY

82 FEB 26 AM 27

Ahern & McCormley, P.C.
Lawyers

J. Lawrence McCormley
Kevin T. Ahern

Tishman Biltmore Office Park
3020 East Camelback Road, Suite 200
Phoenix, Arizona 85016

(602) 957-0300

82 FEB 26 P12:25

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL

February 22, 1982

John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1279

Dear Mr. McGarry:

Enclosed are the verified answers to the interrogatories posed to J. Wayne Watson in your letter of October 21, 1981.

Very truly yours,

AHERN & McCORMLEY, P.C.

Kevin T. Ahern

KTA:kb

Enclosures

ATTACHMENT 1

3304037417

(2)

J. Wayne Watson

INTERROGATORIES

1. Please state your full name, home address, and business address.

JOHN WAYNE WATSON
207 West Clarendon Avenue, Suite 20-G
Phoenix, Arizona 85013

(business)
1017 North 3rd. Street
Phoenix, Arizona 85004

2. Please explain your connection or association with Committee for the Record.

This committee was agroup of several guys and gals that got together for the purpose of distributing Cong.Udall's voting record and I was merely one of the people helping in the effort.

With regard to the attached Exhibits A and B, please answer the following questions.

3. How many copies of Exhibits A and B were printed?

EXHIBIT A: approximately 500.

EXHIBIT B: approximately 45,000.

4. What was the cost for printing? Include verification for the expenditure in the form of a canceled check, invoice, etc.

There is one invoice copy attached for $2,650.00 for printing 25,000 copies of the reprint article. I am not sure where the other invoice is, but I would imagine it would be close to this price which would total about $5,000.00 for all

5. How many copies of Exhibits A and B were distributed?

EXHIBIT A: about 500
EXHIBIT B: about 42,000

6. To whom were they distributed?

They were distributed to individual households and individuals on the streets of Tucson. I believe some were distributed at one of the football games at the University also.

7. By what means were they distributed?

By persons handing them out on foot, door-to-door and in malls and parking lots.

8. What was the cost for distribution? Include verification for the expenditure in the form of a canceled check, invoice, etc.

Distribution was all by individuals donating their time and energy with no costs paid whatsoever for this distribution.

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The remaining questions pertain to other activities of Committee for the Record.

9. Did Committee for the Record make contributions to any political candidate or political committee in 1980?

Committee for the Record made no contributions to anything. The sole objective was to properly inform the electorate of public information concerning their Representatives voting record on the issues.

10. If the answer to (9) is yes, please list the amount and recipient of each contribution.

Not Applicable.

11. Did Committee for the Record make expenditures in 1980 for any other communications besides Exhibit A and B?

No.

12. If the answer to (11) is yes, please list the amount and nature of each expenditure.

Not Applicable.

13. Does Committee for the Record have any connection or association with the John Birch Society?

None whatsoever.

14. If the answer to (13) is yes, please explain the nature of the connection or association.

Not Applicable.

30403749

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Terms

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Your Order No.

Job No.

| Quantity | Description | Unit Price | Total Amount |
|---|---|---|---|
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(5)

STATE OF ARIZONA )
) ss.
County of Maricopa )

JOHN WAYNE WATSON, being first duly sworn according to law, upon his oath, deposes and says:

That he is associated with the Committee for the Record, the subject of Federal Election Commission Complaint MUR 1279; that he has read the foregoing Answers to Interrogatories; that he knows the contents thereof; and that the statements made therein are true in substance and in fact, except those matters therein stated on information and belief, and as to those matters he believes them to be true.

JOHN WAYNE WATSON

SUBSCRIBED AND SWORN to before me this 17th day of February, 1982.

Judith Miller
Notary Public

My Commission expires:
2/28/85

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(6)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Kevin T. Ahern, Esquire
Ahern & McCormley, P.C.
3020 East Camelback Road
Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission sent you a notification that it had found reason to believe that your client, J. Wayne Watson/Committee for the Record, had violated 2 U.S.C. § 433 and § 434, provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from Mr. Watson is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires Mr. Watson to provide information which will assist it in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may assist Mr. Watson in the preparation of his responses to this order. However, it is required that he submit the information under oath and that he do so within fifteen days of your receipt of this order.

If you have any questions please direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY:
Kenneth A. Gross
Associate General Counsel

Enclosures
Order
Questions with Exhibits

ATTACHMENT 2

3 3 0 4 0 3 7 4 7 5 6

BEFORE THE FEDERAL ELECTION COMMISSION

(7)

In the Matter of )
)
J. Wayne Watson/ ) MUR 1279
Committee for the Record )

ORDER TO SUBMIT WRITTEN ANSWERS

TO: J. Wayne Watson
207 West Clarendon Avenue
Suite 20-G
Phoenix, Arizona 85013

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 15 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this day of 1982.

Frank P. Reiche

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 1 page with attached Exhibits A and B

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(8)

# INTERROGATORIES

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of all cancelled checks by which the payments were made.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

3. Is Biltmore Properties incorporated?

4. Please name all individuals who contributed money to be used in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

For each person, please state how much money they contributed.

930403747354

(9)

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

(10)

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-



Exhibit B

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.



In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted *for* the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.







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se of funds for military credit sales [redacted] that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment [redacted] allowed importation of chrome [redacted] from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of [redacted] aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit the use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 21, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for [redacted] contributions or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1976).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1970, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1907, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist



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purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

Panama Canal. Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

Gun Control. The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

Legal Aid For Homosexuals. On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

Social Security Earnings Limitation. Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned -- an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

Internal Security. An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

National Speed Limit. The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1971, Congressman Udall voted to impose the 55 m.p.h. restriction.

Consumer Protection Agency, et al. Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

Defense. Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

Equal Rights Amendment. On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the



controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

Taxes. Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

Energy And Environment. Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is



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trying to do see energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

Though far from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■





## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* REVIEW OF THE NEWS.

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

(10)

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

The Review Of The NEWS, July 2, 1980

Exhibit B

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being elected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

Friends And Foes. An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

se of funds for military credit sales
that nation (December 11, 1973),
nd prohibit military assistance (in-
uding cash sales of weapons) to anti-
ommunist Chile (March 3, 1976).

• Approve an amendment barring
e sale of jet fighter planes to Na-
onalist China (December 20, 1968).

• Repeal the Byrd Amendment
hi allowed importation of chrome
e from anti-Communist Rhodesia
arch 4, 1977). Udall thus helped
orce the U.S. into compliance with
he ill[illegible]oral, double-standard U.N.
oycott of Rhodesia. Indeed, he even
ent so far as to support the giving of
.S. aid to the nations bordering Rho-
esia which were working, through ter-
orism and guerrilla warfare, to liqui-
ate Salisbury's pro-Western Govern-
ment (June 22, 1977). These Udall-
acked pressures eventually helped
urn Rhodesia (now called Zimbabwe)
ver to the regime led by Marxist ter-
orist Robert Mugabe.

In contrast to this treatment of pro-
[illegible] Governments, consider Con-
[illegible]man Udall's votes to:

• Kill an amendment to prohibit
e use of Commerce Department
unds conducting trade with Com-
munist Cuba (June 14, 1978) and to
ill another amendment to prohibit
he use of foreign-aid funds from
eing used for any form of trade or
ssistance to Communist Cuba (June
3, 1977).

• Defeat an amendment to prohib-
t the use of any funds in a State
Department authorization bill for
eparations or aid to the assassins in
Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

Panama Canal. Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

Gun Control. The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

Legal Aid For Homosexuals. On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

Social Security Earnings Limitation. Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned -- an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

Internal Security. An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Interhal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

National Speed Limit. The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1979) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

Though far from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* REVIEW OF THE NEWS.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 6, 1982

Kevin T. Ahern, Esquire
Ahern & McCormley, P.C.
3020 East Camelback Road
Suite 200
Phoenix, Arizona 85016

Re: MUR 1279

Dear Mr. Ahern:

On October 21, 1981, the Commission sent you a notification that it had found reason to believe that your client, J. Wayne Watson/Committee for the Record, had violated 2 U.S.C. § 433 and § 434, provisions of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from Mr. Watson is necessary.

Consequently, the Federal Election Commission has issued the attached order which requires Mr. Watson to provide information which will assist it in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may assist Mr. Watson in the preparation of his responses to this order. However, it is required that he submit the information under oath and that he do so within fifteen days of your receipt of this order.

If you have any questions please direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosures
Order
Questions with Exhibits

3304057476 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
)
J. Wayne Watson/ ) MUR 1279
Committee for the Record )

ORDER TO SUBMIT WRITTEN ANSWERS

TO: J. Wayne Watson
207 West Clarendon Avenue
Suite 20-G
Phoenix, Arizona 85013

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order.

Such answers must be submitted under oath and must be forwarded to the Commission within 15 days of your receipt of this Order.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 1st day of April, 1982.

Frank P. Reiche
Frank P. Reiche

ATTEST:

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 1 page with attached Exhibits A and B

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# INTERROGATORIES

J. Wayne Watson

Please answer the following questions. Exhibits A and B are attached.

1. Who paid for the printing expense of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of all cancelled checks by which the payments were made.

2. Did Biltmore Properties pay for any of the expenses incurred in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

Please provide a copy of any cancelled checks by which payment was made.

3. Is Biltmore Properties incorporated?

4. Please name all individuals who contributed money to be used in connection with the printing of:

   a) Exhibit A

   b) Exhibit B

For each person, please state how much money they contributed.

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

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You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

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UDALL FOR CONGRESS COMMITTEE 1980

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Exhibit A

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# Representative MORRIS UDALL

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by Robert W. Lee

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The Review Of The NEWS, July 2, 1980

Exhibit C

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before he was selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

Friends And Foes. An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit expenditure of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned -- an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

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Phoenix, Arizona 85016

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82 FEB 26 AM 11

82 FEB 26 P12:25

February 22, 1982

John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1279

Dear Mr. McGarry:

Enclosed are the verified answers to the interrogatories posed to J. Wayne Watson in your letter of October 21, 1981.

Very truly yours,

AHERN & McCORMLEY, P.C.

Kevin T. Ahern

KTA:kb

Enclosures

8304037480

J. Wayne Watson

## INTERROGATORIES

1. Please state your full name, home address, and business address.

JOHN WAYNE WATSON
207 West Clarendon Avenue, Suite 20-G
Phoenix, Arizona 85013

(business)
1017 North 3rd. Street
Phoenix, Arizona 85004

2. Please explain your connection or association with Committee for the Record.

This committee was agroup of several guys and gals that got together for the purpose of distributing Cong.Udall's voting record and I was merely one of the people helping in the effort.

With regard to the attached Exhibits A and B, please answer the following questions.

3. How many copies of Exhibits A and B were printed?

EXHIBIT A: approximately 500.

EXHIBIT B: approximately 45,000.

4. What was the cost for printing? Include verification for the expenditure in the form of a canceled check, invoice, etc.

There is one invoice copy attached for $2,650.00 for printing 25,000 copies of the reprint article. I am not sure where the other invoice is, but I would imagine it would be close to this price which would total about $5,000.00 for all

5. How many copies of Exhibits A and B were distributed?

EXHIBIT A: about 500
EXHIBIT B: about 42,000

6. To whom were they distributed?

They were distributed to individual households and individuals on the streets of Tucson. I believe some were distributed at one of the football games at the University also.

7. By what means were they distributed?

By persons handing them out on foot, door-to-door and in malls and parking lots.

8. What was the cost for distribution? Include verification for the expenditure in the form of a canceled check, invoice, etc.

Distribution was all by individuals donating their time and energy with no costs paid whatsoever for this distribution.

8304037473 1

The remaining questions pertain to other activities of Committee for the Record.

9. Did Committee for the Record make contributions to any political candidate or political committee in 1980?

Committee for the Record made no contributions to anything. The sole objective was to properly inform the electorate of public information concerning their Representatives voting record on the issues.

10. If the answer to (9) is yes, please list the amount and recipient of each contribution.

Not Applicable.

11. Did Committee for the Record make expenditures in 1980 for any other communications besides Exhibit A and B?

No.

12. If the answer to (11) is yes, please list the amount and nature of each expenditure.

Not Applicable.

13. Does Committee for the Record have any connection or association with the John Birch Society?

None whatsoever.

14. If the answer to (13) is yes, please explain the nature of the connection or association.

Not Applicable.

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) ss.
County of Maricopa )

JOHN WAYNE WATSON, being first duly sworn according to law, upon his oath, deposes and says:

That he is associated with the Committee for the Record, the subject of Federal Election Commission Complaint MUR 1279; that he has read the foregoing Answers to Interrogatories; that he knows the contents thereof; and that the statements made therein are true in substance and in fact, except those matters therein stated on information and belief, and as to those matters he believes them to be true.

JOHN WAYNE WATSON

SUBSCRIBED AND SWORN to before me this 17th day of February, 1982.

Notary Public

My Commission expires:
2/19/85

3304037473

Ahern & McCormley, P.C.
[redacted]
Phoenix, Arizona 85016

03040374749






John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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**Ahern & McCormley, P.C.**
Lawyers

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Kevin T. Ahern

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82 FEB 16 A11:27

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Terms _____

Date Shipped _____

Your Order No. _____

Job No. _____

| Quantity | Description | Unit Price | Total Amount |
|---|---|---|---|
| 83040 | | | |

Sub Total

Tax

Total

PLEASE PAY FROM THIS INVOICE Thank You

Ahern & McCormley, P.C.
Tatum Wilmore Office Park
[redacted] East Camelback Road, Suite 200
Phoenix, Arizona [redacted]

PM
9 FEB
1992

MORE
THE MO
HEA

[redacted]

John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

0304017490

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 21, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kevin T. Ahern, Esquire
Ahern and McCormley, P.C.
818 East Osborne Road, Suite 212
Phoenix, Arizona 85014

Re: MUR 1279

Dear Mr. Ahern:

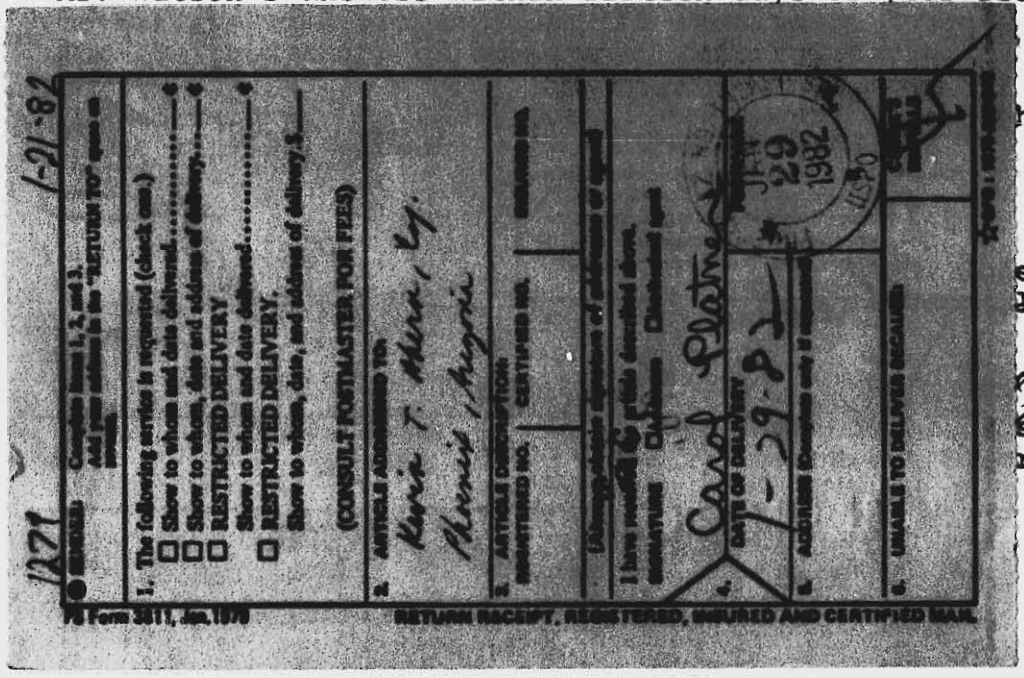
On October 21, 1981, the Commission sent interrogatories to you to be answered by your client, J. Wayne Watson, in connection with the above-captioned matter. In a phone conversation with Commission staff on November 9, 1981, you indicated that there was a delay in your receipt of the interrogatories, but that Mr. Watson's answers would be forthcoming shortly. In a subsequent conversation on December 8, you informed Commission staff that you had partial answers from Mr. Watson and expected to forward completed answers on that day. To date, no answers have been received by the Commission.

As you have not been available to phone communication, this letter is to inform you that the Commission wishes to proceed with the enforcement of this matter. If we have not received Mr. Watson's answers within fifteen days of your receipt of this subpoena

hem to Dolores

ele

ss
ral Counsel




3,3040374721

ROUTING SLIP FOR RTB LETTERS

TO: Chairman/Vice Chairman

FROM: Elissa T. Garr
OGC Enforcement Docket

DATE: 10-16-81

MUR # 1279

Date RTB Found 10-14-81

Date Cert. Rec'd in OGC 10-16-81

Staff Assigned Pesce

STAFF CHECK:

✓ Accuracy

Enclosures

✓ Certification 10/20/81

Date Rec'd in OGC From Chairman/Vice Chairman

10-21-81

8304037479

PAR 9-28

# FEDERAL ELECTION COMMISSION
## O.G.C. Enforcement Section - Routing Slip

TRACK 1 TRACK 2 TRACK 3

MUR # 1279 Type of Report GC Legal

Staff Lois

To ___ On ___ From ___ for work by staff member.

To Gary On 9/4 From DP for approval of draft by team leader or case supervisor.

To DP On 9-8 From [illegible] for ~~reworking~~.

To Diane On 9/8 From DP for typing.

To DP On 9-24 From DM for approval of draft by AGC.

To ___ On ___ From ___ for reworking.

To Diane On 9/24 From DP for ~~typing of final~~ correction.

To ___ On ___ From ___ for approval of final by author.

To Gary On 9/25 From DP for approval of final by team leader or case supervisor.

To KB 9-28 From [illegible] for approval of final by AGC.

To ___ On ___ From ___ for signature of report.

To ___ On ___ From ___ for reworking.

To ___ On ___ From ___ for signature of report.

To ___ On ___ From ___ for staff initial of carbon.

To [illegible] On 10/1 From KAB ~~for~~ signature of letters.

To ___ On ___ From ___ for mailing by Docket.

To ___ On ___ From ___ for notification of mailing.

COMMENTS (Please date and initial all comments)

Ken - The Commission failed to make a RTB finding when this matter was originally presented to them. We have now stated

the person responsible for the anti-Udall literature and accordingly are recommending that ATB be found for failure to register and report as a political committee 2USC 433+434.

Gary J.

8304037479 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 1981

Kevin T. Ahern, Esquire
Ahern and McCormley, P.C.
818 East Osborn Road, Suite 212
Phoenix, Arizona 85014

Re: MUR 1279

Dear Mr. Ahern:

On July 1, 1981, the Federal Election Commission notified your client, J. Wayne Watson, of a complaint which alleges that Committee for the Record, with which he is associated, had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to him at that time.

Upon further review of the allegations contained in the complaint, the Commission, on October 14, 1981, determined that there is reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 and § 434, provisions of the Act. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Mr. Watson's response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of receipt of this letter. Statements should be submitted under oath.

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

If you have any questions, please contact Dolores Pesce at (202) 523-5071.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
Procedures
Factual and Legal Analysis
Interrogatories with Exhibits

8304057475

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE October 1, 1981

MUR NO. 1279
STAFF MEMBER(S) & TEL. NO.
Dolores Pesce
(202)523-5071

RESPONDENT: J. Wayne Watson/Committee for the Record

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

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## SUMMARY OF ALLEGATIONS

The Udall for Congress Committee 1980 filed a complaint dated August 19, 1980, alleging that Committee for the Record violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Specifically, the complaint alleges that Committee for the Record made expenditures for two communications which expressly advocate the defeat of Morris K. Udall and would be in violation of 1) 2 U.S.C. § 441d and 11 C.F.R. § 110.11 and § 109.3 for failing to include a statement on the communications as to whether or not they were authorized by any candidate, and who paid for them; and 2) 2 U.S.C. § 434(c) and 11 C.F.R. § 109.2 for failing to report the costs of these communications as independent expenditures. The complainant also alleges that Committee for the Record may be an affiliated or connected organization of the John Birch Society pursuant to 11 C.F.R. § 100.5(g)(2) or § 100.6(a).

## FACTUAL AND LEGAL ANALYSIS

The two communications (Exhibits A and B of the complaint) which the complainant states "as a whole expressly advocate the defeat of Morris K. Udall" were distributed as a package to residents of the Second Congressional District in Arizona. Exhibit A is a cover letter urging readers to consider the voting record of Congressman Udall as presented in the enclosed reprint of an article which appeared in the July 2, 1980 edition of THE REVIEW OF THE NEWS (Exhibit B). While the letter identifies the person or organization responsible for its preparation only in the signature "A TAX WEARY NEIGHBOR," the reprint concludes with a notice that additional copies may be ordered from Committee for the Record. The distribution date of the package is not identified by the complainant, but can be estimated as between July 2, the date of the article, and August 19, the date of complaint.

The complainant hinges its allegations as to FECA violations on finding that Exhibits A and B expressly advocate the defeat of Morris Udall. However, regardless of whether the communications expressly advocate the defeat of Morris Udall, they do appear to be for the purpose of influencing a federal election, and as such, there is reason to believe that the respondent violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file financial reports.

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The Act, at § 431(9)(A), defines an expenditure as:

> any purchase, payment, distribution, loan, advance, or deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office; (emphasis added)

In view of the facts that the package was distributed between three and four months prior to the November 1980 election, that it was distributed to residents of the Congressional District in which Mr. Udall was a candidate, and that it urged the act of voting, implicitly against Udall's re-election, it seems clear that the purpose of distribution was "to influence a Federal election." As such, printing and distribution costs would be "expenditures" under the Act.

There is no evidence in the complaint as to the amount of money spent on these communications. The expenditures, as other than "independent", would only be subject to Commission reporting if they total in excess of $1,000. The $1,000 expenditure threshold arises in context of the Act's definition of a political committee at § 431(4)(A): a political committee is an entity which "receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year." If the $1,000 threshold is met, the respondent would be in violation of § 433 for failure to register as a political committee, and § 434 for failure to report expenditures.

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The complaint provides no information on the targets of distribution other than "to Second Congressional District of Arizona residents." Since that District numbers 659,077 residents, it would be reasonable to assume that expenditures for printing and distribution could exceed $1,000. For the purpose of developing the facts in regard to expenditure amounts, the Office of General Counsel recommends that the Commission find reason to believe that J. Wayne Watson/ Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file required reports with the Federal Election Commission. The General Counsel also recommends that the Commission approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

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## RECOMMENDATIONS

1. Find reason to believe that J. Wayne Watson/ Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and 2 U.S.C. § 434 for failing to file required reports with the FEC.

2. Approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

J. Wayne Watson

INTERROGATORIES

1. Please state your full name, home address, and business address.

2. Please explain your connection or association with Committee for the Record.

With regard to the attached Exhibits A and B, please answer the following questions.

3. How many copies of Exhibits A and B were printed?

4. What was the cost for printing? Include verification for the expenditure in the form of a canceled check, invoice, etc.

5. How many copies of Exhibits A and B were distributed?

6. To whom were they distributed?

7. By what means were they distributed?

8. What was the cost for distribution? Include verification for the expenditure in the form of a canceled check, invoice, etc.

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The remaining questions pertain to other activities of Committee for the Record.

9. Did Committee for the Record make contributions to any political candidate or political committee in 1980?

10. If the answer to (9) is yes, please list the amount and recipient of each contribution.

11. Did Committee for the Record make expenditures in 1980 for any other communications besides Exhibit A and B?

12. If the answer to (11) is yes, please list the amount and nature of each expenditure.

13. Does Committee for the Record have any connection or association with the John Birch Society?

14. If the answer to (13) is yes, please explain the nature of the connection or association.

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

Exhibit A

8 0 4 0 7 1 3 0

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble

by Robert W. Lee



■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

The Review Of The NEWS, July 2, 1980

Exhibit C

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.



In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

Abortion. Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall *voted* for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Interhal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al*.** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the



controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is



8304 5

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* **REVIEW OF THE NEWS,** *Belmont, Massachusetts 02178.*

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*order from:* Committee for the Record
6401 N. Val Dosta Drive
Tucson, Arizona 85718

30403748

DF 10/20/81

Kevin T. Ahern, Esquire
Ahern and McCormley, P.C.
818 East Osborn Road, Suite 212
Phoenix, Arizona 85014

Re: MUR 1279

Dear Mr. Ahern:

On July 1, 1981, the Federal Election Commission notified your client, J. Wayne Watson, of a complaint which alleges that Committee for the Record, with which he is associated, had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to him at that time.

Upon further review of the allegations contained in the complaint, the Commission, on October 14, 1981, determined that there is reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 and § 434, provisions of the Act. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Mr. Watson's response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of receipt of this letter. Statements should be submitted under oath.

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

If you have any questions, please contact Dolores Pesce at (202) 523-5071.

Sincerely,

Enclosures
Procedures
Factual and Legal Analysis
Interrogatories with Exhibits

8304057483

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
)
J. Wayne Watson/ ) MUR 1279
Committee for the Record )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on October 14, 1981, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MUR 1279:

1. Find reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. §433 for failing to register as a political committee and 2 U.S.C. §434 for failing to file required reports with the Federal Election Commission.

2. Approve and send the letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson, as submitted by the FEC General Counsel in the report dated October 1, 1981.

Commissioners Harris, McGarry, Reiche, and Tiernan voted affirmatively for the decision; Commissioners Aikens and Thomson dissented.

Attest:

10/16/81
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS /JODY CUSTER
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: OCTOBER 6, 1981

SUBJECT: ADDITIONAL OBJECTION - MUR 1279
General Counsel's Report dated 9-24-81, signed October 1, 1981; Received in OCS, 10-1-81, 4:09

You were notified previously of an objection by Commissioner Aikens.

Commissioner Thomson submitted an additional objection at 12:19, October 6, 1981.

This matter will be discussed in executive session on Wednesday, October 14, 1981.

A copy of Commissioner Thomson's vote sheet with his comments is attached.

Attachment:
Vote sheet

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48 HOUR TALLY SHEET

SENSITIVE

FEDERAL ELECTION COMMISSION

81 OCT 6 P12: 19

Date and Time Transmitted: FRIDAY, OCTOBER 2, 1
2:00

Commissioner McGARRY, AIKENS, TIERNAN, THOMSON, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: TUESDAY, OCTOBER 6, 1981,
2:00

MUR No. 1279 General Counsel's Report dated September 24, 1981
signed October 1, 1981

( ) I approve the recommendation

(✓) I object to the recommendation

COMMENTS: Failure to Report

Date: 10-6-81 Signature: T.W. Thomson

A DEFINITE VOTE IS REQUIRED AND ALL SHEETS SIGNED AND DATED. PLEASE RETURN ONLY THE VOTE SHEETS TO THE OFFICE OF THE COMMISSION SECRETARY NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

8304037481 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER

DATE: OCTOBER 6, 1981

SUBJECT: OBJECTION - MUR 1279 General Counsel's Report dated 9-24-81, signed 10-1-81; Received in OCS, 10-1-81, 4:09

The above-named document was circulated on a 48 hour vote basis at 2:00, October 2, 1981.

Commissioner Aikens submitted an objection at 9:55, October 6, 1981.

This matter will be placed on the Executive Session Agenda for Wednesday, October 14, 1981.

8304037481 3

October 1, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson

SUBJECT: MUR 1279

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

cc: Pesce

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BEFORE THE FEDERAL ELECTION COMMISSION

September 24, 1981

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
81 OCT 1 P4:09

In the Matter of )
)
J. Wayne Watson/ )
Committee for the Record )

MUR 1279

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. Background

In its last consideration of this matter, the Commission authorized the sending of interrogatories to seek the identity of any individual associated with the respondent, Committee for the Record. The response of Review of the News stated that J. Wayne Watson requested permission to reprint the article on Morris Udall that is one of the exhibits in this matter and on which the Committee's name appears. Accordingly, on July 1, the Office of General Counsel served Mr. Watson with the complaint. His response, presented through counsel, was received on August 20 (Attachment 1).

Mr. Watson denies the allegation that the exhibits to the complaint expressly advocate the defeat of Morris Udall. However, he admits that the Committee distributed the exhibits. Further, he alleges that Committee for the Record "is an informal, non-affiliated association of a few private citizens exercising their First Amendment prerogatives in the expression of their political views."

Based on Mr. Watson's response, it is evident that he is one of, if not the principal, individual associated with

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Committee for the Record. As such, it is to Mr. Watson on behalf of Committee for the Record that the Commission should direct its findings. Accordingly, we present the factual and legal analysis contained in the First General Counsel's Report of May 12, 1981, modified to direct its finding against J. Wayne Watson/Committee for the Record.

FACTUAL AND LEGAL ANALYSIS

The two communications (Exhibits A and B of Attachment 2) which the complainant states "as a whole expressly advocate the defeat of Morris K. Udall" were distributed as a package to residents of the Second Congressional District in Arizona. Exhibit A is a cover letter urging readers to consider the voting record of Congressman Udall as presented in the enclosed reprint of an article which appeared in the July 2, 1980 edition of THE REVIEW OF THE NEWS (Exhibit B). While the letter identifies the person or organization responsible for its preparation only in the signature "A TAX WEARY NEIGHBOR," the reprint concludes with a notice that additional copies may be ordered from Committee for the Record. The distribution date of the package is not identified by the complainant, but can be estimated as between July 2, the date of the article, and August 19, the date of complaint.

The complainant hinges its allegations as to FECA violations on finding that Exhibits A and B expressly advocate the defeat of Morris Udall. However, regardless of whether the communications

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expressly advocate the defeat of Morris Udall, they do appear to be for the purpose of influencing a federal election, and as such, there is reason to believe that the respondent violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file financial reports.

The Act, at § 431(9)(A), defines an expenditure as:

> any purchase, payment, distribution, loan, advance, or deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office; (emphasis added)

In view of the facts that the package was distributed between three and four months prior to the November 1980 election, that it was distributed to residents of the Congressional District in which Mr. Udall was a candidate, and that it urged the act of voting, implicitly against Udall's re-election, it seems clear that the purpose of distribution was "to influence a Federal election." As such, printing and distribution costs would be "expenditures" under the Act.

There is no evidence in the complaint as to the amount of money spent on these communications. The expenditures, as other than "independent", would only be subject to Commission reporting if they total in excess of $1,000. The $1,000 expenditure threshold arises in context of the Act's definition of a political committee at § 431(4)(A): a political committee is an entity which "receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess

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of $1,000 during a calendar year." If the $1,000 threshold is met, the respondent would be in violation of § 433 for failure to register as a political committee, and § 434 for failure to report expenditures.

The complainant provides no information on the targets of distribution other than "to Second Congressional District of Arizona residents." Since that District numbers 639,077 residents, it would be reasonable to assume that expenditures for printing and distribution could exceed $1,000. For the purpose of developing the facts in regard to expenditure amounts, the Office of General Counsel recommends that the Commission find reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and 2 U.S.C. § 434 for failing to file required reports with the Federal Election Commission. The General Counsel also recommends that the Commission approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

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## RECOMMENDATIONS

1. Find reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political commitee and 2 U.S.C. § 434 for failing to file required reports with the Federal Election Commission.

2. Approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

Oct. 1, 1981
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

1. J. Wayne Watson's response
2. Complaint with Exhibits
3. Letter, Factual and Legal Analysis, and Interrogatories to counsel for J. Wayne Watson

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GCC# 5313

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81 AUG 20 P12:06

August 12, 1981

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

Attention: Gary Johansen

Re: MUR 1279

Gentlemen:

This letter is to notify you that I have retained Kevin T. Ahern to represent me in connection with your file captioned above. He will respond to your letter of July 1, 1981.

Very truly yours,

J. Wayne Watson

AUG 20 P1:58

ATTACHMENT 1

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AHERN AND McCORMLEY, P.C.
818 EAST OSBORN
PHOENIX, ARIZONA 85014

81 AUG 20 P12:06

August 12, 1981

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

Attention: Gary Johansen

Re: MUR 1279

Gentlemen:

This firm represents J. Wayne Watson in connection with the complaint subject of your file designated MUR 1279. At this time, we wish for this matter to remain confidential until you are notified to the contrary.

Without waiving Mr. Watson's right to contest the jurisdiction or authority of the Federal Election Commission in regard to the matters referenced in the Complaint, we submit the following as Mr. Watson's response to the Complaint and move that the Complaint be dismissed.

1. Deny the allegations of Paragraph 1 of the Complaint, including specifically the complainant's characterization of the Federal Election Campaign Act, and allege that the statute speaks for itself and that their interpretation is a matter of law for a judicial tribunal to determine.

2. Allege that Mr. Watson is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 2, 3, 4 and 5 of the Complaint and therefore deny the same; except admit that the exhibits to the Complaint are true and correct copies of materials distributed by the Committee.

3. Deny each and every allegation not expressly admitted herein.

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4. Mr. Watson affirmatively alleges that the Committee for the Record is an informal, non-affiliated association of a few private citizens exercising their First Amendment prerogatives in the expression of their political views. Mr. Watson further alleges that the Committee is not required by law to make disclosures or reports and is not subject to the jurisdiction of the Federal Election Commission nor has any of its members knowingly or purposely violated any of the laws of the United States of America, the provisions of the Federal Election Campaign Act, or the statutes of any state or municipality.

5. Mr. Watson emphatically denies that, by any objective statutory standard, the materials disseminated by the Committee and its presentation, taken as a whole, expressly advocate the defeat of Mr. Udall or any other candidate. To the contrary, the materials simply contain information from the public domain and Congressional Record from which the reader could draw his or her own conclusions in making an informed choice of candidate. Any other characterization of the materials, as set forth in Paragraph 1 of the Complaint, is subjective and biased, at best.

6. As a conciliatory gesture, Mr. Watson welcomes any opportunity to confer informally with the complainant, the Commission or the Office of General Counsel staff to endeavor to correct or prevent any reoccurence of the matters raised by the Complaint.

Having answered the Complaint, Mr. Watson respectfully moves the Commission to dismiss the Complaint and take no further action on account thereof and, to the extent permitted by law, award Mr. Watson his reasonable attorney's fees for having to so respond.

Respectfully submitted,

Kevin T. Ahern

AHERN & McCORMLEY, P.C.
818 East Osborn Road, Suite 212
Phoenix, Arizona 85014
Telephone (602) 277-2551
Attorney for J. Wayne Watson

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81 AUG 20 P12:06

STATE OF ARIZONA )
) ss.
COUNTY OF MARICOPA )

J. WAYNE WATSON, being first duly sworn, upon his oath, deposes and says:

That he has read the foregoing response to Federal Election Commission Complaint No. MUR 1279; that he knows the contents thereof; and that the statements made therein are true in substance and in fact, except those matters therein stated on information and belief, and as to those matters, he believes them to be true.

J. WAYNE WATSON

SUBSCRIBED AND SWORN to before me this 13th day of August, 1981.

Kathleen S. Barron
Notary Public

My Commission expires:
December 20, 1984

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Acc#
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80 AUG22 P3:25

BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

UDALL FOR CONGRESS COMMITTEE 1980,
Complainant,

and

COMMITTEE FOR THE RECORD,
Respondent.

COMPLAINT

1. Federal election laws, as they relate to independent expenditures, require any person expressly advocating defeat of a clearly identified candidate to, among other things: a) make reports as required by the law, and b) in the case of written materials, to clearly and conspicuously state that the communication is not authorized by any candidate, and c) to state, in the case of a political committee required to register with the Federal Election Commission, and/or to state on any publication, the name of any affiliated or connected organizations. (See Federal Election Commission Regulations §102.1, §109.2(b)(2), §109.2 and §109.4).

2. The Complainant is Udall for Congress Committee 1980, 2547 East Broadway, Tucson, Arizona, 85716. Telephone number (602) 327-4987. Martin Bacal, Chairman.

3. The acts complained of arise from printing and distribution of the attached exhibits, as a package, to Second Congressional District of Arizona residents which exhibits taken as a whole expressly advocate the defeat of Morris K. Udall and do not contain any disclaimer, and further one of the two pieces of literature contains no name of a person or organization

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responsible therefor. In addition, no affiliation of Committee for the Record with any other organization is reflected on the literature except that Complainant believes, and therefore alleges that the "Review of the News" is a publication of the John Birch Society and that the Committee for the Record, with its operations address being that of the residence of Ed Ahrens, 6401 North Val Dosta Drive, Tucson, Arizona, 85718, is, or may be, an affiliated organization of the John Birch Society.

4. Attached are exhibits documenting the allegations of the Complaint.

5. This Complaint is being filed on behalf of Morris K. Udall, Second Congressional District of Arizona and with the authorization of Morris K. Udall, candidate for Congress from the Second Congressional District of Arizona.

WHEREFORE, Complainant prays:

1. That the Federal Election Commission take jurisdiction of this Complaint;
2. That the Federal Election Commission make an investigation of the Committee for the Record, 6401 North Val Dosta Drive, Tucson, Arizona:
3. That action be taken pursuant to the investigation of the Complaint, including Civil proceedings against the Committee for the Record, as deemed appropriate by the Federal Election Commission.

DATED this 19 day of AUGUST, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By Martin Bacal

MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

8304037482 5

STATE OF ARIZONA )
) ss.
County of Pima )

MARTIN BACAL, being first duly sworn, upon oath deposes and says:

That he is the Chairman of the Udall for Congress Committee 1980;

That as such Chairman he is authorized to execute the foregoing Complaint on behalf of Morris K. Udall;

That he has read the foregoing Complaint and is familiar with the statements made therein;

That the statements are true and correct to the best of his knowledge, information and belief, and as to those matters, he believes them to be true.

Martin Bacal
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this 19 day of August, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

Fan Neil
NOTARY PUBLIC

My Commission Expires:

10-3-83

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

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EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

8304037498 2

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.



In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.



to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

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e of funds for military credit sales that nation (December 11, 1973), d prohibit military assistance (including cash sales of weapons) to anti-mmunist Chile (March 3, 1976).

• Approve an amendment barring e sale of jet fighter planes to Na-nalist China (December 20, 1968).

• Repeal the Byrd Amendment ich allowed importation of chrome e from anti-Communist Rhodesia arch 4, 1977). Udall thus helped ce the U.S. into compliance with e immoral, double-standard U.N. ycott of Rhodesia. Indeed, he even nt so far as to support the giving of .S. aid to the nations bordering Rho-sia which were working, through ter-rism and guerrilla warfare, to liqui-ate Salisbury's pro-Western Govern-ent (June 22, 1977). These Udall-ached pressures eventually helped rn Rhodesia (now called Zimbabwe) er to the regime led by Marxist ter-rist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Con-ressman Udall's votes to:

• Kill an amendment to prohibit e use of Commerce Department nds for conducting trade with Com-unist Cuba (June 14, 1978) and to ill another amendment to prohibit he use of foreign-aid funds from eing used for any form of trade or ssistance to Communist Cuba (June 3, 1977).

• Defeat an amendment to prohib-the use of any funds in a State epartment authorization bill for peration or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $161,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $979 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist



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purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 16, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 16, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and 22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned -- an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Interdal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various





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states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, et al.** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.



**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is



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trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, etc.), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

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Tucson, Arizona 85718

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Kevin T. Ahern, Esquire
Ahern and McCormley, P.C.
818 East Osborn Road, Suite 212
Phoenix, Arizona 85014

Re: MUR 1279

Dear Mr. Ahern:

On July 1, 1981, the Federal Election Commission notified your client, J. Wayne Watson, of a complaint which alleges that Committee for the Record, with which he is associated, had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to him at that time.

Upon further review of the allegations contained in the complaint, the Commission, on , 1981, determined that there is reason to believe that J. Wayne Watson/Committee for the Record violated 2 U.S.C. § 433 and § 434, provisions of the Act. The General Counsel's factual and alegal analysis, which formed a basis for the Commission's finding, is attached for your information.

Mr. Watson's response to the Commission's initial notification of this complaint did not provide complete information regarding the matter in question. Please submit answers to the enclosed questions within ten days of receipt of this letter. Statements should be submitted under oath.

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

If you have any questions, please contact Dolores Pesce at (202)523-5071.

Sincerely,

Enclosures
Procedures
Factual and Legal Analysis
Interrogatories with Exhibits

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE_____

MUR NO. 1279
STAFF MEMBER(S) & TEL. NO.
Dolores Pesce
(202)523-5071

RESPONDENT: J. Wayne Watson/Committee for the Record

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

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## SUMMARY OF ALLEGATIONS

The Udall for Congress Committee 1980 filed a complaint dated August 19, 1980, alleging that Committee for the Record violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Specifically, the complaint alleges that Committee for the Record made expenditures for two communications which expressly advocate the defeat of Morris K. Udall and would be in violation of 1) 2 U.S.C. § 441d and 11 C.F.R. § 110.11 and § 109.3 for failing to include a statement on the communications as to whether or not they were authorized by any candidate, and who paid for them; and 2) 2 U.S.C. § 434(c) and 11 C.F.R. § 109.2 for failing to report the costs of these communications as independent expenditures. The complainant also alleges that Committee for the Record may be an affiliated or connected organization of the John Birch Society pursuant to 11 C.F.R. § 100.5(g)(2) or § 100.6(a).

(17)

## FACTUAL AND LEGAL ANALYSIS

The two communications (Exhibits A and B of the complaint) which the complainant states "as a whole expressly advocate the defeat of Morris K. Udall" were distributed as a package to residents of the Second Congressional District in Arizona. Exhibit A is a cover letter urging readers to consider the voting record of Congressman Udall as presented in the enclosed reprint of an article which appeared in the July 2, 1980 edition of THE REVIEW OF THE NEWS (Exhibit B). While the letter identifies the person or organization responsible for its preparation only in the signature "A TAX WEARY NEIGHBOR," the reprint concludes with a notice that additional copies may be ordered from Committee for the Record. The distribution date of the package is not identified by the complainant, but can be estimated as between July 2, the date of the article, and August 19, the date of complaint.

The complainant hinges its allegations as to FECA violations on finding that Exhibits A and B expressly advocate the defeat of Morris Udall. However, regardless of whether the communications expressly advocate the defeat of Morris Udall, they do appear to be for the purpose of influencing a federal election, and as such, there is reason to believe that the respondent violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file financial reports.

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The Act, at § 431(9)(A), defines an expenditure as:

> any purchase, payment, distribution, loan, advance, or deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office; (emphasis added)

In view of the facts that the package was distributed between three and four months prior to the November 1980 election, that it was distributed to residents of the Congressional District in which Mr. Udall was a candidate, and that it urged the act of voting, implicitly against Udall's re-election, it seems clear that the purpose of distribution was "to influence a Federal election." As such, printing and distribution costs would be "expenditures" under the Act.

There is no evidence in the complaint as to the amount of money spent on these communications. The expenditures, as other than "independent", would only be subject to Commission reporting if they total in excess of $1,000. The $1,000 expenditure threshold arises in context of the Act's definition of a political committee at § 431(4)(A): a political committee is an entity which "receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year." If the $1,000 threshold is met, the respondent would be in violation of § 433 for failure to register as a political committee, and § 434 for failure to report expenditures.

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The complaint provides no information on the targets of distribution other than "to Second Congressional District of Arizona residents." Since that District numbers 659,077 residents, it would be reasonable to assume that expenditures for printing and distribution could exceed $1,000. For the purpose of developing the facts in regard to expenditure amounts, the Office of General Counsel recommends that the Commission find reason to believe that J. Wayne Watson/ Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file required reports with the Federal Election Commission. The General Counsel also recommends that the Commission approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

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RECOMMENDATIONS

1. Find reason to believe that J. Wayne Watson/ Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and 2 U.S.C. § 434 for failing to file required reports with the FEC.

2. Approve and send the attached letter, Factual and Legal Analysis, and interrogatories to counsel for J. Wayne Watson.

(20)

J. Wayne Watson

INTERROGATORIES

1. Please state your full name, home address, and business address.

2. Please explain your connection or association with Committee for the Record.

With regard to the attached Exhibits A and B, please answer the following questions.

3. How many copies of Exhibits A and B were printed?

4. What was the cost for printing? Include verification for the expenditure in the form of a canceled check, invoice, etc.

5. How many copies of Exhibits A and B were distributed?

6. To whom were they distributed?

7. By what means were they distributed?

8. What was the cost for distribution? Include verification for the expenditure in the form of a canceled check, invoice, etc.

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The remaining questions pertain to other activities of Committee for the Record.

9. Did Committee for the Record make contributions to any political candidate or political committee in 1980?

10. If the answer to (9) is yes, please list the amount and recipient of each contribution.

11. Did Committee for the Record make expenditures in 1980 for any other communications besides Exhibit A and B?

12. If the answer to (11) is yes, please list the amount and nature of each expenditure.

13. Does Committee for the Record have any connection or association with the John Birch Society?

14. If the answer to (13) is yes, please explain the nature of the connection or association.

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BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

| | |
|---|---|
| UDALL FOR CONGRESS COMMITTEE 1980, Complainant, and COMMITTEE FOR THE RECORD, Respondent. | COMPLAINT |

1. Federal election laws, as they relate to independent expenditures, require any person expressly advocating defeat of a clearly identified candidate to, among other things: a) make reports as required by the law, and b) in the case of written materials, to clearly and conspicuously state that the communication is not authorized by any candidate, and c) to state, in the case of a political committee required to register with the Federal Election Commission, and/or to state on any publication, the name of any affiliated or connected organizations. (See Federal Election Commission Regulations §102.1, §109.2(b)(2), §109.2 and §109.4).
2. The Complainant is Udall for Congress Committee 1980, 2547 East Broadway, Tucson, Arizona, 85716. Telephone number (602) 327-4987. Martin Bacal, Chairman.
3. The acts complained of arise from printing and distribution of the attached exhibits, as a package, to Second Congressional District of Arizona residents which exhibits taken as a whole expressly advocate the defeat of Morris K. Udall and do not contain any disclaimer, and further one of the two pieces of literature contains no name of a person or organization

ATTACHMENT 2

responsible therefor. In addition, no affiliation of Committee for the Record with any other organization is reflected on the literature except that Complainant believes, and therefore alleges that the "Review of the News" is a publication of the John Birch Society and that the Committee for the Record, with its operations address being that of the residence of Ed Ahrens, 6401 North Val Dosta Drive, Tucson, Arizona, 85718, is, or may be, an affiliated organization of the John Birch Society.

4. Attached are exhibits documenting the allegations of the Complaint.

5. This Complaint is being filed on behalf of Morris K. Udall, Second Congressional District of Arizona and with the authorization of Morris K. Udall, candidate for Congress from the Second Congressional District of Arizona.

WHEREFORE, Complainant prays:

1. That the Federal Election Commission take jurisdiction of this Complaint;
2. That the Federal Election Commission make an investigation of the Committee for the Record, 6401 North Val Dosta Drive, Tucson, Arizona;
3. That action be taken pursuant to the investigation of the Complaint, including Civil proceedings against the Committee for the Record, as deemed appropriate by the Federal Election Commission.

DATED this 19 day of AUGUST, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By Martin Bacal

MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

(7)

STATE OF ARIZONA )
) ss.
County of Pima )

MARTIN BACAL, being first duly sworn, upon oath deposes and says:

That he is the Chairman of the Udall for Congress Committee 1980;

That as such Chairman he is authorized to execute the foregoing Complaint on behalf of Morris K. Udall;

That he has read the foregoing Complaint and is familiar with the statements made therein;

That the statements are true and correct to the best of his knowledge, information and belief, and as to those matters, he believes them to be true.

Martin Bacal
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this 19 day of August, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

Jan Merrill
NOTARY PUBLIC

My Commission Expires:
10-3-83

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DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

EXHIBIT A

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# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now in Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-



Exhibit B

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected

e of funds for military credit sales that nation (December 11, 1973), d prohibit military assistance (inding cash sales of weapons) to anti-mmunist Chile (March 3, 1976).

• Approve an amendment barring e sale of jet fighter planes to Na-nalist China (December 20, 1968).

• Repeal the Byrd Amendment nich allowed importation of chrome e from anti-Communist Rhodesia n 4, 1977). Udall thus helped ce the U.S. into compliance with e immoral, double-standard U.N. ycott of Rhodesia. Indeed, he even ent so far as to support the giving of aid to the nations bordering Rho-sia which were working, through ter-rism and guerrilla warfare, to liqui-ate Salisbury's pro-Western Govern-nt (June 22, 1977). These Udall-acked pressures eventually helped rn Rhodesia (now called Zimbabwe) er to the regime led by Marxist ter-rist Robert Mugabe.

In contrast to this treatment of pro-estern Governments, consider Con-ressman Udall's votes to:

• Kill an amendment to prohibit se of Commerce Department nds for conducting trade with Com-unist Cuba (June 14, 1978) and to ill another amendment to prohibit he use of foreign-aid funds from eing used for any form of trade or ssistance to Communist Cuba (June 3, 1977).

• Defeat an amendment to prohib-t the use of any funds in a State Department authorization bill for eparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 21, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to find every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* **REVIEW OF THE NEWS,** *Belmont, Massachusetts 02178.*

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6401 N. Val Dosta Drive
Tucson, Arizona 85718

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MWE

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/LENA STAFFORD

DATE: JULY 8, 1981

SUBJECT: MUR 1279 - Interim Investigative Report #1; dated 7-2-81; Signed 7-6-81; Received in OCS 7-7-81, 11:34

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, July 7, 1981.

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

8304074831

July 7, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1279

Please have the attached Interim Invest Report distributed to the Commission. Thank you.

8304037485

# SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

July 2, 1981

RECEIVED
31 JUL 7 AM 11:34
COMMISSION SECRETARY

In the Matter of )
) MUR 1279
Committee for the Record )

## INTERIM INVESTIGATIVE REPORT # 1

On May 27, 1981, the Commission determined to issue subpoenas to Ed Ahrens and REVIEW OF THE NEWS in order to learn the identity of any individual who might be connected with Committee for the Record.

REVIEW OF THE NEWS submitted answers to Interrogatories via letter dated June 19, 1981. The answers state that a J. Wayne Watson requested permission to reprint the article on Mr. Udall which appeared in the July 2 issue of REVIEW OF THE NEWS and which is attached to the complaint as an exhibit. Accordingly, on July 1, the Office of General Counsel sent a letter to Mr. Watson serving him with the complaint.

In a phone conversation with Commission staff on June 30, 1981, Mr. Ahrens stated he would mail a response to the Commission on that or the following day.

Upon receipt of both Mr. Ahrens' and Mr. Watson's response, we will submit a report to the Commission.

7/6/81
Date

Charles N. Steele
General Counsel

8304037483

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81 AUG 20 P12:06

August 12, 1981

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

Attention: Gary Johansen

Re: MUR 1279

Gentlemen:

This letter is to notify you that I have retained Kevin T. Ahern to represent me in connection with your file captioned above. He will respond to your letter of July 1, 1981.

Very truly yours,

J. Wayne Watson

AUG 20 P1:58

8304074854

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81 AUG20 P12:06

AHERN AND McCORMLEY, P.C.
818 EAST OSBORN
PHOENIX, ARIZONA 85014

August 12, 1981

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

Attention: Gary Johansen

Re: MUR 1279

Gentlemen:

This firm represents J. Wayne Watson in connection with the complaint subject of your file designated MUR 1279. At this time, we wish for this matter to remain confidential until you are notified to the contrary.

Without waiving Mr. Watson's right to contest the jurisdiction or authority of the Federal Election Commission in regard to the matters referenced in the Complaint, we submit the following as Mr. Watson's response to the Complaint and move that the Complaint be dismissed.

1. Deny the allegations of Paragraph 1 of the Complaint, including specifically the complainant's characterization of the Federal Election Campaign Act, and allege that the statute speaks for itself and that their interpretation is a matter of law for a judicial tribunal to determine.

2. Allege that Mr. Watson is without information sufficient to form a belief as to the truth or falsity of the allegations contained in Paragraphs 2, 3, 4 and 5 of the Complaint and therefore deny the same; except admit that the exhibits to the Complaint are true and correct copies of materials distributed by the Committee.

3. Deny each and every allegation not expressly admitted herein.

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4. Mr. Watson affirmatively alleges that the Committee for the Record is an informal, non-affiliated association of a few private citizens exercising their First Amendment prerogatives in the expression of their political views. Mr. Watson further alleges that the Committee is not required by law to make disclosures or reports and is not subject to the jurisdiction of the Federal Election Commission nor has any of its members knowingly or purposely violated any of the laws of the United States of America, the provisions of the Federal Election Campaign Act, or the statutes of any state or municipality.

5. Mr. Watson emphatically denies that, by any objective statutory standard, the materials disseminated by the Committee and its presentation, taken as a whole, expressly advocate the defeat of Mr. Udall or any other candidate. To the contrary, the materials simply contain information from the public domain and Congressional Record from which the reader could draw his or her own conclusions in making an informed choice of candidate. Any other characterization of the materials, as set forth in Paragraph 1 of the Complaint, is subjective and biased, at best.

6. As a conciliatory gesture, Mr. Watson welcomes any opportunity to confer informally with the complainant, the Commission or the Office of General Counsel staff to endeavor to correct or prevent any reoccurence of the matters raised by the Complaint.

Having answered the Complaint, Mr. Watson respectfully moves the Commission to dismiss the Complaint and take no further action on account thereof and, to the extent permitted by law, award Mr. Watson his reasonable attorney's fees for having to so respond.

Respectfully submitted,

Kevin T. Ahern

AHERN & McCORMLEY, P.C.
818 East Osborn Road, Suite 212
Phoenix, Arizona 85014
Telephone (602) 277-2551
Attorney for J. Wayne Watson

8304074814

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STATE OF ARIZONA )
) ss.
COUNTY OF MARICOPA )

J. WAYNE WATSON, being first duly sworn, upon his oath, deposes and says:

That he has read the foregoing response to Federal Election Commission Complaint No. MUR 1279; that he knows the contents thereof; and that the statements made therein are true in substance and in fact, except those matters therein stated on information and belief, and as to those matters, he believes them to be true.

J. WAYNE WATSON

SUBSCRIBED AND SWORN to before me this 13th day of August, 1981.

Kathleen J. Barron
Notary Public

My Commission expires:
December 20, 1984

8304037480537

LAW OFFICES OF
BISTROW & MIKAL, P.C.
[redacted] EAST CAMELBACK ROAD, SUITE 111
PHOENIX, ARIZONA 85014

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MAR 13 PM
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[redacted]

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

[redacted]

P13 60[redacted]896

RECEIVED
GCC# 5171

EDWARD AHRENS
6401 N. Val Dosta Drive
Tucson, Arizona 85718

July 27, 1981

Mr. Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

MUR 1279

Dear Mr. Steele:

Your letter of July 10 and the two books of laws and regulations, which accompanied it, did not fully answer my letter of June 30. At least the Tables of Contents and the Indexes did not reveal the answers.

If the answers are buried in the text somewhere, with my limited time available, it would be months before I dug them out. You were quite ready to give me the reference numbers to your authority to require my answers to your questions; may I suggest that you also similarly reference the answers to my questions. It would speed things up considerably.

It is very doubtful, however, that the answers to all my questions are in the books that you sent.

I have not challenged your authority to require an answer to your original questionnaire——except where, in answering, I would give up my rights under the United States Constitution and my rights under the laws derived from it. I shall not voluntarily give them up and want to make sure that I do not give them up through ignorance.

Frankly, by virtue of being an American Citizen, I have every right to expect civil servants of the federal government to answer my questions fully, honestly and to my complete satisfaction. This is a fundamental element of democracy.

Your failure to answer both the questions in my letter and in the Public Servant's Questionnaire has caused me great alarm. Is it not reasonable to assume from your silence that your attitude is that I have no rights but that you have a right to lie to me?

I am perfectly willing to cooperate with you, but I must protect myself, insist on my rights and have full, honest and satisfactory answers to my questions and questionnaire first.

What I do not intend to do is to allow you to harass me further or to involve me in the bureaucratic make-work of interminable correspondence.

Very truly yours,

Edward Ahrens

Edward Ahrens
6401 N. Val Dosta Drive
Tucson, Arizona 85718

6304037406

TUCSON, ARIZ. 4PM 27 JUL 1981

81 JUL30

USA 18c

Mr. Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

To: Ken Gross

From: Dolores Pesce

Through: Gary Johansen

Re: MUR 1279

Date: July 7, 1981

In response to Commission's Order to Answer Interrogatories, Mr. Ahrens sent the attached letter. I have prepared a letter for your signature: it directs Mr. Ahrens to the statutory cite empowering the Commission to order answers.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 10, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Ahrens
6401 N. Val Dosta Drive
Tucson, Arizona 85718

MUR 1279

Dear Mr. Ahrens:

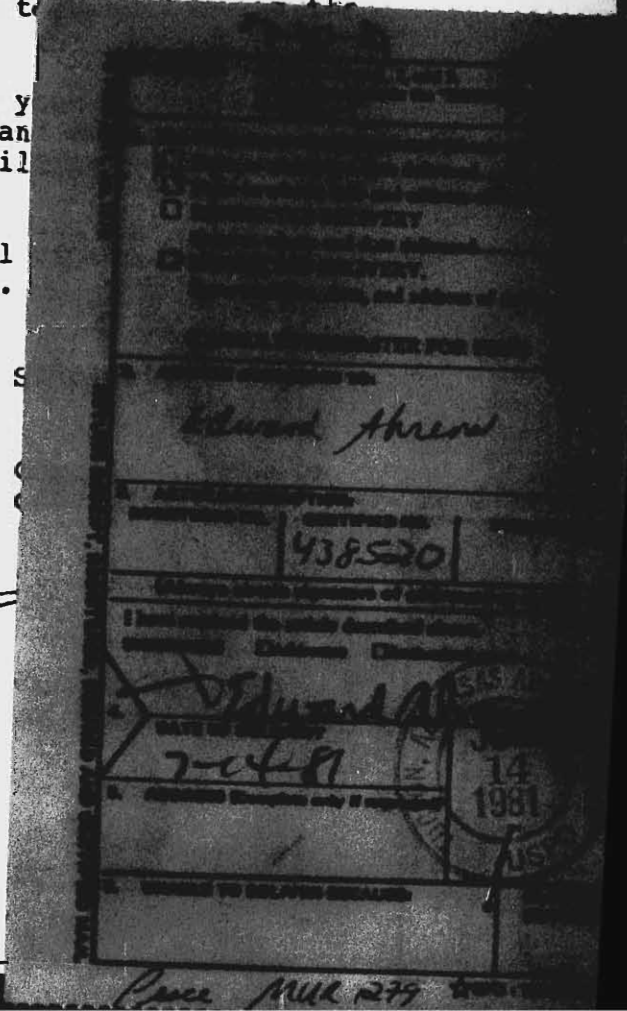
In response to your letter of June 30, 1981, the Office of General Counsel is forwarding to you a copy of the Federal Election Campaign Act and of Title 11 of the Code of Federal Regulations. I direct your attention, in particular, to section 437d(a)(1) of the Federal Election Campaign Act which gives the Commission power "to require by special or general orders, any person to submit, under oath, such written reports and answers t... Commission may prescribe."

I trust that the questions contained in y... will be answered by examination of the laws an... ingly, the Commission anticipates that you wil... rogatories without further delay.

Also, I am returning to you the original ... Questionaire attached to your June 30 letter.

By:

Enclosures
Act and Regulations
Questionaire



# PUBLIC SERVANT'S QUESTIONAIRE

Answers to questions should be put down by taxpayer. If, at the end of the questioning, the public servant declines to swear or affirm to the truthfulness of what he has answered, this fact should be noted and the forms sent off as directed.

To be executed in quadruplicate. Original for taxpayer's files. Second copy to head of department from which public servant was sent. Third copy to taxpayer's attorney. Fourth copy to public servant. Taxpayer will assume responsibility of mailing to appropriate persons.

Name of public servant .....

Resident address..... City..... State.....

Name of department of government, bureau or agency by which public servant is employed: .....

.....

Its mailing address ..... City..... State.....

Did public servant furnish proof of identity?..... What was the nature of this proof? .....

Is the name given by the public servant his right name? .....

Has public servant ever employed an alias or assumed name? .....

If so, what was it? .....

Has public servant ever served time in prison for a misdemeanor?..... A felony?.....

A crime?..... If answer to foregoing is "yes" in any case, give reasons for public servant's incarceration. .....

Will the public servant furnish a copy of the law or regulation which authorizes the investigation?

.....

Will the public servant read aloud that portion of the law authorizing questions he will ask? .....

How long has he worked for this agency (department, bureau, etc.)? years..... months.....

Has he ever been employed outside of government or outside of tax-supported agency such as a welfare bureau, a government school, etc.?.....

What was the nature of that employment?.....

What are his qualifications for conducting this investigation? (Cite special training, degrees held, special aptitudes, etc.) .....

Name of person in government requesting that investigation be made .....

Is the investigation "general" or is it "special"?.....

Note: By "general" is meant any kind of blanket investigation in which a number of persons are involved because of geography, type of business, sex, religion, schooling, income, etc. By "special" is meant any investigation of an individual nature in which others are not involved.

Name of private person (if any) who suggested that investigation be made .....

Was private person paid for turning in the name of taxpayer? ..... How much was he paid $.....

Address .....

Note: Amendment VI of the Constitution says: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense." Since government investigations are frequently followed by criminal prosecution, the taxpayer has a right to know the names of his accusers and to also be informed of the nature of the accusation brought against him. Also, Amendment V guarantees the right of the individual not to incriminate himself. Thus, a failure on the part of the investigator to satisfactorily answer the foregoing may provide grounds for refusing to answer questions. See a lawyer, if questions remain in your mind on this point.

Will he (the public servant) guarantee that the information requested will not be used by persons in departments, bureaus or agencies other than the one by whom he is employed?..... If not, why not? .....

Has the public servant been courteous and cooperative? ..... Has he made any threats? .....

What is the nature of the threats? .....

## AFFIRMATION BY PUBLIC SERVANT

I swear (or affirm) that the answers I have given to the foregoing questions are complete and correct in every particular .....

Must be signed in ink and the signature should be witnessed by two people. Taxpayer may administer an oath if he so desires.

Witness ..... Witness .....

8304037485

TO: _____

_____

_____

RE: _____

The Privacy Act of 1974 provides that each Federal Agency inform individuals, whom it asks to supply information, of the authority for the solicitation of the information and whether disclosure of such information is mandatory or voluntary; the principal purpose or purposes for which the information is to be used; the routine uses which may be made of the information; and the effects on the individual of not providing the requested information. This notification applies to the U.S. Individual Income Tax Returns.

## NOTICE

On _____ 197_, _____ demanded of Public Servant, _____ _____, to provide him with ALL of the information that he was entitled to under THE PRIVACY ACT OF 1974, and the FREEDOM OF INFORMATION ACT.

THAT said Public Servant, willfully, wantonly, maliciously, intentionally, and criminally refused to provide the information as guaranteed by the law, The U.S. Constitution, and the Declaration of Independence, and the Statutes passed pursuant thereto.

THAT said Public Servant, by his criminal actions has placed said, _____, in a position of being unlawfully deprived of his constitutional rights all in violation of both Federal and State laws.

THAT this NOTICE is served by mail, upon said Public Servant, prior to commencing litigation, for said denial of rights, and to place said Public Servant on Notice that said _____ _____ demands *all* of his rights now and in the future, as secured by the U.S. Constitution, and the laws passed pursuant thereto, and that any denial of ALL of these rights will be considered actionable, against said Public Servant, without further notice to him.

Dated: _____ _____

_____

_____

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MUR 1279 Desca

EDWARD AHRENS
6401 N. Val Dosta Drive
Tucson, Arizona 85718

June 30, 1981

C-COM#5018

Mr. Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

Dear Mr. Steele:

In my letter to you last summer, concerning the M. Udall matter, I asked that you furnish me a copy of the laws and regulations which authorize the investigation that you are conducting, if you were going to pursue this subject further. Your letter of June 5 shows that you are continuing with it. These documents should include copies of all of the laws and regulations referred to in your letters and attachments but not be restricted to them.

May I suggest that, when you send the papers mentioned above, you forward them by the lowest cost means so as to ease the burden on us taxpayers as much as possible.

While you claim to be making an "investigation" for the "Commission", I have been given no information about its basis or the people behind it. That is why I am enclosing copies of the Public Servants Questionaire for you to fill out. Please return the original to me. I am also sending a copy of this letter and a set of Questionaires for similar handling by Mr. John Warren McGarry.

This Questionaire was prepared for use under face-to-face circumstances with a public servant. Except for my actually filling it out myself and distributing the copies, which I entrust to you, there are no other changes to be made in it.

Besides the inquires in the Questionaire, there are other matters that need explanation. They are:

1. What are my rights in this investigation? Would you please give me a complete list.

2. What are the penalties -- in circumstances when not under oath --
   a. if I should lie to you?
   b. if you should lie to me?

3. Concerning <u>any</u> information that I might give to you
   a. to whom or what agency, etc., is it required to be released?
   b. to whom or what agency, etc., is it otherwise permitted to be released?

Give full lists in detail.

Please let me hear from you soon, so that I can respond further to your letter of June 5rd 9 AM 1.

Very truly yours,

Edward Ahrens

Edward Ahrens
Citizen, Federal Region № 9

# PUBLIC SERVANT'S QUESTIONAIRE

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To be executed in quadruplicate. Original for taxpayer's files. Second copy to head of department from which public servant was sent. Third copy to taxpayer's attorney. Fourth copy to public servant. Taxpayer will assume responsibility of mailing to appropriate persons.

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Resident address..... City..... State.....

Name of department of government, bureau or agency by which public servant is employed: .....

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A crime?..... If answer to foregoing is "yes" in any case, give reasons for public servant's incarceration. .....

Will the public servant furnish a copy of the law or regulation which authorizes the investigation?

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Was private person paid for turning in the name of taxpayer? ..... How much was he paid $.....

Address .....

Note: Amendment VI of the Constitution says: "In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial by an impartial jury of the state and district wherein the crime shall have been committed, which district shall have been previously ascertained by law and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the assistance of counsel for his defense." Since government investigations are frequently followed by criminal prosecution, the taxpayer has a right to know the names of his accusers and to also be informed of the nature of the accusation brought against him. Also, Amendment V guarantees the right of the individual not to incriminate himself. Thus, a failure on the part of the investigator to satisfactorily answer the foregoing may provide grounds for refusing to answer questions. See a lawyer, if questions remain in your mind on this point.

Will he (the public servant) guarantee that the information requested will not be used by persons in departments, bureaus or agencies other than the one by whom he is employed?..... If not, why not? .....

Has the public servant been courteous and cooperative? ..... Has he made any threats? .....

What is the nature of the threats? .....

## AFFIRMATION BY PUBLIC SERVANT

I swear (or affirm) that the answers I have given to the foregoing questions are complete and correct in every particular .....

Must be signed in ink and the signature should be witnessed by two people. Taxpayer may administer an oath if he so desires.

Witness ..... Witness .....

8 3 0 4 0 3 7 4 8 5 6

TO: _____

_____

_____

RE: _____

**The Privacy Act of 1974 provides that each Federal Agency inform individuals, whom it asks to supply information, of the authority for the solicitation of the information and whether disclosure of such information is mandatory or voluntary; the principal purpose or purposes for which the information is to be used; the routine uses which may be made of the information; and the effects on the individual of not providing the requested information. This notification applies to the U.S. Individual Income Tax Returns.**

## NOTICE

On _____ 197_, _____ demanded of Public Servant, _____ _____, to provide him with ALL of the information that he was entitled to under THE PRIVACY ACT OF 1974, and the FREEDOM OF INFORMATION ACT.

THAT said Public Servant, willfully, wantonly, maliciously, intentionally, and criminally refused to provide the information as guaranteed by the law, The U.S. Constitution, and the Declaration of Independence, and the Statutes passed pursuant thereto.

THAT said Public Servant, by his criminal actions has placed said, _____, in a position of being unlawfully deprived of his constitutional rights all in violation of both Federal and State laws.

THAT this NOTICE is served by mail, upon said Public Servant, prior to commencing litigation, for said denial of rights, and to place said Public Servant on Notice that said _____ _____ demands *all* of his rights now and in the future, as secured by the U.S. Constitution, and the laws passed pursuant thereto, and that any denial of ALL of these rights will be considered actionable, against said Public Servant, without further notice to him.

Dated: _____ _____

_____

_____

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Edward Abrens
6401 N. Val Dosta Drive
Tucson, Arizona 85718

TUCSON, AZ 857 JUL 1 PM 1981

TUCSON, AZ 857 JUL PM

TUCSON, AZ 857 JUL 1 PM 1981



FIRST CLASS MAIL

83040374838

Mr. Charles N. Steele, General Counsel
Federal Election Commission
Washington, D. C. 20463

THE REVIEW OF THE NEWS / BELMONT, MASSACHUSETTS 02178

489-0605
Area Code 617

RECEIVED
FEC
1981 JUN 24 P12:23
GENERAL COUNSEL

RECEIVED
FEC
1981 JUN 24 P12:34
GENERAL COUNSEL

10617 MUR GCC#49

June 19, 1981

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

RE: Answers to Interrogatories, MUR 1279

Dear Mr. Steele:

Enclosed are the answers to the Interrogatories sent to The Review Of The News on June 5, and received in our offices on June 11. You will note that they have been answered and sworn to under oath, as per your requirements, by Mr. Scott Stanley, Editor of The Review Of The News.

Sincerely,

Gary Handy

Gary Handy
Attorney at Law

GH:dol
Enclosure: Answers to Interrogatories

Doc #4943

FEDERAL ELECTIONS COMMISSION

RE: MUR 1279 )
)
)

ANSWERS OF THE REVIEW OF THE NEWS TO INTERROGATORIES PROPOUNDED BY THE FEC

1. Please provide the name and address of any individual and/or organization who obtained a reprint of this article from Review of the News between the dates of July 2 and August 19, 1980. Please include the date on which the reprint was obtained.

1. The Review Of The News neither issued nor sold any reprints of its article on Representative Morris Udall, which appeared in the issue for July 2, 1980, (FEC Exhibit A).

2. Does Review Of The News have any knowledge of the individual or organization who obtained this article for reprint purposes as it appears in Exhibit A?

2. Yes

3. If the answer to (2) is yes, please give the name and address of the individual or organization.

3. A telephone call was received sometime during the summer of 1980 from a J. Wayne Watson, 207 W. Clarendon Avenue #20G, Phoenix, Arizona, a subscriber to The Review Of The News. Mr. Watson requested permission to reprint the article on Mr. Udall for general distribution throughout Arizona. As it is our usual practice to grant to our subscribers permission to reprint for general distribution articles of interest to them, such permission readily was granted to Mr. Watson. We did stipulate, as per our usual custom in such matters, that an advertisement for The Review Of The News be included somewhere on the reprint. Experience has demonstrated that this is an effective method of obtaining advertising for the magazine at no cost. As Mr. Watson was the only individual to whom permission to reprint was granted, we assume that he is responsible for the preparation of Exhibit A.

4. Did Review Of the News in any way participate in the printing of Exhibit A?

4. No

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5. If the answer to (4) is yes, please describe in what way Review Of The News participated in the printing. Please include the name and address of the printer.

5. Not Applicable

6. Did Review Of The News in any way participate in the distribution of Exhibit A?

6. No

7. If the answer to (6) is yes, please describe in what way Review Of The News participated in the distribution.

7. Not Applicable

8. Does Review Of The News have knowledge of how many copies of Exhibit A were distributed? If yes, please state how many were distributed.

8. No

9. Does Review Of The News have knowledge as to who distributed Exhibit A? If yes, please state who disbributed Exhibit A.

9. The Review Of The News has no information concerning who was responsible for the distribution of Exhibit A other than the data contained in our response to Interrogatory number three above.

10. Does Review Of The News have knowledge of the printing and distribution costs for Exhibit A.

10. No

11. If the answer to (10) is yes, please state the printing and distribution costs. Also, please provide documentation for the expenditures in the form of invoices, cancelled checks, etc.

11. Not Applicable

12. Has Review Of The News knowledge of an entity called "Committee for the Record"?

12. Yes

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13. If the answer to (12) is yes, please explain when and how Review Of The News came by this knowledge.

13. The Review Of The News first heard of the Committee for the Record when it was sent a copy of Exhibit A sometime during 1980 and noticed the Committee's name on the reprint.

14. Does Review Of The News have any connection or association with Committee for the Record?

14. No

15. If the answer to (14) is yes, please explain in detail the nature of the connection or association. Please submit a copy of any document wherein the relationship is stated (e.g. Articles of Incorporation, contract, etc.).

15. Not Applicable

16. Does Review Of The News know anyone who is associated or connected with Committee for the Record? If so, please list their names and addresses.

16. Wayne Watson apparently has some connection with this Committee as he is the only individual either to request or receive permission to reprint Exhibit A. Mr. Watson's address has been provided in our response to Interrogatory number three above.

17. Does Review Of The News have an addresss for Committee for the Record? If so, please list.

17. No

18. Is Review Of The News aware of any communication other than Exhibit A on which the name "Committee for the Record" appears?

18. No

19. If the answer to (18) is yes, please describe the communication and provide a copy if possible.

19. Not Applicable

Sworn to under the pains and penalties of perjury

Scott Stanley

Scott Stanley, Editor

83C40574972

**The Review Of The News**
Belmont, Massachusetts 02178




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Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Review of the News
395 Concord Avenue
Belmont, Massachusetts 02178

Re: MUR 1279

Dear Sir or Madam:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter at present; but rather as a witness only.

Since this information is being sought as part of an investi-
gation being conducted by the Commissio
provisions of 2 U.S.C. § 437g(a)(12)(A)
of the Act prohibits the making public
conducted by the Commission without the
of the person with respect to whom the

You may consult with an attorney an
you in the preparation of your response
order. However, it is required that yo
under oath and that you do so within te
this subpoena and order.

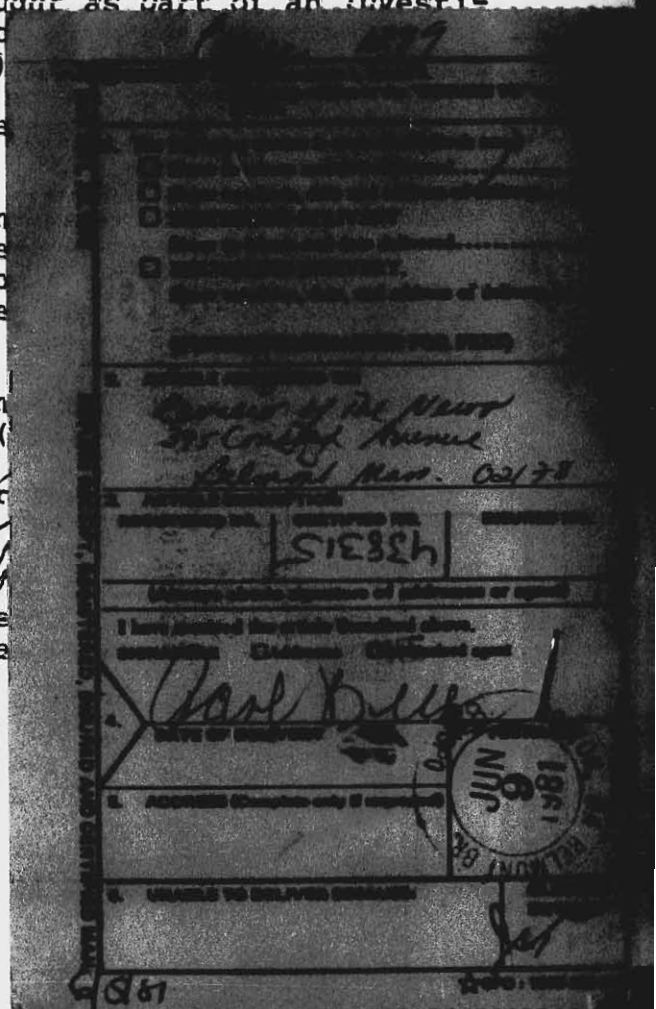
If you have any questions direct th
staff member handling this matter, at (

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Charle
Genera

Enclosure
Subpoena & Order
Interrogatories

8304037487



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

6/15/21

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Review of the News
395 Concord Avenue
Belmont, Massachusetts 02178

Re: MUR 1279

Dear Sir or Madam:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter at present; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

If you have any questions direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Subpoena & Order
Interrogatories

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BEFORE THE FEDERAL ELECTION COMMISSION

| | | |
|---|---|---|
| Review of the News | ) | MUR 1279 |

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 3, 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Interrogatories - 3 pages
Exhibit A

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INTERROGATORIES

REVIEW OF THE NEWS

The following questions pertain to the hereto attached Exhibit A, a reprint of an article which appeared in the July 2, 1980 issue of Review of the News.

1. Please provide the name and address of any individual and/or organization who obtained a reprint of this article from Review of the News between the dates of July 2 and August 19, 1980. Please include the date on which the reprint was obtained.

2. Does Review of the News have any knowledge of the individual or organization who obtained this article for reprint purposes as it appears in Exhibit A?

3. If the answer to (2) is yes, please give the name and address of the individual or organization.

4. Did Review of the News in any way participate in the printing of Exhibit A?

5. If the answer to (4) is yes, please describe in what way Review of the News participated in the printing. Please include the name and address of the printer.

6. Did Review of the News in any way participate in the distribution of Exhibit A?

7. If the answer to (6) is yes, please describe in what way Review of the News participated in the distribution.

8. Does Review of the News have knowledge of how many copies of Exhibit A were distributed? If yes, please state how many were distributed.

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9. Does Review of the News have knowledge as to who distributed Exhibit A? If yes, please state who distributed Exhibit A.

10. Does Review of the News have knowledge of the printing and distribution costs for Exhibit A?

11. If the answer to (10) is yes, please state the printing and distribution costs. Also, please provide documentation for the expenditures in the form of invoices, cancelled checks, etc.

The following questions pertain to an entity called "Committee for the Record."

12. Has Review of the News knowledge of an entity called "Committee for the Record"?

13. If the answer to (12) is yes, please explain when and how Review of the News came by this knowledge.

14. Does Review of the News have any connection or association with Committee for the Record?

15. If the answer to (14) is yes, please explain in detail the nature of the connection or association. Please submit a copy of any document wherein the relationship is stated (e.g. Articles of Incorporation, contract, etc.).

16. Does Review of the News know anyone who is associated or connected with Committee for the Record? If so, please list their names and addresses.

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17. Does Review of the News have an address for Committee for the Record? If so, please list.

18. Is Review of the News aware of any communication other than Exhibit A on which the name "Committee for the Record" appears?

19. If the answer to (18) is yes, please describe the communication and provide a copy if possible.

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# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-



Exhibit A

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned -- an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

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6401 N. Val Dosta Drive
Tucson, Arizona 85718

3040374805

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Ahrens
6401 N. Val Dosta Drive
Tucson, Arizona 85718

Re: MUR 1279

Dear Mr. Ahrens:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter at present; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

If you have any questions direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Subpoena & Order
Interrogatories

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DP 6/1/81

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Sincerely,

Charles N. Steele
General Counsel

Enclosure
Subpoena & Order
Interrogatories

8304057483 7

BEFORE THE FEDERAL ELECTION COMMISSION

Edward Ahrens ) MUR 1279

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on June 3 , 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachments
Interrogatories - 3 pages
Exhibit A

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INTERROGATORIES

Edward Ahrens

1. Please state your full name and address.

2. Please state your occupation and full name and address of your employer.

The following questions relate to the cover letter and article reprint submitted to you with the Commission's letter of August 25, 1980 and attached here as Exhibit A.

3. When did you first see a copy of the letter and article reprint distributed by Committee for the Record?

4. Please explain the circumstances under which the letter and reprint came to your attention. Please submit a copy of any correspondence related to your obtaining these items.

5. Did you take any action once you were aware that your address was being used on the article reprint?

6. If the answer to (5) is yes, please explain the action taken, including names of any individuals you contacted. Please submit a copy of any correspondence involved in this action.

7. Do you know how Committee for the Record happened to use your address as its mailing address? If so, please explain.

8. Are you aware if your address was used on any communication by Committee for the Record other than the article reprint?

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9. If the answer to (8) is yes, please explain how this information came to your attention.

10. If the answer to (8) is yes, please describe the communication and provide a copy if possible.

The following questions relate to your September 15, 1980, response to the Commission.

11. You state that on August 18 you received a call from Louise "Bucky" Barr inquiring about Committee for the Record.

    a. Had you any acquaintance with or knowledge of Ms. Barr previous to this phone conversation?

    b. If the answer to (a) is yes, please explain the circumstances under which your acquaintance with or knowledge of Ms. Barr occurred.

    c. What was the essence of Ms. Barr's inquiry about Committee for the Record?

    d. What was your response to Ms. Barr's inquiry?

    e. Did Ms. Barr's inquiry to you about Committee for the Record stem from her having seen the article reprint?

    f. If the answer to (e) is no, what did prompt her call to you?

    g. How did Ms. Barr obtain your name and phone number?

    h. Did you take any action in response to this phone call from Ms. Barr?

    i. If the answer to (h) is yes, please explain the action taken, including names of any individuals you contacted. Please submit a copy of any correspondence involved in this action.

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j. Did you receive any further calls from Ms. Barr?

k. If the answer to (j) is yes, please give dates and discuss the essence of the conversations.

l. Do you have Ms. Barr's telephone number and/or address? If so, please list.

12. Did you receive any calls from other individuals with regard to Committee for the Record?

13. If the answer to (12) is yes, please identify the individual(s) and discuss the essence of the conversation(s). Also give dates of the calls.

14. Apart from your involvement as defined through the preceding interrogatories, have you ever had any connection or association with the entity called "Committee for the Record"?

15. If the answer to (14) is yes, please explain in detail.

16. Do you know anyone associated with Committee for the Record? If so, please list their names and addresses.

17. Have you ever been contacted by anyone claiming to be associated with Committee for the Record?

18. If the answer to (17) is yes, please state when, the name of the individual(s), and explain the nature and circumstance of the contact(s).

19. Do you have an address for Committee for the Record? If so, please list.

8304037481

8304037485

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

vs.

COMMITTEE FOA THE RECORD

Exhibit A

3040374 8

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit the use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



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## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* **REVIEW OF THE NEWS,** *Belmont, Massachusetts 02178.*

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Tucson, Arizona 85718

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MWE

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER JC

DATE: JUNE 3, 1981

SUBJECT: SUBPOENAS REGARDING MUR 1279

The attached subpoenas regarding MUR 1279, which were Commission approved in Executive Session on May 27, 1981, by a vote of 6-0, have been signed and sealed this date.

Attachments:
Subpoenas (2)
Review of the News, Edward Ahrens

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )
)
Committee for the Record )

MUR 1279

CERTIFICATION

I, Lena L. Stafford, Recording Secretary for the Federal Election Commission's Executive Session on May 27, 1981, do hereby certify that the Commission decided in a vote of 6-0 to issue subpoenas to Ed Ahrens and the REVIEW OF THE NEWS with regard to MUR 1279.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, and Tiernan voted affirmatively in this matter.

Attest:

5-28-81
Date

Lena L. Stafford
Recording Secretary

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS /JODY CUSTER
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: MAY 14, 1981

SUBJECT: ADDITIONAL OBJECTION - MUR 1279 First General Counsel's Report, dated 5-12-81; Received in OCS, 5-12-81, 4:59

You were notified previously of an objection by Commissioner Thomson.

Commissioner Aikens submitted an additional objection at 5:37, May 13, 1981.

This matter will be discussed in executive session on Wednesday, May 27, 1981.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MWE

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER JC

DATE: MAY 13, 1981

SUBJECT: OBJECTION - MUR 1279 First General Counsel's Report, dated 5-12-81; Received in OCS, 5-12-81, 4:59

The above-named document was circulated on a 48 hour vote basis at 11:00, May 13, 1981.

Commissioner Thomson submitted an objection at 3:18, May 13, 1981.

This matter will be placed on the Executive Session Agenda for Wednesday, May 27, 1981.

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May 12, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1279

Please have the attached First GC Report distributed to the Commission on a 48 hour tally basis. Thank you.

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SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

81 MAY 12 P4: 59

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION: 5-12-81

MUR 1279
DATE COMPLAINT RECEIVED
BY OGC: August 22, 1980
STAFF MEMBER: Dolores Pesce

COMPLAINANT'S NAME: Udall for Congress Committee 1980

RESPONDENT'S NAME: Committee for the Record

RELEVANT STATUTE: 2 U.S.C. § 433, § 434, § 441d, § 434(c); 11 C.F.R. § 110.11, § 109.3, § 109.2, § 100.5(g)(2), and § 100.6(a)

INTERNAL REPORTS CHECKED: FEC Index of Registered Committees

FEDERAL AGENCIES CHECKED: None

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## SUMMARY OF ALLEGATIONS

The Udall for Congress Committee 1980 filed a complaint (Attachment 1) dated August 19, 1980, alleging that Committee for the Record violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Specifically, the complainant alleges that Committee for the Record made expenditures for two communications which expressly advocate the defeat of Morris K. Udall and would be in violation of 1) 2 U.S.C. § 441d and 11 C.F.R. § 110.11 and § 109.3 for failing to include a statement on the communications as to whether or not they were authorized by any candidate, and who paid for them; and 2) 2 U.S.C. § 434(c) and 11 C.F.R. § 109.2 for failing to report the costs of these communications as independent expenditures. The complainant also alleges that Committee for the Record may be an affiliated or connected organization of the John Birch Society pursuant to 11 C.F.R. § 100.5(g)(2) or § 100.6(a).

## FACTUAL AND LEGAL ANALYSIS

The two communications (Exhibits A and B of Attachment 1) which the complainant states "as a whole expressly advocate the

defeat of Morris K. Udall" were distributed as a package to residents of the Second Congressional District in Arizona. Exhibit A is a cover letter urging readers to consider the voting record of Congressman Udall as presented in the enclosed reprint of an article which appeared in the July 2, 1980 edition of THE REVIEW OF THE NEWS (Exhibit B). While the letter identifies the person or organization responsible for its preparation only in the signature "A TAX WEARY NEIGHBOR," the reprint concludes with a notice that additional copies may be ordered from Committee for the Record. The distribution date of the package is not identified by the complainant, but can be estimated as between July 2, the date of the article, and August 19, the date of complaint.

The complainant hinges its allegations as to FECA violations on finding that Exhibits A and B expressly advocate the defeat of Morris Udall. However, regardless of whether the communications expressly advocate the defeat of Morris Udall, they do appear to be for the purpose of influencing a federal election, and as such, there is reason to believe that the respondent violated 2 U.S.C. § 433 for failing to register as a political committee and § 434 for failing to file financial reports.

The Act, at § 431(9)(A), defines an expenditure as:

> any purchase, payment, distribution, loan, advance, or deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for Federal office; (emphasis added)

In view of the facts that the package was distributed between three and four months prior to the November 1980 election, that it was distributed to residents of the Congressional District in which Mr. Udall was a candidate, and that it urged the act of voting, implicitly against Udall's re-election, it seems clear that the purpose of distribution was "to influence a Federal election." As such, printing and distribution costs would be "expenditures" under the Act.

There is no evidence in the complaint as to the amount of money spent on these commnications. The expenditures, as other than "independent", would only be subject to Commission reporting if they total in excess of $1,000. The $1,000 expenditure threshold arises in context of the Act's definition of a political committee at § 431(4)(A): a political committee is an entity which "receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year." If the $1,000 threshold is met, the respondent would be in violation of § 433 for failure to register as a political committee, and § 434 for failure to report expenditures.

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The identity of the respondent has remained unclear to date. As noted earlier, the article reprint concludes with a notice that additional copies may be ordered from Committee for the Record. The committee's name is followed by the address: 6401 N. Val Dosta Drive, Tucson, Arizona 85718. The complainant identified this address as the residence of Ed Ahrens, and it is in care of him that the Commission's notification of complaint letter to Committee for the Record is addressed.

Mr. Ahrens has submitted a response dated September 15, 1980 (Attachment 2) in which he denies any connection with Committee for the Record and states that his address was used on the article reprint without his permission. Mr. Ahrens' response is on his own behalf and not for Committee for the Record. The Office of General Counsel has not been able to serve Committee for the Record with the complaint, as the telephone company holds no listing for it, and it is not registered either with the corporate division of the Secretary of State office or the State Election Commission in Arizona.

In spite of the impasse reached in identifying and serving a respondent, the Office of General Counsel is of the opinion that the Commission should continue its investigation of this matter. As concluded above, printing and distribution costs for Exhibits A-B are "expenditures" under the FECA, which, if they aggregate in excess of $1,000, would make the respondent subject to § 433 registering and § 434 reporting requirements as a political committee. The complainant provides no information on the targets of distribution other than "to Second Congressional District of Arizona residents." Since that District numbers 659,077 residents, it would be reasonable to assume that expenditures for printing and distribution could exceed $1,000. For the purpose of developing the facts in regard to expenditure amounts, the Office of General Counsel recommends that the Commission find reason to believe that Committee for the Record violated § 433 for failing to register as a political committee and § 434 for failing to file required reports with the FEC. The General Counsel also recommends that the Commission issue to Mr. Ahrens and to the John Birch Society a subpoena to produce documents and an order to answer interrogatories. (The complainant alleged that REVIEW OF THE NEWS, in which the article originally appeared, is a publication of the John Birch Society.)

8304074906

## RECOMMENDATIONS

1. Find reason to believe that Committee for the Record violated 2 U.S.C. § 433 for failing to register as a political committee and 2 U.S.C. § 434 for failing to file required reports with the FEC.

2. Issue to Ed Ahrens an order to answer interrogatories and a subpoena to produce documents.

3. Issue to the John Birch Society an order to answer interrogatories and a subpoena to produce documents.

Attachments

1. Complaint
2. Response from Ed Ahrens
3. Letter with subpoena and order and questions to Ed Ahrens
4. Letter with subpoena and order and questions to the John Birch Society
5. Authorizations to Issue Subpoenas/Orders

8304037490 7

RECEIVED
80 AUG22 P1:13

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80 AUG 22 P3:25

BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

| | |
|---|---|
| UDALL FOR CONGRESS COMMITTEE 1980, Complainant, and COMMITTEE FOR THE RECORD, Respondent. | COMPLAINT |

1. Federal election laws, as they relate to independent expenditures, require any person expressly advocating defeat of a clearly identified candidate to, among other things: a) make reports as required by the law, and b) in the case of written materials, to clearly and conspicuously state that the communication is not authorized by any candidate, and c) to state, in the case of a political committee required to register with the Federal Election Commission, and/or to state on any publication, the name of any affiliated or connected organizations. (See Federal Election Commission Regulations §102.1, §109.2(b)(2), §109.2 and §109.4).
2. The Complainant is Udall for Congress Committee 1980, 2547 East Broadway, Tucson, Arizona, 85716. Telephone number (602) 327-4987. Martin Bacal, Chairman.
3. The acts complained of arise from printing and distribution of the attached exhibits, as a package, to Second Congressional District of Arizona residents which exhibits taken as a whole expressly advocate the defeat of Morris K. Udall and do not contain any disclaimer, and further one of the two pieces of literature contains no name of a person or organization

ATTACHMENT 1

responsible therefor. In addition, no affiliation of Committee for the Record with any other organization is reflected on the literature except that Complainant believes, and therefore alleges that the "Review of the News" is a publication of the John Birch Society and that the Committee for the Record, with its operations address being that of the residence of Ed Ahrens, 6401 North Val Dosta Drive, Tucson, Arizona, 85718, is, or may be, an affiliated organization of the John Birch Society.

4. Attached are exhibits documenting the allegations of the Complaint.

5. This Complaint is being filed on behalf of Morris K. Udall, Second Congressional District of Arizona and with the authorization of Morris K. Udall, candidate for Congress from the Second Congressional District of Arizona.

WHEREFORE, Complainant prays:

1. That the Federal Election Commission take jurisdiction of this Complaint;
2. That the Federal Election Commission make an investigation of the Committee for the Record, 6401 North Val Dosta Drive, Tucson, Arizona;
3. That action be taken pursuant to the investigation of the Complaint, including Civil proceedings against the Committee for the Record, as deemed appropriate by the Federal Election Commission.

DATED this 19 day of AUGUST, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By Martin Bacal

MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

83040374216

(3)

STATE OF ARIZONA )
) ss.
County of Pima )

MARTIN BACAL, being first duly sworn, upon oath deposes and says:

That he is the Chairman of the Udall for Congress Committee 1980;

That as such Chairman he is authorized to execute the foregoing Complaint on behalf of Morris K. Udall;

That he has read the foregoing Complaint and is familiar with the statements made therein;

That the statements are true and correct to the best of his knowledge, information and belief, and as to those matters, he believes them to be true.

Martin Bacal
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this 19 day of August, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

Jan Neil
NOTARY PUBLIC

My Commission Expires:

10-3-83

8 3 0 4 0 [redacted] 4 9 1 1

(4)

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

EXHIBIT A

8 0 4 0 3 7 4 9 1 2

(5)

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

The Review Of The NEWS, July 2, 1980

Exhibit O

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistentiy favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit the use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* **REVIEW OF THE NEWS,** *Belmont, Massachusetts 02178.*

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Telephone: 602-299-9730

September 15, 1980

Pesce

(11)

RECEIVED
80 SEP 18 P12:26
80 SEP 18 P 2:25

MCC#2681

Federal Election Commission
Washington, D. C. 20463

Attention: Charles N. Steele, General Counsel

MUR 1279(80)

Gentlemen:

This response to your letter of August 25, 1980, is only on my own behalf. It is in no way an answer for the Committee for the Record. The reason is that I have no connection whatsoever with any such Committee.

Of all of the wild, irresponsible accusations made, where I may be concerned, the only one that is true is that I reside at 6401 N. Val Dosta Dr. This is the address appearing on the reprint of the article about Congressman Udall. It is not being used with my permission. I do not know who is responsible for doing so.

I do aver, however, that the following are the true facts concerning myself:

1. I am not a member of the Committee for the Record.
2. Its operations address is not that of my residence.
3. I never even heard of this Committee until some woman named Louise "Bucky" Barr telephoned inquiring about it on August 18.
4. I never saw one of the reprints nor one of the cover letters until August 25, when I received one from an anonymous Udall fan. (He liked what he read about Udall's record, because he wrote that it showed him why he should vote for Udall.)
5. I have never paid any dues to this Committee.
6. I have never made any contribution to the Committee.
7. I have never in any other way paid for the reprints or cover letter.
8. I have never distributed even one reprint in any manner.
9. I have never had and do not now have a supply of these reprints at my residence nor any other place else over which it might be construed that I have some control.
10. No meetings of any group calling itself the Committee for the Record, or which might later have evolved into it, were ever held at my house.
11. If you can dream up any other alleged connections between me and this complaint, the facts can only give negative answers: No, no way, no sir, no how, not; or possibly more clearly -- nyet, nein.

Doesn't the Complainant have any responsibility to make certain that his allegations (about me) have some connection with the truth before filing the complaint? Is Morris K. Udall trying to get the taxpayers (via you fellows) to pay for sorting out the truth (if any) and errors of his notions about me and that separate entity, the Committee? (It seems in character.)

If you are going to pursue this matter with me, please send me a copy of all laws, regulations, etc. applying, including those to which such laws, regulations, etc. might refer in their body.

Very truly yours,

Edward Ahrens

ATTACHMENT 2

(12)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Ahrens
6401 N. Val Dosta Drive
Tucson, Arizona 85718

Re: MUR 1279

Dear Mr. Ahrens:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter at present; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

If you have any questions direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Subpoena & Order
Interrogatories

ATTACHMENT 3

8304037491

(13)

BEFORE THE FEDERAL ELECTION COMMISSION

Edward Ahrens ) MUR 1279

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on , 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 3 pages

8304037492C

(14)

# INTERROGATORIES

Edward Ahrens

1. Please state your full name and address.

2. Please state your occupation and full name and address of your employer.

The following questions relate to the cover letter and article reprint submitted to you with the Commission's letter of August 25, 1980 and attached here as Exhibit A.

3. When did you first see a copy of the letter and article reprint distributed by Committee for the Record?

4. Please explain the circumstances under which the letter and reprint came to your attention. Please submit a copy of any correspondence related to your obtaining these items.

5. Did you take any action once you were aware that your address was being used on the article reprint?

6. If the answer to (5) is yes, please explain the action taken, including names of any individuals you contacted. Please submit a copy of any correspondence involved in this action.

7. Do you know how Committee for the Record happened to use your address as its mailing address? If so, please explain.

8. Are you aware if your address was used on any communication by Committee for the Record other than the article reprint?

8304037492 1

9. If the answer to (8) is yes, please explain how this information came to your attention.

10. If the answer to (8) is yes, please describe the communication and provide a copy if possible.

The following questions relate to your September 15, 1980, response to the Commission.

11. You state that on August 18 you received a call from Louise "Bucky" Barr inquiring about Committee for the Record.

    a. Had you any acquaintance with or knowledge of Ms. Barr previous to this phone conversation?

    b. If the answer to (a) is yes, please explain the circumstances under which your acquaintance with or knowledge of Ms. Barr occurred.

    c. What was the essence of Ms. Barr's inquiry about Committee for the Record?

    d. What was your response to Ms. Barr's inquiry?

    e. Did Ms. Barr's inquiry to you about Committee for the Record stem from her having seen the article reprint?

    f. If the answer to (e) is no, what did prompt her call to you?

    g. How did Ms. Barr obtain your name and phone number?

    h. Did you take any action in response to this phone call from Ms. Barr?

    i. If the answer to (h) is yes, please explain the action taken, including names of any individuals you contacted. Please submit a copy of any correspondence involved in this action.

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j. Did you receive any further calls from Ms. Barr?

k. If the answer to (j) is yes, please give dates and discuss the essence of the conversations.

l. Do you have Ms. Barr's telephone number and/or address? If so, please list.

12. Did you receive any calls from other individuals with regard to Committee for the Record?

13. If the answer to (12) is yes, please identify the individual(s) and discuss the essence of the conversation(s). Also give dates of the calls.

14. Apart from your involvement as defined through the preceding interrogatories, have you ever had any connection or association with the entity called "Committee for the Record"?

15. If the answer to (14) is yes, please explain in detail.

16. Do you know anyone associated with Committee for the Record? If so, please list their names and addresses.

17. Have you ever been contacted by anyone claiming to be associated with Committee for the Record?

18. If the answer to (17) is yes, please state when, the name of the individual(s), and explain the nature and circumstance of the contact(s).

19. Do you have an address for Committee for the Record? If so, please list.

8304037492

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Birch Society
12 W. Camelback Road
Phoenix, Arizona 85013

Re: MUR 1279

Dear Sir or Madam:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you to provide certain information has been issued. The Commission does not consider you a respondent in this matter at present; but rather as a witness only.

Since this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) will apply. This section of the Act prohibits the making public of any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

If you have any questions direct them to Dolores Pesce, the staff member handling this matter, at (202)523-5071.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Subpoena & Order
Interrogatories

ATTACHMENT 4

8304057492 4

(18)

BEFORE THE FEDERAL ELECTION COMMISSION

John Birch Society ) MUR 1279

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

Such answers must be submitted under oath and must be forwarded to the Commission within 10 days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on , 1981.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

Attachment
Interrogatories - 2 pages

8304037492 5

(19)

INTERROGATORIES

John Birch Society

The following questions pertain to the hereto attached Exhibit A, a reprint of an article which appeared in the July 2, 1980 issue of Review of the News.

1. Does the John Birch Society have any connection or association with the publication Review of the News?

2. If the answer to (1) is yes, please explain in detail the nature of the connection or association. Please submit a copy of any document wherein the relationship is stated (e.g. Articles of Incorporation, contract, etc.).

3. Does the John Birch Society have any knowledge of the individual or organization who obtained this article for reprint purposes as it appears in Exhibit A?

4. If the answer to (3) is yes, please name the individual or organization and explain how the John Birch Society came by this knowledge.

5. Does the John Birch Society have knowledge of how many copies of the article reprint were distributed? If yes, please state how many were distributed.

6. Does the John Birch Society have knowledge as to who distributed the article reprint? If yes, state who distributed the article reprint.

7. Does the John Birch Society have knowledge of the publication and distribution costs for the reprint?

8. If the answer to (7) is yes, please state the publication and distribution costs. Also, please provide documentation for the expendtures in the form of invoices, cancelled checks, etc.

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The following questions pertain to the John Birch Society's relationship to Committee for the Record.

9. Has the John Birch Society knowledge of an entity called "Committee for the Record"?

10. If the answer to (9) is yes, please explain when and how the John Birch Society came by this knowledge.

11. Does the John Birch Society have any connection or association with Committee for the Record?

12. If the answer to (11) is yes, please explain in detail the nature of the connection or association. Please submit a copy of any document wherein the relationship is stated (e.g. Articles of Incorporation, contract, etc.).

13. Does the John Birch Society know anyone who is associated or connected with Committee for the Record? If so, please list their names and addresses.

14. Does the John Birch Society have an address for Committee for the Record? If so, please list.

15. Is the John Birch Society aware of any communication other than Exhibit A on which the name "Committee for the Record" appears?

16. If the answer to (13) is yes, please describe the communication and provide a copy if possible.

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(21)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE SUBPOENAS(S)/ORDER(S)

The Commission hereby authorizes the issuance of a subpoena/order to the following person in connection with MUR 1279:

NAME: John Birch Society
ADDRESS: 12 W. Camelback Road
CITY, STATE: Phoenix, Arizona 85013

John Warren McGarry
Chairman

Thomas E. Harris
Commissioner

Frank P. Reiche
Vice Chairman

Vernon W. Thomson
Commissioner

Joan D. Aikens
Commissioner

Robert O. Tiernan
Commissioner

8304037492 6

(22)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE SUBPOENAS(S)/ORDER(S)

The Commission hereby authorizes the issuance of a subpoena/order to the following person in connection with MUR 1279:

NAME: Edward Ahrens
ADDRESS: 6401 N. Val Dosta Drive
CITY, STATE: Tucson, Arizona 85718

John Warren McGarry
Chairman

Thomas E. Harris
Commissioner

Frank P. Reiche
Vice Chairman

Vernon W. Thomson
Commissioner

Joan D. Aikens
Commissioner

Robert O. Tiernan
Commissioner

8304074915

EDWARD AHRENS 6401 N. Val Dosta Drive, Tucson, Arizona 85718
Telephone: 602-299-9730 September 15, 1980

910161

6CC#2681

RECEIVED
80 SEP 18 P12:26
80 SEP 18 P2:25

Federal Election Commission
Washington, D. C. 20463

Attention: Charles N. Steele, General Counsel

MUR 1279(80)

Gentlemen:

This response to your letter of August 25, 1980, is only on my own behalf. It is in no way an answer for the Committee for the Record. The reason is that I have no connection whatsoever with any such Committee.

Of all of the wild, irresponsible accusations made, where I may be concerned, the only one that is true is that I reside at 6401 N. Val Dosta Dr. This is the address appearing on the reprint of the article about Congressman Udall. It is not being used with my permission. I do not know who is responsible for doing so.

I do aver, however, that the following are the true facts concerning myself:

1. I am not a member of the Committee for the Record.
2. Its operations address is not that of my residence.
3. I never even heard of this Committee until some woman named Louise "Bucky" Barr telephoned inquiring about it on August 18.
4. I never saw one of the reprints nor one of the cover letters until August 25, when I received one from an anonymous Udall fan. (He liked what he read about Udall's record, because he wrote that it showed him why he should vote for Udall.)
5. I have never paid any dues to this Committee.
6. I have never made any contribution to the Committee.
7. I have never in any other way paid for the reprints or cover letter.
8. I have never distributed even one reprint in any manner.
9. I have never had and do not now have a supply of these reprints at my residence nor any other place else over which it might be construed that I have some control.
10. No meetings of any group calling itself the Committee for the Record, or which might later have evolved into it, were ever held at my house.
11. If you can dream up any other alleged connections between me and this complaint, the facts can only give negative answers: No, no way, no sir, no how, not; or possibly more clearly -- nyet, nein.

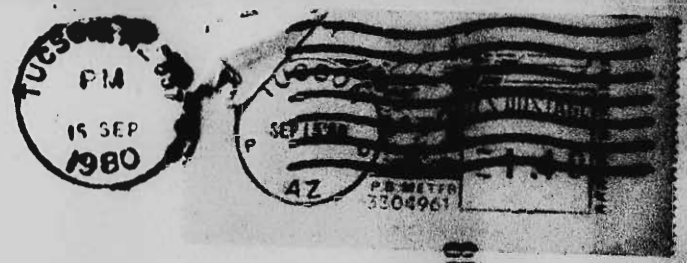
Doesn't the Complainant have any responsibility to make certain that his allegations (about me) have some connection with the truth before filing the complaint? Is Morris K. Udall trying to get the taxpayers (via you fellows) to pay for sorting out the truth (if any) and errors of his notions about me and that separate entity, the Committee? (It seems in character.)

If you are going to pursue this matter with me, please send me a copy of all laws, regulations, etc. applying, including those to which such laws, regulations, etc. might refer in their body.

Very truly yours,

Edward Ahrens

EDWARD AHRENS
6401 N. Val Desta Drive
Tucson, Arizona 85718




RETURN RECEIPT REQUESTED

CERTIFIED
P20 0195965
MAIL

FEDERAL ELECTION COMMISSION
WASHINGTON, D. C. 20463

RECEIVED
80 SEP 18 PM 2:26

Attention: Mr. Charles N. Steele
General Counsel

Re: MUR 1279(80)

Committee for the Record
% Ed Ahrens
6701 North Via Dosta
Drive
Tucson, Arizona
85718

MUR 279

8304037493 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 1, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

J. Wayne Watson
207 W. Clarendon Avenue #20G
Phoenix, Arizona 85013

Re: MUR 1279

Dear Mr. Watson:

This letter is to notify you that on August 22, 1980, the Federal Election Commission received a complaint which alleges that an entity called Committee for the Record may have violated certain sections of the Federal Campaign Act of 1971, as amended ("the Act"). A copy of this complaint is enclosed. We have numbered this matter MUR 1279. Please refer to this number in all future correspondence.

In the course of the Commission's investigation of this matter, you have been identified as the individual who requested permission to reprint the article on Mr. Udall which appeared in the July 2 issue of REVIEW OF THE NEWS and which is attached to the complaint as an exhibit. Accordingly, the Commission is serving you with the complaint.

Under the Act, you have the opportunity to respond to the complaint. Your response must be submitted within fifteen days of receipt of this letter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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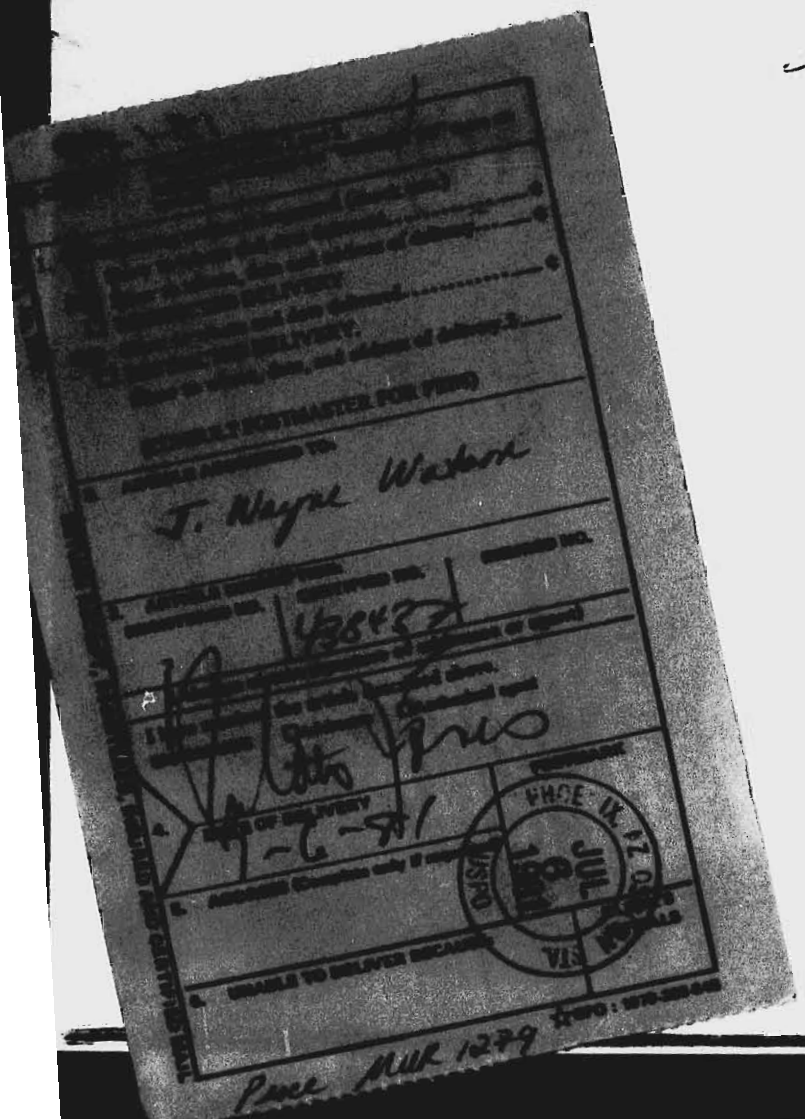
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statment authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Dolores Pesce, the staff member assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel



909996
GCC# 3404

RECEIVED
80 AUG22 P1:13

80 AUG22 P3:25

BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

| | |
|---|---|
| UDALL FOR CONGRESS COMMITTEE 1980, Complainant, and COMMITTEE FOR THE RECORD, Respondent. | COMPLAINT |

1. Federal election laws, as they relate to independent expenditures, require any person expressly advocating defeat of a clearly identified candidate to, among other things: a) make reports as required by the law, and b) in the case of written materials, to clearly and conspicuously state that the communication is not authorized by any candidate, and c) to state, in the case of a political committee required to register with the Federal Election Commission, and/or to state on any publication, the name of any affiliated or connected organizations. (See Federal Election Commission Regulations §102.1, §109.2(b)(2), §109.2 and §109.4).

2. The Complainant is Udall for Congress Committee 1980, 2547 East Broadway, Tucson, Arizona, 85716. Telephone number (602) 327-4987. Martin Bacal, Chairman.

3. The acts complained of arise from printing and distribution of the attached exhibits, as a package, to Second Congressional District of Arizona residents which exhibits taken as a whole expressly advocate the defeat of Morris K. Udall and do not contain any disclaimer, and further one of the two pieces of literature contains no name of a person or organization

responsible therefor. In addition, no affiliation of Committee for the Record with any other organization is reflected on the literature except that Complainant believes, and therefore alleges that the "Review of the News" is a publication of the John Birch Society and that the Committee for the Record, with its operations address being that of the residence of Ed Ahrens, 6401 North Val Dosta Drive, Tucson, Arizona, 85718, is, or may be, an affiliated organization of the John Birch Society.

4. Attached are exhibits documenting the allegations of the Complaint.

5. This Complaint is being filed on behalf of Morris K. Udall, Second Congressional District of Arizona and with the authorization of Morris K. Udall, candidate for Congress from the Second Congressional District of Arizona.

WHEREFORE, Complainant prays:

1. That the Federal Election Commission take jurisdiction of this Complaint;
2. That the Federal Election Commission make an investigation of the Committee for the Record, 6401 North Val Dosta Drive, Tucson, Arizona;
3. That action be taken pursuant to the investigation of the Complaint, including Civil proceedings against the Committee for the Record, as deemed appropriate by the Federal Election Commission.

DATED this 19 day of AUGUST, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By Martin Bacal

MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

STATE OF ARIZONA )
) ss.
County of Pima )

MARTIN BACAL, being first duly sworn, upon oath deposes and says:

That he is the Chairman of the Udall for Congress Committee 1980;

That as such Chairman he is authorized to execute the foregoing Complaint on behalf of Morris K. Udall;

That he has read the foregoing Complaint and is familiar with the statements made therein;

That the statements are true and correct to the best of his knowledge, information and belief, and as to those matters, he believes them to be true.

Martin Bacal
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this 19 day of August, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

Jan Neil
NOTARY PUBLIC

My Commission Expires:

10-3-83

8 3 0 0 0 5 7 4 9 6 8

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

8 3 0 4 0 5 7 4 9 3 9

# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

e of funds for military credit sales that nation (December 11, 1973), d prohibit military assistance (inding cash sales of weapons) to antiommunist Chile (March 3, 1976).

• Approve an amendment barring e sale of jet fighter planes to Nanalist China (December 20, 1968).

• Repeal the Byrd Amendment hich allowed importation of chrome e from anti-Communist Rhodesia h 4, 1977). Udall thus helped the U.S. into compliance with e immoral, double-standard U.N. ycott of Rhodesia. Indeed, he even t so far as to support the giving of S. aid to the nations bordering Rhoia which were working, through terrism and guerrilla warfare, to liquiSalisbury's pro-Western Governent, (June 22, 1977). These Udall-ed pressures eventually helped rn Rhodesia (now called Zimbabwe) to the regime led by Marxist terrist Robert Mugabe.

In contrast to this treatment of proestern Governments, consider Conman Udall's votes to:

• Kill an amendment to prohibit se of Commerce Department ds for conducting trade with Comnist Cuba (June 14, 1978) and to ill another amendment to prohibit he use of foreign-aid funds from eing used for any form of trade or ssistance to Communist Cuba (June 3, 1977).

• Defeat an amendment to prohibt the use of any funds in a State Department authorization bill for eparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of nonstrategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

O.S.H.A. The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

Federal Debt. In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

Balanced Budgets. While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

School Prayer. Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

Forced Busing. The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, etc.), he has declared: "We ought to find every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



## ABOUT THIS BOOKLET...

*Representative Morris Udall — Why Arizona's Far Left Congressman Is Now In Deep Trouble, by Robert W. Lee, originally appeared in the July 2, 1980 the* **REVIEW OF THE NEWS.**

*A one-year subscription [52 issues] is twenty dollars; eleven dollars for six months; and six dollars for three months. Subscriptions may be ordered directly from: the* **REVIEW OF THE NEWS,** *Belmont, Massachusetts 02178.*

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6401 N. Val Dosta Drive
Tucson, Arizona 85718

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Committee for the Record
c/o Ed Ahrens
6401 North Val Dosta Drive
Tucson, Arizona 85718

Re: MUR 1279(80)

Dear Mr. Ahrens:

This letter is to notify you that on August 22, 1980 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1279. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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

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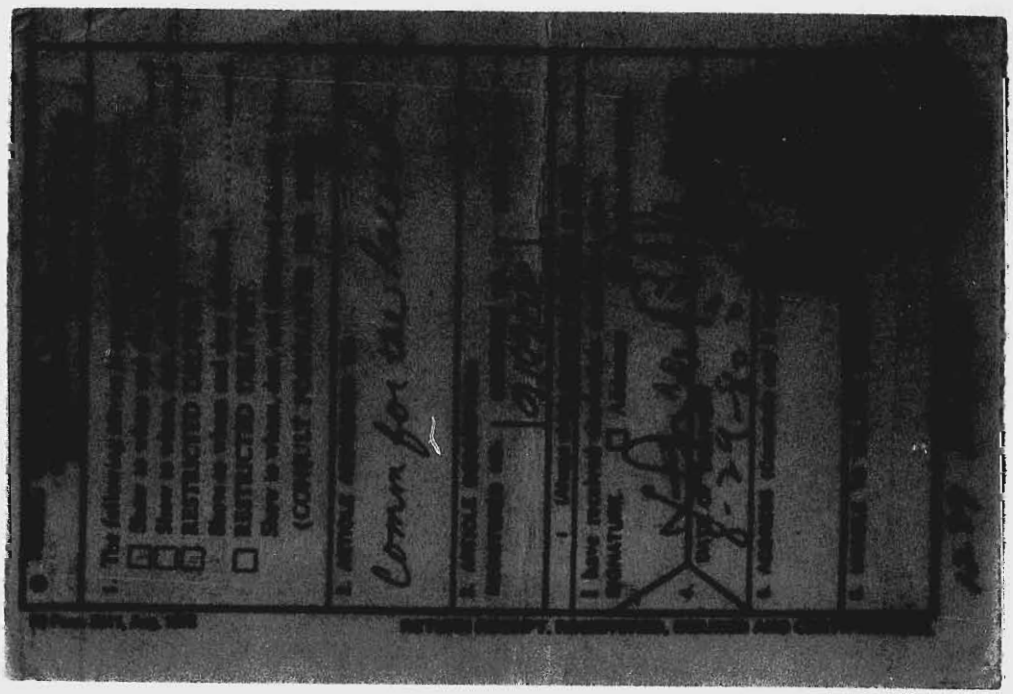
If you have any questions, please contact Delores Pesce, the staff member assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Martin Bacal, Chairman
Udall for Congress Committee 1980
2547 East Broadway
Tucson, Arizona 85716

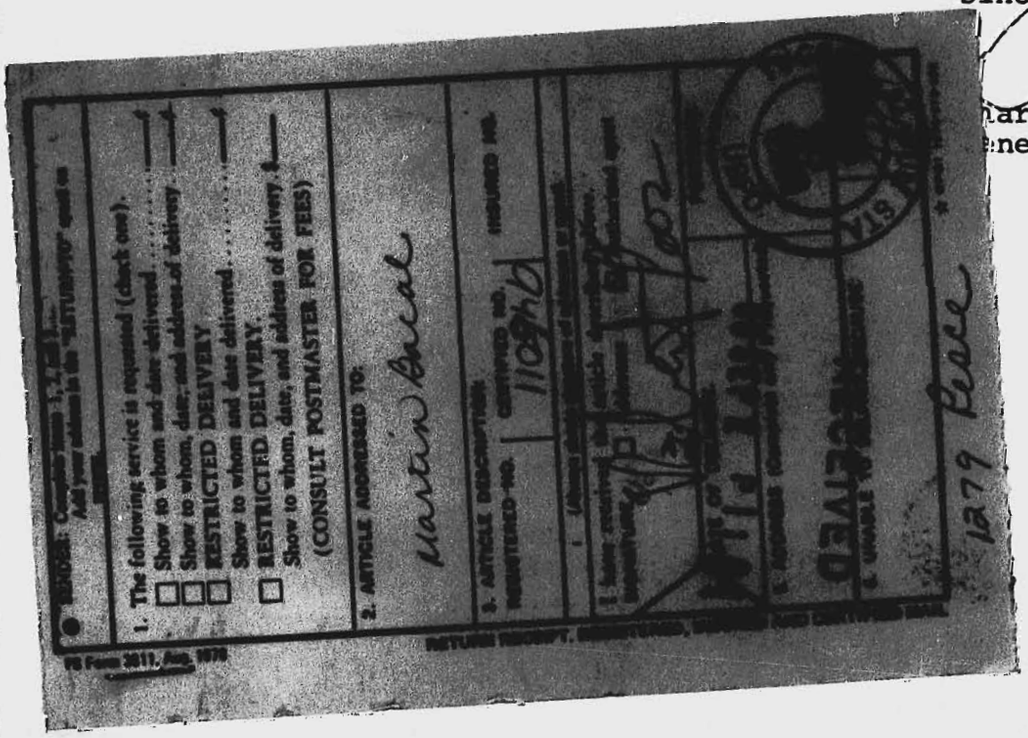
Dear Mr. Bacal:

This letter is to acknowledge receipt of your complaint of August 19, 1980 against the Committee for the Record which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

harles N. Steele
neral Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

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|---|---|
| UDALL FOR CONGRESS COMMITTEE 1980, Complainant, and COMMITTEE FOR THE RECORD, Respondent. | COMPLAINT |

1. Federal election laws, as they relate to independent expenditures, require any person expressly advocating defeat of a clearly identified candidate to, among other things: a) make reports as required by the law, and b) in the case of written materials, to clearly and conspicuously state that the communication is not authorized by any candidate, and c) to state, in the case of a political committee required to register with the Federal Election Commission, and/or to state on any publication, the name of any affiliated or connected organizations. (See Federal Election Commission Regulations §102.1, §109.2(b)(2), §109.2 and §109.4).
2. The Complainant is Udall for Congress Committee 1980, 2547 East Broadway, Tucson, Arizona, 85716. Telephone number (602) 327-4987. Martin Bacal, Chairman.
3. The acts complained of arise from printing and distribution of the attached exhibits, as a package, to Second Congressional District of Arizona residents which exhibits taken as a whole expressly advocate the defeat of Morris K. Udall and do not contain any disclaimer, and further one of the two pieces of literature contains no name of a person or organization

responsible therefor. In addition, no affiliation of Committee for the Record with any other organization is reflected on the literature except that Complainant believes, and therefore alleges that the "Review of the News" is a publication of the John Birch Society and that the Committee for the Record, with its operations address being that of the residence of Ed Ahrens, 6401 North Val Dosta Drive, Tucson, Arizona, 85718, is, or may be, an affiliated organization of the John Birch Society.

4. Attached are exhibits documenting the allegations of the Complaint.

5. This Complaint is being filed on behalf of Morris K. Udall, Second Congressional District of Arizona and with the authorization of Morris K. Udall, candidate for Congress from the Second Congressional District of Arizona.

WHEREFORE, Complainant prays:

1. That the Federal Election Commission take jurisdiction of this Complaint;
2. That the Federal Election Commission make an investigation of the Committee for the Record, 6401 North Val Dosta Drive, Tucson, Arizona;
3. That action be taken pursuant to the investigation of the Complaint, including Civil proceedings against the Committee for the Record, as deemed appropriate by the Federal Election Commission.

DATED this 19 day of AUGUST, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By Martin Bacal

MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

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STATE OF ARIZONA )
) ss.
County of Pima )

MARTIN BACAL, being first duly sworn, upon oath deposes and says:

That he is the Chairman of the Udall for Congress Committee 1980;

That as such Chairman he is authorized to execute the foregoing Complaint on behalf of Morris K. Udall;

That he has read the foregoing Complaint and is familiar with the statements made therein;

That the statements are true and correct to the best of his knowledge, information and belief, and as to those matters, he believes them to be true.

Martin Bacal
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this 19 day of August, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

Jan Neil
NOTARY PUBLIC

My Commission Expires:

10-3-83

EXHIBITS TO
COMPLAINT
UDALL FOR CONGRESS
COMMITTEE 1980
VS.
COMMITTEE FOR
THE RECORD

DEAR NEIGHBOR and FELLOW TAXPAYER,

Enclosed is a reprint of an article which appeared in the July 2, 1980 edition of "The Review of the News", giving some background and voting information of Arizona Congressman Morris K. Udall.

This is being left at your home by a local group of citizens concerned with higher and higher taxes, more and more government controls and regulations and less and less individual responsibility.

We urge you to take a few moments to read this reprint and decide for yourself if your hard earned money is being spent wisely through the voting privilege you allow Congressman Udall as your Representative. All of these issues and votes were taken directly from the Congressional Records and are public information.

If you should question the wisdom and direction Congressman Udall has taken on any of these issues, you'll have the opportunity to let him know and make a change at the polls on November 4.

You owe it to yourself to be informed!

Thank you for your time and please vote your decision November 4, 1980!

A TAX WEARY NEIGHBOR,

A Tax Weary Neighbor

P.S. If you want additional copies, please see the inside back page of the reprint article.

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BEFORE THE FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA

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DATED this ___ day of _____, 1980.

UDALL FOR CONGRESS COMMITTEE 1980

By_____
MARTIN BACAL, Chairman
2547 East Broadway
Tucson, Arizona 85716
Telephone: (602) 327-4987

STATE OF ARIZONA )
) ss.
County of Pima )

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_____
MARTIN BACAL

SUBSCRIBED AND SWORN to before me this ___ day of _____, 1980, by MARTIN BACAL, Chairman, Udall for Congress Committee 1980.

_____
NOTARY PUBLIC

My Commission Expires:

_____

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EXHIBITS TO COMPLAINT

UDALL FOR CONGRESS COMMITTEE 1980

VS.

COMMITTEE FOR THE RECORD

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# Representative MORRIS UDALL

## Why Arizona's Far Left Congressman Is Now In Deep Trouble



by Robert W. Lee

■ THIS YEAR more than a half-dozen "Liberal" Senators are running scared, as are more than a score of their counterparts in the House. Among the latter is Representative Morris Udall (D.-Arizona), the 10-term "Liberal" who could at one time count on 70 percent support at the polls, yet squeaked by with a mere 52.5 percent in 1978. This year, Congressman Udall is in especially deep trouble as voters in the Second District of the Grand Canyon State prepare to hold him accountable for the significant contribution he has made to double-digit inflation, higher taxes, oppressive federal regulation, and an America-last foreign policy.

Morris King Udall was born June 15, 1922, in St. Johns, Arizona, a ham-

let settled by his Mormon forebears. While Udall continues formally to list his religious affiliation as "Mormon," he broke with the Church over a doctrinal matter in his twenties and has publicly declared that he has "not found a need for organized religion in my adult life." Udall was divorced from his wife after six children in 1965 and then married a member of his Capitol Hill staff.

Morris Udall's brother Stewart served three terms in Congress before being selected by President John F. Kennedy in 1961 to be Secretary of the Interior. That May, Morris was elected to Congress in a special election to fill his brother's seat. The new Congressman first displayed a Conservative bent, proposing to put government on a "pay as you go" basis and to cut the National Debt by a billion dollars annually. He even observed that "No self-respecting school district would operate the way the Federal Government does." Soon, however, he began to lose contact with his Arizona constituents and became a leader in the "Liberal" Study Group and floor whip for President Lyndon Johnson's "Great Society" spending schemes.

Udall's legislative assignments include the Interior and Insular Affairs Committee, where he has used his influence as Chairman to promote controversial "land use" and strip-mining legislation, the economically destructive Alaska lands lockup, and other extreme measures which have helped to worsen the energy crisis in the name of environmentalism.

In October, 1967, having earlier helped commit our fighting men to the Vietnam War by vigorously supporting the Johnson Administration's policy there, he switched to the dove side of the issue and thereafter followed the themes of Senator George McGovern and Jane Fonda. In 1969, Udall challenged veteran House Speaker John McCormack (D.-Massachusetts) for the Speaker's post. It was the first time in a century that a sitting Speaker had been challenged, and Udall was handed a sound secret-ballot thrashing by a vote of 178 to 58. Undaunted, he sought the post of House Majority Leader in 1971, but was decisively trounced by the late Representative Hale Boggs (D.-Louisiana). After the vote, Udall lamented: "One more loss, and I'm Harold Stassen." In 1976, that additional loss followed in the wake of an attempt to become President when, as the leading hope of the Far Left group which had backed George McGovern's candidacy in 1972, he was overwhelmed by Jimmy Carter.

In a letter published in the *Arizona Daily Star* on December 12, 1979, Representative Udall asserted: "My voting record is a fair subject of debate. It's an open book and it's public record. All I ask is that it be presented accurately." Which seems fair enough. So let us accurately review some of the votes cast by this Congressman on selected issues of importance.

**Abortion.** Representative Udall's votes on the life-and-death issue of abortion have consistently favored liberalization of federal abortion policy. On May 29, 1974, for example, the House passed an amendment to that year's Community Services Act to bar community action programs from using family planning assistance funds for medical aid or supplies in abortion cases. Udall voted to fund the abortionists.

On June 17, 1977, and again on August 9, 1978, Mo Udall voted *against* amendments to bar federal funding of abortions except where the life of the mother would be endangered should the baby be carried to term. On many other occasions between 1977 and 1979 he supported provisions to allow federal funding of abortions when two doctors can be found to "certify" it is necessary to protect the mother's "health," or where the infanticide is deemed "medically necessary," *etc.* Those vague provisions are supported by the abortionists as a blank check for abortion on demand.*

On July 11, 1979, an amendment to the bill establishing a federal Department of Education was approved to prohibit the Department from providing facilities to institutions of higher education that use mandatory student fees to pay for abortions (except to save the mother's life). Udall voted with the abortionists. And, on December 6, 1979, the House approved an amendment to prohibit Medicaid payments for all abortions except those to save the mother. Again, Udall voted "Nay." (Indeed, on December 11, 1979, he even voted against an attempt to add to a Child Health bill a provision requiring parental consent before contraceptives could be dispensed under the act to minors.)

Given his record, it is little wonder that Congressman Udall is strongly opposed by those associated with the right-to-life movement.

**Friends And Foes.** An interesting aspect of Morris Udall's voting record is its inclination to place roadblocks in the paths of America's friends while assisting her enemies. Regarding the former, for example, Representative Udall has voted to:

- Denounce the Government of friendly, anti-Communist South Africa (October 31, 1977) and prohibit Export-Import Bank participation in loan transactions with South Africa (June 2, 1978). He even voted against an amendment to allow the Export-Import Bank to deal with South Africa as long as the Exim Bank was also extending (or was authorized to extend) credit to Communist countries (June 1, 1978).
- Delete military training funds for anti-Communist Chile and bar the

*On April 25, 1974, the House approved an amendment to bar the National Science Foundation from performing any research using *live* human fetuses outside the womb except to save the life of the fetus. To his credit, Udall voted for the amendment. But it is interesting to note that, earlier in the day, he had voted for a modifying provision which would have allowed live-fetus research "to carry out the duties and responsibilities of the medical profession." It was another open-ended, ambiguous standard which would have cleared the way for using live prenatal humans as guinea pigs. Fortunately, it was rejected.

use of funds for military credit sales to that nation (December 11, 1973), and prohibit military assistance (including cash sales of weapons) to anti-Communist Chile (March 3, 1976).

• Approve an amendment barring the sale of jet fighter planes to Nationalist China (December 20, 1968).

• Repeal the Byrd Amendment which allowed importation of chrome ore from anti-Communist Rhodesia (March 4, 1977). Udall thus helped force the U.S. into compliance with the immoral, double-standard U.N. boycott of Rhodesia. Indeed, he even went so far as to support the giving of U.S. aid to the nations bordering Rhodesia which were working, through terrorism and guerrilla warfare, to liquidate Salisbury's pro-Western Government (June 22, 1977). These Udall-backed pressures eventually helped turn Rhodesia (now called Zimbabwe) over to the regime led by Marxist terrorist Robert Mugabe.

In contrast to this treatment of pro-Western Governments, consider Congressman Udall's votes to:

• Kill an amendment to prohibit the use of Commerce Department funds for conducting trade with Communist Cuba (June 14, 1978) and to kill another amendment to prohibit the use of foreign-aid funds from being used for any form of trade or assistance to Communist Cuba (June 23, 1977).

• Defeat an amendment to prohibit the use of any funds in a State Department authorization bill for reparations or aid to the assassins in Communist Vietnam (May 4, 1977).

• Kill an amendment to prohibit international financial institutions from using U.S. funds for aiding the brutal Communist regimes in Cuba, Laos, or Vietnam (April 6, 1977).

• Approve legislation designed to ease controls on the export of non-strategic goods to Communist nations at the height of the Vietnam War (December 10, 1969).

• Defeat an amendment to prohibit the use of Export-Import Bank funds to extend credit to Communist countries (December 11, 1973).

• Thwart an amendment to prohibit foreign-aid funds from being sent *indirectly* (through multilateral lending institutions to which we contribute, such as the World Bank), as well as directly, to the dictatorships of Uganda, Cambodia, Laos, or Vietnam (August 3, 1978).

• Scotch an amendment to prohibit any aid to Nicaragua without prior congressional approval, thus allowing the President unilaterally to aid the Communist regime which now controls that country (September 6, 1979).

• Approve the bill granting lucrative Most Favored Nation trading status to Red China (January 24, 1980).

• Kill an amendment to prohibit the use of Commodity Credit Corporation funds to finance or guarantee the sale of wheat or feed grains to the Soviet Union and Red China (July 10, 1973).

There are many more examples, but these few will suffice to illustrate



Congressman Udall's apparent fixation with undermining anti-Communist Governments while building up those run by Marxists.

**O.S.H.A.** The Occupational Safety and Health Administration (O.S.H.A.) is one of the most oppressive of federal regulatory agencies. It has spawned a huge, expensive bureaucracy to harass employers and impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. On November 24, 1970, Morris Udall voted for the bill that established O.S.H.A. Thereafter, he consistently opposed attempts to reduce O.S.H.A.'s multimillion-dollar annual budgets, as on June 27, 1979, when he voted against an attempt to cut a modest $10.3 million from the agency's $181,520,000 budget for the Fiscal 1980.

Even attempts to relieve small operations from O.S.H.A.'s oppressive scrutiny have been opposed by the Congressman. On June 15, 1972, he voted against exempting from O.S.H.A. compliance those firms employing 25 or fewer persons. And on June 24, 1976, he went on record opposing a move to ban first-instance O.S.H.A. citations against businesses employing 10 or fewer persons.

**Federal Debt.** In 1967, the official federal debt limit stood at a "mere" $330 billion. As we write, it is perched at an astronomical $879 billion (over $3,900 for every man, woman, and child in the nation). On more than two dozen occasions during the intervening years, Congressman Udall has voted to increase the debt limit and allow the federal government to continue the deficit spending which is responsible for inflating our money supply and sending prices through the roof.

**Balanced Budgets.** While voting to increase the National Debt, Representative Udall also voted at least eight times (between 1976 and 1979) against amendments that would have provided for balanced federal Budgets. On August 16, 1978, for instance, he opposed a move to balance Fiscal 1979 outlays and revenues at $464.1 billion. Moments later, he voted instead for a Resolution setting outlays at $489.8 billion, revenues at $450 billion, with a $39.3 billion deficit. It is the stuff of which raging inflation is made . . . and you pay for it.

**School Prayer.** Polls indicate that a large majority of Americans favor permitting voluntary prayer in government schools, a practice banned 18 years ago by a Supreme Court bent on supplanting our religious heritage with Secular Humanism. On November 8, 1971, Morris Udall voted against a proposed Constitutional Amendment to allow persons in public buildings to participate in voluntary prayer. And, on June 11, 1979, he voted against an amendment to permit, as a purpose of the new Department of Education, daily opportunities for voluntary prayer and meditation in government schools.

**Forced Busing.** The compulsory busing of schoolchildren for racist

purposes is opposed by the vast majority of Americans of all races, yet it is still being used to disrupt the educational process in many areas of the country. Morris Udall has consistently voted against attempts to curb forced busing. Even during the height of the 1973 petroleum crisis, while feigning concern about our dwindling supplies of oil, he voted against an amendment which sought to conserve energy by banning the allocation of petroleum for busing of students to schools farther than the one nearest to their homes. And, on July 24, 1979, Mr. Udall voted against a proposed Constitutional Amendment to prohibit compelling students to attend a school other than the one nearest their home to achieve racial objectives.

**Panama Canal.** Udall's votes on the important Panama Canal issue were consistently in favor of surrendering U.S. ownership and control over that vital American waterway. As he explained to a constituent in a letter dated October 20, 1978, "I approved of Senate action on the treaties to return control of the Canal and Zone to Panama . . . . I plan to support implementing legislation when it reaches the floor of the House."

As early as June 26, 1975, the Congressman opposed an amendment intended to prohibit the State Department from using funds from its yearly appropriation for negotiations to relinquish U.S. rights in the Canal Zone. On June 18, 1976, he voted against another amendment which would have assured that any new Panama Canal treaty would "perpetuate the sovereignty and control" of the United States in the Zone. On May 31, 1978, he helped scuttle an amendment to prohibit State Department funds from being used to implement the Panama Canal sellout treaties without specific congressional approval. And, on September 26, 1979, he voted for the implementing legislation to give away our Panama Canal.

Numerous other Udall votes opposed moves to limit U.S. aid and assistance to Panama's pro-Marxist regime, as on May 11, 1978, when a move to save tax money by cutting back U.S. foreign aid to Panama was defeated on a 187 to 187 tie vote. Had Morris Udall voted "Yea," or even been absent, the proposal would have passed.

**Gun Control.** The record seems to indicate that Congressman Udall has, on various occasions, attempted to be all things to all people on the important issue of gun control. *U.S. News & World Report* for August 18, 1975, described Udall as "a Westerner who is in favor of gun control." *Time* magazine for August 15, 1976, reported: "Just two weeks ago, he [*Udall*] told a liberal Harvard Law School audience that he was against gun control." On the other hand, in an August 7, 1976, letter to a constituent, Udall mentioned a "compromise gun control bill" which had his "support" as it would, among other things, "outlaw the future manufacture and sale of non-sporting, concealable handguns." But again, on June 27, 1979, Udall wrote to a constituent: "As I'm sure you know, I'm opposed to the enactment of any legislation having to do with control or registration of firearms."

One thing is certain. On July 24, 1968, Udall voted for that year's gun control bill which, among other things, prohibited the interstate shipment of rifles and shotguns. And, earlier that same day, he voted against an amendment to the bill which would at least have exempted shotgun, rifle, and .22-caliber rim-fire ammunition from the measure's severe restrictions.

**Legal Aid For Homosexuals.** On June 27, 1977, during consideration of the year's Legal Services Corporation funding bill, an amendment was offered to prohibit tax-financed legal assistance in cases arising out of disputes over the issue of homosexuality or gay rights. It passed by a margin of 230 to 133. Congressman Udall voted to spend your tax dollars to hire lawyers for the militant homosexuals.

**Social Security Earnings Limitation.** Senior citizens aged 65 to 72 may earn up to $3,000 without having their Social Security checks penalized. But additional income requires the loss of a dollar of Social Security for every two dollars earned — an unconscionable "tax" rate of 50 percent. This unjustified federal "string" attached to the return of payroll "contributions" made during their working lifetime pressures many elderly into total retirement when they would prefer to keep working part-time, and when such activity could enhance their physical and emotional well-being. Yet, on October 27, 1977, Morris Udall voted *against* an amendment to raise the ceiling on the earnings limitation gradually over a four-year period, and abolish it outright in 1982.

**Internal Security.** An essential requirement for coping with terrorism and subversion is adequate intelligence on the plans and moves of thugs who perpetrate such activity. Yet, little effective counter-subversive intelligence work is being conducted in the United States today thanks to "Liberals" in Congress and the courts who have closed our intelligence units capable of doing the job. The list of such federal entities abolished in recent years includes the Subversive Activities Control Board, the Internal Security Division of the Justice Department, the House Committee on Internal Security (H.C.I.S.), and the Senate Internal Security Subcommittee. Congressman Udall has done his part in this pruning operation. For instance, on May 18, 1972, he voted to strip the Subversive Activities Control Board of its entire year's funding. Then, on January 14, 1975, he voted for the House Rules which abolished the House Committee on Internal Security. And on at least three occasions (March 29, 1976, March 9, 1977, and March 13, 1978) he voted against attempts to have the House Judiciary Committee earmark part of its annual appropriation for the internal security functions it was to carry out following abolition of the H.C.I.S.

**National Speed Limit.** The setting of speed limits within the various

states is properly the responsibility of state legislatures, which are in a far better position than is Washington to decide if a particular limit is appropriate for mountainous or congested areas, but outrageously incongruous in miles-long open stretches of modern highway. Unfortunately, the federal government intervened to set a uniform 55 m.p.h. limit in all states, accompanied by typically extortionate threats to cut federal highway funds unless the limit is obeyed. On December 18, 1974, Congressman Udall voted to impose the 55 m.p.h. restriction.

**Consumer Protection Agency, *et al.*** Radicals making millions from the so-called "consumer movement" have labored since 1961 to establish a federal agency to propagate their one-sided views at taxpayers' expense. At first it was to be called the "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The idea was to represent (some) consumers against producers before courts and federal agencies. Among other things, it would do research, suggest legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least three occasions (October 14, 1971, April 3, 1974, and February 8, 1978) Morris Udall voted to establish this new bureaucracy.

**Defense.** Since 1970, spending on income-security Welfare programs has risen from 22 percent to over 33 percent of the federal Budget. In contrast, defense spending (the federal government's main function under the Constitution) has plummeted from 40 percent to around 22 percent during that time. Despite this disparity, Congressman Udall voted for the notorious "transfer amendment" on May 3, 1978, to surrender yet another $2.8 billion from the defense budget to socialist domestic programs.

Despite the vast Soviet military buildup, Mr. Udall has meanwhile voted against construction of a fifth CVN-71 nuclear aircraft carrier (August 7, 1978), against the B-1 bomber that is sorely needed to replace our antique fleet of B-52s (February 22, 1978), and against the Safeguard antiballistic missile system (October 3, 1969) needed to protect our cities and military bases from Soviet missiles.

**Equal Rights Amendment.** On October 12, 1971, Congressman Udall voted for the proposed Equal Rights Amendment to the Constitution. Prior to final passage, the House considered an amendment intended to specify that the E.R.A. would not affect federal laws exempting women from the draft, or federal or state laws promoting and protecting the health or safety of women. Udall voted against this, clearly preferring that women be drafted with men for combat and that they lose special health and safety protections.

When it became apparent that the controversial (and incredibly divisive) E.R.A. would not be ratified within the required seven-year time limit, "Liberals" in Congress simply scrapped the rules and extended the ratification deadline by 39 months. The terms of extension are blatantly unfair and violate the Constitution. For example, states which have ratified the E.R.A. are not allowed to rescind their ratifications during the extension period, yet those which have already rejected the Amendment may reverse themselves and approve it. Nevertheless, Congressman Udall voted for the extension on August 15, 1978. Among other things, it was a vote to draft America's daughters, wives, and mothers for military combat.

**Taxes.** Congressman Udall's philosophy of taxation heavily emphasizes the transfer of ever increasing quantities of money from private pockets to government coffers. On June 20, 1968, for instance, he voted for President Johnson's surcharge which added 10 percent to personal and corporate income taxes. He also voted to extend the surcharge under President Nixon (August 7, 1969). On June 11, 1975, he voted to uphold a provision to impose an additional federal gasoline tax of up to 20 cents a gallon whenever U.S. gasoline consumption exceeds its 1973 level. On August 4, 1977, he voted for an amendment to increase the federal gasoline tax by four cents to support various programs and studies. And on March 13, 1980, he voted for the so-called Windfall Profits Tax (under which oil companies will collect taxes from consumers) which will by 1990 transfer an additional $227 billion from the private sector to the federal bureaucracy.

**Energy And Environment.** Many of the measures endorsed by Congressman Udall in the areas of energy and environment appear calculated to deplete important energy resources while expanding federal control over the nation's land area. He has, for example, been a chief sponsor of land-use legislation to create comprehensive land-control schemes. Operating through the states, the federal government would control these by retaining authority to decide how tax money might be used. It represented a major step toward federal control over all land within the United States.

Representative Udall has also sponsored a strip-mining bill that is a wide-ranging land-use measure loaded with costly roadblocks to inexpensive extraction of badly needed coal.

And, the Congressman is chief House sponsor of Alaska lands lockup legislation which would freeze a great many millions of acres of land in Alaska as federal parks, wildlife refuges, and other protected areas. The result of the bill is to preclude or seriously hinder development of Alaska's abundant gas and oil. Representative Udall explains that he is afraid that otherwise we will "never see a buffalo herd again" and "our grandchildren will not be able to see a caribou herd." That is balderdash, and the consequences of what Udall is

trying to do are energy shortages, ever higher fuel prices, and dependence on foreign pirates.

Congressman Udall also voted, on November 29, 1979, to impose a moratorium on the construction of new nuclear power plants, despite the public record which shows that nuclear power is by far our safest, most abundant, and least expensive large-scale energy source. When this nuclear-ban failed, Udall introduced his own version on January 31, 1980, calling for a three-year moratorium. He acknowledges that it stands little chance of passage but he wants to be on record to keep the support coming from his radical no-nukes friends.

This is not to say that Udall opposes all forms of energy production. When it comes to the so-called "alternative" sources (solar, wind, *etc.*), he has declared: "We ought to fund every nutty scientist out there trying to solve the problem." Now if Mo Udall were paying for all of this himself we would not complain. But he is taxing us to fund his "nutty" friends. Enough is enough.

On June 3, 1977, Congressman Udall voted to establish the Department of Energy, an incredible bureaucracy which has not produced so much as a drop of oil, has curbed energy production through its regulation and paperwork requirements, and now employs over 23,000 energycrats at a cost to taxpayers exceeding $12 billion yearly. That is more than the combined annual profits of the seven largest oil companies. You pay for it.

THOUGH FAR from exhaustive, this sampling from Morris Udall's record establishes that the Congressman has consistently used his considerable influence and seniority on the side of bigger government, more regulation, higher taxes, expanding inflation, and a depleted national defense. Seniority is a significant factor in a candidate's appeal to voters. Congress operates under the seniority system; and, when the power and influence which accompany longevity are used to maintain our basic political institutions and the Free Enterprise economic system, they become an asset to both the state and nation. But, when used for contrary purposes, they become serious liabilities to all concerned.

In a newsletter published in January of this year, Representative Udall asserted: "There is one thing worse than overlooking an error — and that is finding it but failing to correct it." Will voters in the Second District of Arizona take such counsel to heart? If so, one result could be a move to correct what many now perceive as the error of keeping in office a Congressman whose radical views and votes have been a hindrance both to Arizona and the nation.

*Congressional Quarterly* for February 23, 1980, observed: "Ironically, Democratic Rep. Morris K. Udall's electoral strength has declined as his influence in Congress has grown." It is not ironic at all. The people are catching on. The final curtain for the congressional phase of Morris Udall's career is about to fall. ■ ■



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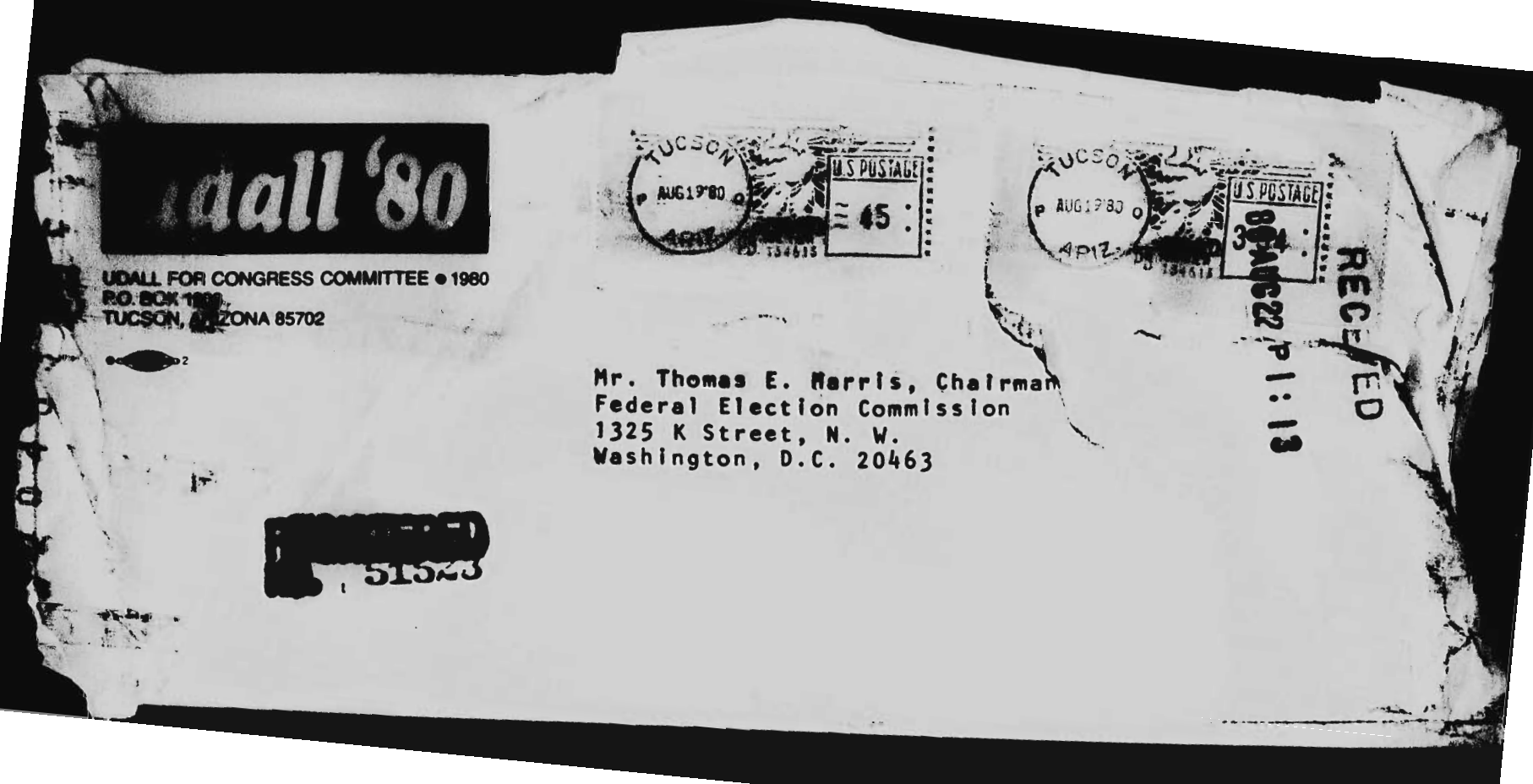
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