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FEDERAL ELECTION COMMISSION

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

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FEC 9-21-77



WASHINGTON, D.C. 20463

April 22, 1983

Loren Smith, Esquire
Former Chief Counsel,
Reagan Bush Committee
c/o Ronald E. Robertson, Esquire
Musick, Peeler and Garrett
1200 18th Street - Suite 1175
Washington, D.C. 20036

RE: MUR 1308

Dear Mr. Smith:

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This is in reference to the complaint you filed with the Commission on October 10, 1980 concerning the Committee For An Independent Judiciary ("Committee").

After conducting an investigation in this matter, the Commission determined that there was reason to believe that the Committee violated 2 U.S.C. § 433(a) and § 441d, and 26 U.S.C. § 9012(f). On April 13, 1983, the Commission voted to take no further action against the Committee with respect to the aforementioned violations, thereby concluding the matter.

Accordingly, the file has been closed and will become part of the public record within thirty (30) days. Enclosed is a copy of the closing report to the Commission.

Singerely

Charles N. Steele General Counsel

Enclosure



WASHINGTON, D.C. 20463

April 22, 1983

Richard I. Beattie, Treasurer Committee for an Independent Judiciary c/o Simpson, Thacher and Bartlett l Battery Park Plaza New York, N.Y. 10004

RE: MUR 1308

Dear Mr. Beattie:

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On April 13, 1983, the Commission voted to take no further action against the Committee for an Independent Judiciary with respect to violations of 2 U.S.C. §§ 433(a) and 441d and 26 U.S.C. § 9012(f) during the 1980 general election for President. Accordingly, the file has been closed in this matter and will become part of the public record within thirty (30) days.

If you have any questions, you may contact Attorney Daniel J. Blessington of this office at (202) 523-4060.

Singerel

General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The Committee for an Indep	endent) MUR 1308
Judiciary	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on April 13, 1983, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1308:

- 1. Take no further action against the Committee for an Independent Judiciary for violations of 2 U.S.C. §\$433(a) and 441d, and 26 U.S.C. §9012(f).
- Approve the sending of the letter attached to the General Counsel's March 24, 1983 report.
- 3. CLOSE THE FILE.

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

Attest:

4-15-83

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Date

Marjorie W. Emmons Secretary of the Commission

Marione W. Emmens



WASHINGTON, D.C. 20463

MEMORANDUM TO:	CHARLES STEELE, GENERAL COUNSEL
FROM:	MARJORIE W. EMMONS/JAN SAVAGE
DATE:	MARCH 30, 1983
SUBJECT:	OBJECTION - MUR 1308 General Counsel's Report signed March 24, 1983

The above-named document was circulated to the Commission on March 28, 1983 at 4:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	. <u>×</u>
Commissioner Elliot	t
Commissioner Harris	
Commissioner McDona	ald
Commissioner McGarr	у
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, April 12, 1983.



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM						
TO:	Office of the Commission Secretary Office of General Counsel					
FROM:						
DATE:						
SUBJECT:	MUR 130	8 - GC R	ot			
The attached is submitted as an Agenda document for the Commission Meeting of Open Session						
			Session			
CIRCULATIONS			DISTRIBUTION			
48 Hour Tally V	ote	1/2	Compliance	[/		
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24 Hour No Obje	ction	[]	Litigation	1		
Sensitive Non-Sensit	ive		Closed MUR Letters	1		
Information		[]	Status Sheets	1		
Sensitive Non-Sensit	ive	[]	Advisory Opinions	1		
Other		[]	Other (see distribution below)	I		

In the Matter of

The Committee for An Independent)
Judiciary

83 MAR 28 PI2: 10

SENSITIVE

GENERAL COUNSEL'S REPORT

BACKGROUND

On January 19, 1981, the Commission found reason to believe that the Committee for an Independent Judiciary ("Committee") violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission within 10 days of becoming a political committee and 2 U.S.C. § 441d by failing to provide a statement of candidate authorization or non-authoriziation on a newspaper solicitation which expressly advocated the election of a candidate for President. 1/ In addition, the Commission found reason to believe that the Committee violated 26 U.S.C. § 9012(f) by incurring expenditures in excess of \$1000 in support of Jimmy Carter, an eligibile candidate who received public funding in the 1980 general election for President.

Thereafter, the Office of General Counsel notified the Committee of the Commission's findings and requested the Committee to respond to questions and produce documents. On February 25, 1981, the Committee produced the documents and submitted answers to the questions. In its response, the

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MUR 1308 - General Counsel's Report Page 2

committee Treasurer acknowledged that Committee expenditures exceeded \$1000, but denied that they had been made knowingly and willfully.2/ The Committee Treasurer had previously acknowledged that the Committee had not registered as a political committee in a timely fashion, and apologized for the two-week delay. Finally, the Treasurer indicated that the Committee's failure to include the full disclaimer under section 441d in one of its newspaper advertisements was inadvertent; as evidence of this, he included a copy of another advertisement which included the full disclaimer.

^{2/} According to reports filed with the Commission, the Committee expended a total of \$9,214 to further the election of Jimmy Carter.

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MUR 1308 - General Counsel's Report Page 3

DISCUSSION

The major issue in this matter involves 26 U.S.C. § 9012(f). On January 19, 1982, the Supreme Court affirmed by an equallydivided Court the finding by a three-judge District Court for the District of Columbia that 26 U.S.C. § 9012(f) is unconstitutional. Common Cause v. Schmitt; Federal Election Commission v. Americans For Change, 512 F. Supp. 489 (D.D.C. 1980) (three-judge court), aff'd by an equally divided court, 455 U.S. 129 (1982). The equally divided nature of the decision does not resolve the issue of the constitutionality of Section 9012(f) as a judgment entered by an equally divided Court is not "entitled to precedential weight." Trans World Airways v. Hardison, 432 U.S.C. 63, 73 n.8 (1977). See also, Neil v. Biggers, 409 U.S. 138 (1959); Inman v. Baltimore and Ohio Railroad Co., 361 U.S. 138 (1959); and Ohio ex rel Eaton v. Price, 364 U.S. 263 (1960). See Agenda Document #82-170.

With respect to this matter, the Commission must decide whether or not to proceed further against violations of 26 U.S.C. § 9012(f) committed during the 1980 election. The parties in <u>FEC</u> v. <u>AFC</u> made independent expenditures of \$3,754,599 to further the election of Ronald Reagan. 4/ The Committee's expenditures,

^{4/} Based on reports filed with the Commission, the Fund for a Conservative Majority spent \$1,772,535 in independent expenditures, the Americans for an Effective Presidency spent \$1,270,208 and Americans for Change spent \$711,856.

MUR 1308 - General Counsel's Report Page 4 in contrast, were approximately 0.2% of this amount and consisted of several newspaper advertisements and a single mailing to a limited audience. While the General Counsel believes that the Commission may legally proceed against violations of 26 U.S.C. § 9012(f) committed during the 1980 election, this office does not recommend proceeding further in this matter. Given the unique situation of a deadlocked Supreme Court on the issue as raised in the 1980 election, the General Counsel believes that the 641 0 Commission can consider avoidance of further litigation on this CI same issue as a valid exercise of the Commission's judgment in N enforcing the law. The statutory provision remains in force, and those who wish to assert a Constitutional right to make such T expenditures in 1984 can take steps to bring the issue before the 0 courts. Accordingly, the General Counsel recommends that the 2 Commission should not pursue this issue in this case. 0 3 In addition to section 9012(f), the Commission found reason 3 to believe that the Committee violated 2 U.S.C. §§ 433(a) and 441d. 2 U.S.C. § 433(a) - The Committee failed to register within 10 days of becoming a political committee. After being notified that a complaint had been filed, the Committee registered with the Commission. Although the Committee registered approximately 2 weeks late, it subsequently filed all required reports. 2 U.S.C. § 44ld - In one of its newspaper advertisements, the Committee did not fully comply with this provision. The

MUR 1308 - General Counsel's Report Page 5 advertisement did indicate that the Committee had paid for it: since it was a solicitation, however, the advertisement should have also stated whether or not it was authorized by a candidate. The Committee also placed other advertisements which were identical to the one in question, except that they contained the required non-authorization notice. It appears, therefore, that this minor violation in this one instance was inadvertent. Since this matter has been pending for some time, and since : 3 the Office of General Counsel believes that the violations of CI 2 U.S.C. §§ 433(a) and 441d are relatively minor, this office recommends that the Commission take no further action and close the file. Recommendations The Office of General Counsel recommends that the A. Commission: C 5 1. Take no further action against the Committee for an Independent Judiciary for violations of 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. \$ 9012(f). 2. Approve the sending of the attached letter to the Committee Treasurer. General Counsel Attachment Letter to the Committee Treasurer

UNITED STATES POST OFFICE REGISTRY SECTION P. O. BOX 1880 COP



FEDERAL ELECTIONS COMM.

WASH DC 20463 GENTRAL COUNSIL OFFICE



WASHINGTON, D.C. 20463

Richard I. Beattie, Treasurer Committee for an Independent Judiciary c/o Simpson, Thacher and Bartlett l Battery Park Plaza New York, N.Y. 10004

RE: MUR 1308

Dear Mr. Beattie:

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On , 1983, the Commission voted to take no further action against the Committee for an Independent Judiciary with respect to violations of 2 U.S.C. §§ 433(a) and 441d and 26 U.S.C. § 9012(f) during the 1980 general election for President. Accordingly, the file has been closed in this matter and will become part of the public record within thirty (30) days.

If you have any questions, you may contact Attorney Daniel J. Blessington of this office at (202) 523-4060.

Sincerely,

Charles N. Steele General Counsel FEDERAL ELECTION COMMISSION WASHINGTON, DC 20463

MEMORANDUM TO:

FROM:

Samanda Soares Docket Clerk

SUBJECT:

Returned Letters

DATE:

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Tione 15, 1987

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Thanks

Douget about it. It is no longer a questlem.

Richard I. Beattie
SIMPSON THACHER & BARTLETT
ONE BATTERY PARK PLAZA

NEW YORK, N.Y. 10004

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Daniel J. Blessington, Esq. Federal Election Commission Washington, D. C. 20463

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

MARJORIE W. EMMONS / JODY CUSTER FROM:

DATE: MAY 13, 1981

SUBJECT: OBJECTION - MUR 1308 Memorandum to the Commission, dated May 12, 1981; Received

in OCS, 5-13-81, 7:25

The above-named document was circulated on a 48

hour vote basis at 11:00, May 13, 1981.

Commissioner Harris submitted an objection at 12:35, May 13, 1981.

This matter will be placed on the Executive Session Agenda for Wednesday, May 27, 1981.



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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 13, 1981

SUBJECT: ADDITIONAL OBJECTION - MUR 1308 Memorandum to

the Commission, dated May 12, 1981; Received

in OCS, 5-13-81, 7:25

You were notified previously of an objection by Commissioner Harris.

Commissioner Thomson submitted an additional objection at 3:18, May 13, 1981.

This matter will be discussed in executive session on Wednesday, May 27, 1981. A copy of Commissioner Thomson's vote sheet with comments is attached.

Attachment: Vote sheet



WASHINGTON, D.C. 20463

January 19, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Richard I. Beattie, Treasurer Committee for an Independent Judiciary. 209 East 56th Street, Suite 1-E New_York, New York 10022

RE: MUR 1308

Dear Mr. Beattie:

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The Federal Election Commission notified you on October 10, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("FECA") and Chapters 95 and 96 of Title 26, U.S. Code. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 9, 1981, determined that there is reason to believe that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441b, provisions of the FECA of 1971, as amended, and section 9012(f) of Chapter 95 of Title 26 U.S. Code. Specifically, it appears that your committee violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission within 10 days of becoming a political committee pursuant to 2 U.S.C. § 431(4).

In addition, it appears that your committee violated 2 U.S.C. § 441d by failing to provide a statement of candidate authorization or nonauthorization on a communication (i.e., an advertisement appearing in the October 13th edition of the National Law Journal which expressly advocated the election of Jimmy Carter, a clearly identified candidate for President).

Letter to Richard I. Beattie, Treasurer Page Two MUR 1308

Finally, although not alleged in the complaint, the Commission has determined based upon review of reports on file, that your committee may have violated 26 U.S.C. § 9012(f) by incurring expenditures in excess of \$1000 on behalf of a candidate who was eligible to receive public matching funds. Specifically, it appears that your committee may have violated this provision by expending a total of \$5,376, in support of Jimmy Carter, for advertisements in the National Law Journal, Philadelphia Inquirer, and Legal Times; and by expending an additional \$3,568.79 in support of Jimmy Carter in connection with mailings, printing, xeroxing, and other related charges itemized on Schedule E of the 30 day Post-General Report. 1/

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter(s) in question. Please submit responses to the enclosed Request for Answers to Questions and Production of Documents within 10 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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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^{1/} On October 8, 1980, the Commission filed a notice of appeal
with the United States Supreme Court from a decision
regarding the constitutionality of 26 U.S.C. \$ 9012(f)
(Federal Election Commission v. Americans for Change,
Nos. 80-1609, 80-1754 (D.D.C. September 30, 1980)
(Three-Judge Court).

Letter to Richard I. Beattie, Treasurer Page Three MUR 1308

. If you have any questions, please contact Daniel -- Blessington, the attorney assigned to this matter at (202) 523-4529.

John Warren McGarry
Chairman

Enclosures

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Procedures
Request for Answers to Questions and Production of Documents

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February 25, 1981

Re: MUR 1308

Daniel Blessington, Esq.
Office of General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Blessington:

of January 19, 1981 concerning the complaint filed against the Committee for an Independent Judiciary (the "Committee"). I should note in passing that the letter was delayed in reaching me because we have dissolved the Committee and no longer retain the previous mail address. Any future correspondence to me and/or the Committee should be addressed to the address indicated above.

Please find enclosed answers to the questions enclosed with the Chairman's letter, together with copies of the requested documents.

As I also

indicated, while the expenditures of the Committee did exceed \$1,000, we did not knowingly or wilfully violate 26 U.S.C. § 9012(f).

I appreciate your assistance in this matter, and if I can provide any further information, please do not hesitate to call me.

Very truly yours,

Richard I. Beattie

Enclosures

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 1308

Committee For An Independent)

Judiciary, et al.)

REQUEST FOR ANSWERS TO QUESTIONS AND PRODUCTION OF DOCUMENTS

TO: Richard I. Beattie, Treasurer
Committee For An Independent Judiciary
209 East 56th Street, Suite 1-E
New York, New York 10022

The Federal Election Commission requests that you, as Treasurer of the Committee For An Independent Judiciary, or your authorized agent having knowledge of the information sought herein, submit in writing, under oath, within ten (10) days, responses to the following numbered requests.

- Please state your name and address.
 Richard I. Beattie
 One Battery Park Plaza
 New York, New York 10004
- 2. What is your position and what are your duties and responsibilities with the Committee for an Independent Judiciary? I was the Treasurer of the Committee. As such I principally maintained the bank account and records for the Committee.
- On what date did contributions received on behalf of the Committee for an Independent Judiciary exceed, in the aggregate, \$1000?
 September 30, 1980
- 4. Please describe in detail any agreement(s) with Byron, Reimus, Ridder and Finn which in any way relate, refer or pertain to services provided to or in behalf of the Committee for an Independent Judiciary. Include the dates of any agreements, and identify the parties involved.

We had no agreements, as such, with Ruder & Finn, Inc.
Sometime on or around September 23, 1980, Byron Reimus of Ruder & Finn agreed' verbally to do the xeroxing, mailing and other administrative services for the Committee at full cost. Mr. Reimus, like others on the Committee, donated his personal time.

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2 -Please submit copies of all documents and materials which in any way relate, refer or pertain to any agreement referred to in Request Number 4. Include any written agreements, as well as billings. See answer to number 4. Enclosed are copies of bills received from Ruder & Finn. please describe in detail the nature of all services provided to or in behalf of the Committee for an Independent Judiciary by Byron, Reimus, Ridder and Finn. Include the dates that any such services were provided. See below. Please submit representative copies of any mailings produced and/or sent by Byron, Reimus, Ridder and Finn in behalf of the Committee for an Independent Judiciary. See below. Please describe the audience to which any mailings referred to in Request Number 7 were directed. The mailing was sent to lawyers across the country, the list for which was compiled by members of the Committee. **#6.** The enclosed bill from Ruder & Finn dated October 29, 1980 details the services provided and dates of such services. Ruder & Finn basically provided messenger services, xeroxing, photocopying, mailing, collating and stapling and other miscellaneous administrative services. 0 **#7.** One mailing on behalf of the Committee was sent by Ruder & Finn. The mailing consisted of a letter from the Committee and a copy of a news story from the September 15, 1980 National Law Journal. A copy of the letter, which was reprinted in the October 13, 1980 issue of The National Law Journal, is enclosed, together with a copy of the news story included in the mailing.

Rex Inter-office memo

Date:

October 29, 1980

To:

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Byron Reimus

From:

Bookkeeping

Subject:

Law Committee Expenses

ROUTE TO:

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CONFIDENTIAL

The following bills are outstanding in your name, on behalf of the Committee for an Independent Judiciary, as of October 13.

Messenger Services

September 23 - October 13

\$ 517.00

Mailgrams

September 23 - September 26

180.00

Press Kits

September 24 - September 25

Covers (100)
Photocopies of Contents (3,800)
Collating & Stapling

35.00

380.00 NC

Postage

Memo to Editors

Press Kits Following Press Briefing

71.80

Telecopier Charges

September 25 - October 3

28.00

Additional Photocopying

Memo to Editors & Miscellaneous Copies (1,500)

150.00

Stationery

Letterhead Design & Typesetting

170.00

SUBTOTAL.

.....\$ 1,531.80

Mailing

Printing 5,000 copies of each a) Two-page letter, one page print b) Two-page National Law Journal page printed both sides c) Reply envelopeaddress printed	reprint, one	
d) Outside envelopeaddress print	ed back flap	1,109.00
Postage Total 3,428 letters mail a) Total 3,217 letters mailed at 6 b) Total 211 letters mailed at 6	15¢ each	482.00 59.08
Collating & Stapling		232.00
Folding		145.60
Inserting	<i>i i</i>	- 177.36
Sealing & Metering		NC
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Chemist's ClubSeptember 25 Press	Briefing	86.45
Out-of-Pocket Costs (Taxi 3x)	January VI	10.50
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CHEMISTS BUILDING CO.

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KINDLY MAKE CHECKS PAYABLE TO CHEMISTS BUILDING CO.

RUDER & FINN CO 110 EAST 59TH ST NEW YORK NY 10022

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Byron Rimers 09

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CONTITUE FOR AN INDEPENDENT JUDICIA.

209 East 56th Street

209 East 50th Street Suite 1-E New York, New York 10022 (212) 940-0999

TO THOSE CONCERNED ABOUT A POSSIBLE REAGAN SUPREME COURT

Will you join us in the Committee for an Independent Judiciary?

As a Committee, we support the re-election of Jimmy Carter because the next President of the United States may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well.

The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper...very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has also adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. A recent article in a national law periodical reports that "(i)n California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking." His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees.

On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual achievement. They include law school deans and professors, Wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between adversaries. but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next four years.

The Committee for an Independent Judiciary will: (1) Send this letter to other lawyers across the nation and urge them to join; (2) Solicit contributions to pay for mailings, advertisements and related activity; (3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue; (4) Urge undertaking related activity and formation of similar groups throughout the country; and (5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in the election. We are asking others to join as independent members of the legal profession, without regard to political party affiliation. The Committee is and will remain unaffiliated with any political party.

We hope you will complete the form below and return it to us with your contribution. If you would like our assistance or thoughts on ways to communicate these crucial issues to the general public living in your region, please don't hesitate to call us at: (212) 940-0999.

We look forward to hearing from you.

THE HONORABLE MARVIN E. FRANKEL Chairman:

Former United States District Judge

Southern District, New York

JACK GREENBERG Vice Chairman:

Director-Counsel

NAACP Legal Defense & Educational Fund

RICHARD I. BEATTIE Secretary/Treasurer:

Partner

Simpson, Thacher & Bartlett

Affiliation For I.D. Only

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()	You may list my name as a member of the Committee for an Independent Judiciary.
()	Enclosed please find my contribution of \$ (Please make checks payable to "Committee for an Independent Judiciary)
NA	ME:
AFI (Fo	FILIATION: or I.D. Only)

THE NATIONAL LAW JOURNAL

VOL. 3-NO. 1

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PRICE \$1.50

The Weekly Newspaper for the Profession

MONDAY, SEPTEMBER 15, 1980

Candidate Eyes Political Screen Test for Nominees

Reagan Judges: In His Image?



BY JAMES S. GRANELLI

National Law Journal Staff Reporter

RONALD REAGAN feels he was betrayed by one of his key judicial appointees when he was governor of California, and his aides say he won't let the same thing happen again if he is elected president.

That resolve could lead to some of the most intensive political screening of federal judicial candidates ever, Reagan watchers say, and to uneasy confrontations between the president and senators over nominees.

Signals from Mr. Reagan's camp suggest that the former governor, determined to fill the federal bench with persons who share his conservative philosophies, may be ready to challenge a centuries-old system of political accommodation that has given U.S. senators virtual appointment power over federal judges.

"A senator from a given state would be very influential, but I'm quite certain that the senators wouldn't be the only source of recommendations," said William French Smith, Mr. Reagan's long-

Continued on page 8

Reagan Way on Judicial Appointments

Continued from page 1

time personal lawyer and adviser on judicial appointments. "We certainly wouldn't turn over (the selection process; to the present senators." Mr. Snith added, an apparent reference to Mr. Reagan's feelings that the Senate is overly influenced by liberals.

In California, Mr. Reagan's administration often would quiz potential appointees on the minutiae of their political thinking, and his aides suggest he would show no reluctance to institute a similar policy on a federal

One Helluva Survey'

"Anybody Reagan as president would nominate for judge is going to have one heliuva survey done on him. said one veteran California court

Presumably, one of the issues Mr. Reagan will be most concerned with is the controversial Republican platform plank, which he has embraced, calling for the appointment of judges who respect . . . the sanctity of human

Traditionally, most federal court appointments are made by the president upon the recommendation of the senior senator from his party in the state where the vacancy occurs. In the past, the president has almost invariably followed the senators' wishes. Where a state has no senators of the president's party, a compromise candidate is usually appointed. (Since 1978, under a directive from President Carter, federal appellate judges are recommended by special screening

Persons close to Mr. Reagan pointedly note that the former gover-nor has shown no reluctance in the past to break with tradition in matters of judicial appointments. In his first week as governor in 1967, they said, he bucked convention in refusing to accept certain state senators' nomina-tions for trial-level judgeships.

"They said it was tradition;

Reagan said the tradition has ended." said state Supreme Court Justine State Supremor's liam P. Clark Jr., once the governor's

Political Affront

Mr. Reagan's apparent determination to screen judicial candidates ex-haustively to be certain that they mirror his conservatism appears to stem from a political affront he suffered at the hands of Donald Wright, the man he chose to be the state Supreme Court chief justice. It was Mr. Reagan's first Supreme Court appointment - and it turned into one of his biggest disappointments.

Mr. Wright was selected shortly after the retirement of the renowned Chief Justice Roger Traynor, who had een too much of a judicial activist for Mr. Reagan's tastes.

The governor was looking for what he termed a strict constructionist conservative who was hard on lawand-order issues and who took a dim view on expanding the rights of the accused. Above all, he wanted someone who would uphold the state's death penalty law, and he thought he had found such a man in Mr. Wright, an able trial court judge whom Mr. Reagan had elevated to an intermediate appellate bench in 1968.

But in 1972, two years after he became chief justice. Mr. Wright authored the 6-1 majority opinion that struck down the death penalty. ruling in People v. Anderson, 6 Cal.3d 628, came four months before the U.S. Supreme Court's broad, opinion invalidating state capital punishment laws. Furman v. Georgia, 408 U.S. 238.

Justice Wright went on to join other liberal colleagues in expanding the



AS GOVERNOR of California, Ronald Reagan appointed Donald Wright (left) to be the state's chief justice. Mr. Reagan later said he regretted the selection.

rights of the injured and the accused. and he apparently reneged on what some Reagan associates thought was a promise to retire in 1973. (He eventually retired in 1977.)

Mr. Reagan later said publicly that he regretted having appointed Mr.

The Wright affair spurred a dramatic change in the way Mr. Reagan made his judicial appointments. In his first term, before the death penalty case, judicial candidates often didn't even know they were being considered. Mr. Wright, for example said the only background information he learned the administration had on him was a single page of biographical information. Robert S. Thompson. a trial judge elevated by Mr. Reagan in 1968 to an appeallate bench, said he never even went through an interview. 20 Pages of Questions

But after the death penalty rebuff, a lengthy questionnaire - about 20 pages of inquiries seeking pages of inquiries seeking biographical data and information on past cases and philosophies - became standard fare before a judicial can-didate was considered. Followup interviews with a battery of advisers were aiso required of appellate nominees.

"It was a comprehensive form, very detailed," said Court of Appeal Judge Robert K. Puglia, a wellregarded 1974 appointee known for his conservative stances. "The interviews were general questions about a person's life philosophy, judicial philosophy and views on topical issues." he said.

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Mr. Thompson agrees that the quality of appellate appointments dropped in Mr. Reagan's second term, but attributes it more to the departure of Paul Haerie as the governor's appointments secretary

He said Mr. Haerle, a San Francisco lawyer. "believed that partisan politics had no place in the selection of judges

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Aides to Mr Reagan make no bones about - or apologies for - their willingness to ask prospective judges about their views on major political is-

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Justice Clark agrees.

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'An Inpropriety'

But Bernard G. Segal, a former president of the American Bar sociation who headed the first ABA commission on the federal judiciary. strongly criticizes such questioning of judicial prospects.

"It's an impropriety to give any view on a subject that may come before the candidate as a judge," he said. "It's custom not to ask anything about the substance of beliefs."

Despite his insistence on politically compatible court choices. Mr. Reagan was the only California governor in recent years to actively support a merit selection system for judicial nominees. The bill, introduced twice, never was

Nevertheless. Mr. Reagan set up merit selection panels and never appointed anyone who received less than a qualified rating from the panels and the state bar.

Of course, merit selection didn't mean Mr. Reagan couldn't get judges who followed his conservative views.

Ralph Nutter, for instance, was a highly regarded jurist who left the bench in 1969 during a family emergency. When he later tried to get reappointed, he said, he was told by a

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'Generally Insipid'

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San Francisco lawyer Melvin Belli characterized the Reagan appointees as "generally insipid without too much cerebellum or cerebrum."

But many other California lawyers said Mr. Reagan's judges were no better and no worse than his predecessor's appointments.

"Reagan's appointees are indistinguishable from those of Pat Brown," said noted California legal scholar B.E. Witkin of Berkeley, who has authored numerous texts and manuals and served as an appellate and Supreme Court research attorney for 18 years. "Very few governors go out of their way to pick bums for the court."

Besides Justices Wright and Clark, the only other Reagan appointee to the state Supreme Court is Frank Richardson, a moderate who is praised by lawyers across the political spectrum as an "excellent, incisive" judge who "doesn't let personal pique get into his opinions."

Mr. Richardson and Mr. Clark, a rock-hard conservative, accede to the Reagan belief that judges should follow the law, not make it. Both men are still on the bench.

Mr. Clark's appointment had been criticized because he had never finished law school and had flunked the bar examination the first time around. In fact, Mr. Wright, one of three state

officials who had to confirm the governor's choice, voted against the appointment.

Still, Justice Clark is gaining respect, even if some of the praise is going for his full-time research attorneys, one of whom had been with Justice Wright and the other with the liberal former Justice Raymond Peters.

Mr. Clark and Judge Puglia are considered likely U.S. Supreme Court nominees in a Reagan administration. 'Advice and Consent'

Senators have pushed their choices for judicial nominees practically since the time the ink dried on the U.S. Constitution, which gives the president the power of judicial appointment "with the advice and consent" of the Senate.

By the end of the 19th century, senators had a shorthand way of indicating they didn't agree with a president's choice by stating on the Senate floor that the candidate was "personally obnoxious."

For the last 50 years or so, senators in the president's party recommended

'After being stung once by a judge, Mr. Reagan seemed to get vengeful.'

nominees for vacancies in their district. With rare exceptions, presidents have agreed with them. In states where both senators are political adversaries of the president, judges are usually picked after delicate negotiations invoiving the president's power to appoint and the senator's power to block confirmation.

The 1978 Omnibus Judgeship Act, which created 152 judicial positions, gave the president authority to set up merit selection panels. President Carter's subsequent executive order set up panels picked by the president to find and screen candidates for the circuit courts of appeals. Senators from about half the states have set up merit selection panels to produce one name or a list of names to be sent to the president for district court nominations.

But in reality, most judges still come from the president's party; and any new president could easily do away with the Carter executive order.

"Sen. Bob Dole [R-Kan.], for instance, expects Democrats will be appointed to the bench in Kansas. He has no illusions about that," a Senate source said. And President Carter "has no illusion that he's going to get someone on the bench who is Dole's arch-enemy."



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Richard I. Beattie, Treasurer Committee for an Independent Judiciary One Battery Park Plaza New York, New York 10004

RE: MUR 1308

Dear Mr. Beattie:

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In a letter dated February 25, 1981, you indicated that the Committee for an Independent Judiciary desired to resolve MUR 1308 through conciliation.

Enclosed is a conciliation agreement which this Office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the agreement, please sign and return it to the Commission within ten (10) days. I will then recommend that the Commission approve it. Please make your check for the civil penalty payable to the U.S. Treasurer.

If you have any questions or suggested changes, please contact attorney Daniel J. Blessington at 202/523-4529. Also, please be advised that it is Commission policy to generally limit pre-probable cause to believe negotiations to a period of thirty (30) days.

Sincerely,

Charles N. Steele Geheral Counsel

Enclosure _ Concilation Agreement

February 25, 1981

Re: MUR 1308

Daniel Blessington, Esq. Office of General Counsel Federal Election Commission Washington, D.C. 20463

Dear Mr. Blessington:

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I am writing in response to the Chairman's letter of January 19, 1981 concerning the complaint filed against the Committee for an Independent Judiciary (the "Committee"). I should note in passing that the letter was delayed in reaching me because we have dissolved the Committee and no longer retain the previous mail address. Any future correspondence to me and/or the Committee should be addressed to the address indicated above.

Please find enclosed answers to the questions enclosed with the Chairman's letter, together with copies of the requested documents.

As I also

indicated, while the expenditures of the Committee did exceed \$1,000, we did not knowingly or wilfully violate 26 U.S.C. § 9012(f).

I appreciate your assistance in this matter, and if I can provide any further information, please do not hesitate to call me.

Very truly yours,

Richard I. Beattie

Enclosures

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 1308

Committee For An Independent)

Judiciary, et al.)

AND PRODUCTION OF DOCUMENTS

TO: Richard I. Beattie, Treasurer
Committee For An Independent Judiciary
209 East 56th Street, Suite 1-E
New York, New York 10022

The Federal Election Commission requests that you, as Treasurer of the Committee For An Independent Judiciary, or your authorized agent having knowledge of the information sought herein, submit in writing, under oath, within ten (10) days, responses to the following numbered requests.

- Please state your name and address.
 Richard I. Beattie
 One Battery Park Plaza
 New York, New York 10004
- 2. What is your position and what are your duties and responsibilities with the Committee for an Independent Judiciary? I was the Treasurer of the Committee. As such I principally maintained the bank account and records for the Committee.
- 3. On what date did contributions received on behalf of the Committee for an Independent Judiciary exceed, in the aggregate, \$1000?

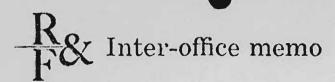
September 30, 1980

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4. Please describe in detail any agreement(s) with Byron, Reimus, Ridder and Finn which in any way relate, refer or pertain to services provided to or in behalf of the Committee for an Independent Judiciary. Include the dates of any agreements, and identify the parties involved.

We had no agreements, as such, with Ruder & Finn, Inc. Sometime on or around September 23, 1980, Byron Reimus of Ruder & Finn agreed verbally to do the xeroxing, mailing and other administrative services for the Committee at full cost. Mr. Reimus, like others on the Committee, donated his personal time.

- 2 -5. Please submit copies of all documents and materials which in any way relate, refer or pertain to any agreement referred to in Request Number 4. Include any written agreements, as well as billings. See answer to number 4. Enclosed are copies of bills received from Ruder & Finn. Please describe in detail the nature of all services provided to or in behalf of the Committee for an Independent Judiciary by Byron, Reimus, Ridder and Finn. Include the dates that any such services were provided. See below. Please submit representative copies of any mailings 3 produced and/or sent by Byron, Reimus, Ridder and Finn in behalf of the Committee for an Independent Judiciary. See below. N Please describe the audience to which any mailings referred to in Request Number 7 were directed. The mailing was sent to lawyers across the country, the list for which was compiled by members of the Committee. #6. The enclosed bill from Ruder & Finn dated October 29, 1980 details the services provided and dates of such services. Ruder & Finn basically provided messenger services, xeroxing, photocopying, mailing, collating and stapling and other miscellaneous administrative services. #7. One mailing on behalf of the Committee was sent by Ruder & Finn. The mailing consisted of a letter from the Committee and a copy of a news story from the September 15, 1980 National Law Journal. A copy of the letter, which was reprinted in the October 13, 1980 issue of The National Law Journal, is enclosed, together with a copy of the news story included in the mailing.



Date:

October 29, 1980

To:

Byron Reimus

From:

Bookkeeping

Subject:

Law Committee Expenses

ROUTE TO:

- 1.
- 2.
- 3.
- 4.
- 5.

CONFIDENTIAL

The following bills are outstanding in your name, on behalf of the Committee for an Independent Judiciary, as of October 13.

Messenger Services

September 23 - October 13

\$ 517.00

Mailgrams

September 23 - September 26

180.00

Press Kits

September 24 - September 25

Covers (100)	
Photocopies of Contents	(3,800)
Collating & Stapling	

35.00 380.00

NC

Postage

Memo to Editors Press Kits Following Press Briefing

71.80

Telecopier Charges

September 25 - October 3

28.00

Additional Photocopying

Memo to Editors & Miscellaneous Copies (1,500)

150.00

Stationery

Letterhead Design & Typesetting

170.00

SUBTOTAL....\$ 1,531.80

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TO THOSE CONCERNED ABOUT A POSSIBLE REAGAN SUPREME COURT

Will you join us in the Committee for an Independent Judiciary?

As a Committee, we support the re-election of Jimmy Carter because the next President of the United States may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well.

The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper...very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has also adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nom-A recent article in a national law periodical reports that "(i)n inees. California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking." His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees.

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On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual achievement. They include law school deans and professors, Wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next four years.

The Committee for an Independent Judiciary will: (1) Send this letter to other lawyers across the nation and urge them to join; (2) Solicit contributions to pay for mailings, advertisements and related activity; (3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue; (4) Urge undertaking related activity and formation of similiar groups throughout the country; and (5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in the election. We are asking others to join as independent members of the legal profession, without regard to political party affiliation. The Committee is and will remain unaffiliated with any political party.

We hope you will complete the form below and return it to us with your contribution. If you would like our assistance or thoughts on ways to communicate these crucial issues to the general public living in your region, please don't hesitate to call us at: (212) 940-0999.

We look forward to hearing from you.

Chairman: THE HONORABLE MARVIN E. FRANKEL

Former United States District Judge

Southern District, New York

Vice Chairman: JACK GREENBERG

Director-Counsel

NAACP Legal Defense & Educational Fund

Secretary/Treasurer: RICHARD 1. BEATTIE

Partner

Simpson, Thacher & Bartlett

Affiliation For I.D. Only

- () You may list my name as a member of the Committee for an Independent Judiciary.
- () Enclosed please find my contribution of \$ (Please make checks payable to "Committee for an Independent Judiciary)

NAWE:
AFFILIATION:
(For I.D. Only)
ADDRESS:

40402325

Reagan Way on Judicial Appointments

Continued from page 1

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Mr. Clark's appointment had been criticized because he had never finished law school and had flunked the bar examination the first time around. In fact, Mr. Wright, one of three state

officials who had to confirm the governor's choice, voted against the appointment.

Still, Justice Clark is gaining respect, even if some of the praise is going for his full-time research attorneys, one of whom had been with Justice Wright and the other with the liberal former Justice Raymond Peters.

Mr. Clark and Judge Puglia are considered likely U.S. Supreme Court nominees in a Reagan administration. 'Advice and Consent'

Senators have pushed their choices for judicial nominees practically since the time the ink dried on the U.S. Constitution, which gives the president the power of judicial appointment "with the advice and consent" of the Senate.

By the end of the 19th century, senators had a shorthand way of indicating they didn't agree with a president's choice by stating on the Senate floor that the candidate was "personally obnoxious."

For the last 50 years or so, senators in the president's party recommended

'After being stung once by a judge, Mr. Reagan seemed to get vengeful.'

nominees for vacancies in their district. With rare exceptions, presidents have agreed with them. In states where both senators are political adversaries of the president, judges are usually picked after delicate negotiations involving the president's power to appoint and the senator's power to block confirmation.

The 1978 Omnibus Judgeship Act, which created 152 judicial positions, gave the president authority to set up merit selection panels. President Carter's subsequent executive order set up panels picked by the president to find and screen candidates for the circuit courts of appeals. Senators from about half the states have set up merit selection panels to produce one name or a list of names to be sent to the president for district court nominations.

But in reality, most judges still come from the president's party; and any new president could easily do away with the Carter executive order.

"Sen. Bob Dole [R-Kan.], for instance, expects Democrats will be appointed to the bench in Kansas. He has no illusions about that," a Senate source said. And President Carter "has no illusion that he's going to get someone on the bench who is Dole's arch-enemy."

THE NATIONAL LAW JOURNAL

VOL. 3-NO. 1

PRICE \$1.50

The Weekly Newspaper for the Profession

MONDAY, SEPTEMBER 15, 1980

Candidate Eyes Political Screen Test for Nominees

Reagan Judges: In His Image?



By JAMES S. GRANELLI

National Law Journal Staff Reporter

RONALD REAGAN feels he was betrayed by one of his key judicial appointees when he was governor of California, and his aides say he won't let the same thing happen again if he is elected president.

That resolve could lead to some of the most intensive political screening of federal judicial candidates ever, Reagan watchers say, and to uneasy confrontations between the president and senators over nominees.

Signals from Mr. Reagan's camp suggest that the former governor, determined to fill the federal bench with persons who share his conservative philosophies, may be ready to challenge a centuries-old system of political accommodation that has given U.S. senators virtual appointment power over federal judges.

"A senator from a given state would be very influential, but I'm quite certain that the senators wouldn't be the only source of recommendations," said William French Smith, Mr. Reagan's long-

Continued on page 8

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Federal Election Commission Office of General Counsel Daniel Blessington, Esq. Washington, D.C.



WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES STEELE

FROM:

MARJORIE W. EMMONS /JODY CUSTER

DATE:

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APRIL 7, 1981

SUBJECT:

MUR 1308 - Interim Investigative Report #2,

dated April 2, 1981; Received in OCS,

4-6-81, 11:34

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, April 6, 1981.

There were no objections to the Interim Investigative Report at the time of the deadline.

April 6, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1308

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

Attachment

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pakayson:4-6-81

cc: Blessington

BEFORE THE FEDERAL ELECTION COMMISSION April 2, 1981

In the Matter of)	APR	₹ _C ;
Committee For An Independent Judiciary) MUR 1308(80))	6 A	
INTERIM INV	VESTIGATIVE REPORT #2	1: 34	計画の

On January 19, 1981, the Commission notified the Committee for an Independent Judiciary ("Committee") that it had found reason to believe that the Committee had violated 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. § 9012(f). Included with this letter was a request for answers to questions and production of documents. As noted in Report #1, there was a considerable delay before the notification reached the Committee treasurer.

In his response to the Commission, dated February 25, 1981, the treasurer requested to resolve the matters at issue through conciliation. Given the circumstances surrounding the violations, the Office of General Counsel is prepared to recommend that conciliation efforts be initiated prior to a recommendation of probable cause. A memorandum to that effect, and a proposed agreement, will be presented to the Commission within the next one-two weeks.

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Charles N. Steele General Counsel



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

MARJORIE W. EMMONS/MARGARET CHANEY FROM:

OFFICE OF THE SECRETARY TO THE COMMISSION FEBRUARY 12, 1981

DATE:

MUR 1308 - Interim Investigative Report #1, SUBJECT:

dated 2-9-81; Received in OCS 2-10-81, 11:35

The above-named document was circulated to the Commission on a no-objection basis at 11:00, February 11, 1981.

There were no objections to the Interim Investigative Report at the time of the deadline.

February 10, 1981

MEMORANDUM TO: Majjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1308

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Please have the attached Interim Invest Report distributed to the Commission. Thank you.

BEFORE THE FEDERAL ELECTION COMMISSION February 9, 1981

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In the Matter of)			81 FEB 10	All:	35
Committee For An)	MUR	1308	(80)		
Independent Judiciary)					

INTERIM INVESTIGATIVE REPORT #1

On January 9, 1981, the Commission found reason to believe that the Committee for an Independent Judiciary ("Committee") violated 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. § 9012(f). A letter was sent to the Committee treasurer, but the return receipt has yet to be received.

The Office of General Counsel contacted postal authorities who are attempting to trace the letter. We have been informed, however, that the New York Post Office must hold the letter until February 9, 1981 before sending it back unclaimed. If the letter is unclaimed or lost, this Office will once again attempt to contact the respondent.

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Charles N. Steele General Counsel



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Judith Vladeck, Esq.
Vladeck, Elias, Vladeck
& Engelhard
1501 Broadway
New York, New York 10036

RE: MUR 1308

Dear Ms. Vladeck:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Howard L. Ganz, Esq.
Proskauer, Rose, Goetz &
Mendelsohn
300 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Ganz:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely

Charles N. Steele



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Morris P. Glushien, Esq. 123 E. 62nd Street New York, New York 10021

RE: MUR 1308

Dear Mr. Glushien:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerel

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Orville H. Schell, Jr., Esq. Hughes, Hubbard & Reed One Wall Street
New York, New York 10005

RE: MUR 1308

Dear Mr. Schell:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

William B. Spann, Jr., Esq. 3415 Habersham Road, N.W. Atlanta, Georgia 30305

RE: MUR 1308

Dear Mr. Spann:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jay Topkis, Esq.
Paul, Weiss, Rifkin, Wharton
& Garrison
345 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Topkis:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Monrad G. Paulsen, Dean Benjamin N. Cardozo School of Law 55 5th Avenue New York, New York 10003

RE: MUR 1308

Dear Mr. Paulsen:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Junius Williams 24 Commerce Street Newark, New Jersey 07102

RE: MUR 1308

Dear Mr. Williams:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Sara-Ann Determan, Esq. 3514 Pine Tree Terrace Falls Church, Virginia 22041

> MUR 1308 RE:

Dear Ms. Determan:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

M.D. Taracido, Esq.
Puerto Rican Legal Defense
Fund
95 Madison Avenue
New York, New York 10016

RE: MUR 1308

Dear Mr. Taracido:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jack Greenberg, Director
Counsel
NAACP Legal Defense & Education
10 Columbus Circle
New York, New York 10619

RE: MUR 1308

Dear Mr. Greenberg:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Seth M. Hufstedler Beardsley Hufstedler 611 W. Sixth Street Los Angeles, California 90017

RE: MUR 1308

Dear Mr. Hufstedler:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Peter Langrock, Esq.
Langrock & Sperry
15 S. Pleasant Street
Middlebury, Vermont 05753

RE: MUR 1308

Dear Mr. Langrock:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ernest Bonyhadi, Esq. Stoel, Rives, Boley & Fraser 900 S.W. Fifth Avenue, 23d Flr. Portland, Oregon 97204

RE: MUR 1308

Dear Mr. Bonyhadi:

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL REQUESTED

Bernard D. Fischman, Esq. 115 Central Park West New York, New York 10023

RE: MUR 1308

Dear Mr. Fischman:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Charles L. Black, Jr., Esq. Sterling Professor Yale University Law School New Haven, Connecticut 06520

RE: MUR 1308

Dear Mr. Black:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Charles N. S. S. General Counsel



WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

John Baker, Esq. Associate Dean University of Indiana Law School Bloomington, Indiana 47405

> RE: MUR 1308

Dear Mr. Baker:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Bierman, Esq.
Foley, Lardner, Hollabaugh
& Jacobs
1775 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

RE: MUR 1308

Dear Mr. Bierman:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert L. Bogomolny, Esq. 24275 Lyman Boulevard Cleveland, Ohio 44122

RE: MUR 1308

Dear Mr. Bogomolny:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Llewelyn G. Pritchard Karr, Tuttle, Koch, Campbell First National Bank Building Seattle, Washington 90104

RE: MUR 1308

Dear Mr. Pritchard:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jane Picker, Esq. Cleveland State University 1801 Euclid Cleveland, Ohio 44115

RE: MUR 1308

Dear Ms. Picker:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

Since

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael H. Posner, Executive Secretary Lawyers Committee for International Human Rights 236 East 46th New York, New York 10017

RE: MUR 1308

Dear Mr. Posner:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Morton M. Maneker, Esq. Proskauer, Rose, Goetz & Mandelsohn 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Maneker:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Howard N. Golden, Esq. Golden, Weinshienk and Mandel 10 East 40th Street New York, New York 10016

MUR 1308

Dear Mr. Golden:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Marvin E. Frankel 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Judge Frankel:

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Michael Meltsner, Dean Northeastern University of Law 360 Huntington Avenue Boston, Massachusetts 02115

RE: MUR 1308

Dear Mr. Meltsner:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

Since



WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Nabrit, Jr. Howard University 2400 6th Street, N.W. 20001 Washington, D.C.

> RE: MUR 1308

Dear Mr. Nabrit:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William A. Borders, Jr., Esq. 28 50th Street, N.E. Washington, D.C. 20019

RE: MUR 1308

Dear Mr. Borders:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Chesterfield Smith, Esq. Holland & Knight 92 Lake Wire Drive Lakeland, Florida 33801

RE: MUR 1308

Dear Mr. Smith:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James Freedman, Dean
University of Pennsylvania
Law School
3400 Spruce Street
Philadelphia, Pennsylvania 19104

RE: MUR 1308

Dear Mr. Freedman:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jerome J. Shestack, Esq. Schnader, Harrison, Segal & Lewis 1719 Packard Building Philadelphia, Pennsylvania 19102

RE: MUR 1308

Dear Mr. Shestack:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Julius L. Chambers, Esq.
Chambers, Stein, Ferguson &
Becton
951 S. Independence Blvd.
Suite 730
Charlotte, North Carolina 28202

RE: MUR 1308

Dear Mr. Chambers:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Silver, Esq.
Proskauer, Rose, Goetz &
Mendelsohn
300 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Silver:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

General Counsel

Since

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LaDoris Cordell, Assistant Dean Standford University Law School 2369 University Avenue Palo Alto, California 94303

RE: MUR 1308

Dear Dean Cordell:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Albert J. Rosenthal, Dean Columbia University Law School 116 and Amsterdam Avenue New York City, New York 10027

RE: MUR 1308

Dear Dean Rosenthal:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Harriet Rabb, Associate Dean Columbia University Law School 116 and Amsterdam Avenue New York City, New York 10027

RE: MUR 1308

Dear Dean Rabb:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Arthur Murphy, Esq.
Columbia University Law School
116 and Amsterdam Avenue
New York City, New York 10027

RE: MUR 1308

Dear Professor Murphy:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Charles N. Stee General Counsel



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Barbara Allen Babcock, Esq. Professor of Law Stanford University Palo Alto, California 94305

> MUR 1308 RE:

Dear Professor Babcock:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mario Obledo 915 Capitol Mall, Room 200 Sacramento, California 95814

RE: MUR 1308

Dear Mr. Obledo:

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CO

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David R. Hood
c/o Carnegie Corporation of
New York
437 Madison Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Hood:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Charles N. Steele General Counsel



WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Tatel, Esq.
Hogan & Hartson
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

RE: MUR 1308

Dear Mr. Tatel:

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terry Adamson, Esq.
Hansell, Post, Brandon & Dorsey
3034 Q Street, N.W.
Washington, D.C. 20007

RE: MUR 1308

Dear Mr. Adamson:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Conrad Harper, Esq. Simpson, Thacher & Bartlett 1 Battery Park Plaza New York, New York 10022

RE: MUR 1308

Dear Mr. Harper:

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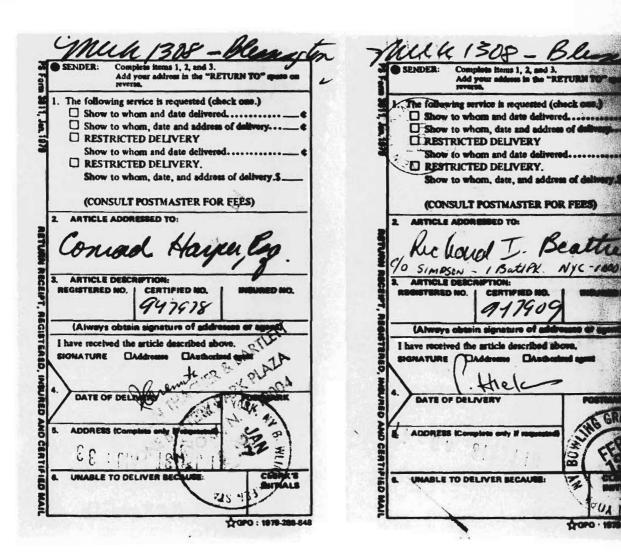
On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Marian Wright Edelman, President Children's Defense Fund 1520 New Hampshire Avenue, N.W. Washington, D.C. 20036

> RE: MUR 1308

Dear Ms. Edelman:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Andrew L. Johnson 33 Public Square, Suite 513 Cleveland, Ohio 44113

RE: MUR 1308

Dear Mr. Johnson:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Charles of Stee General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steven L. Kass, Esq.
Berle, Butzel, Kass & Case
45 Rockefeller Plaza
New York, New York 10020

RE: MUR 1308

Dear Mr. Kass:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

Since

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

John H. Adams, Executive Director Natural Resources Defense Council 122 East 42nd Street New York, New York 10017

RE: MUR 1308

Dear Mr. Adams:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William K. Coblenz, Esq. Jacobs, Sills, Coblenz 555 California Street San Francisco, California 94104

RE: MUR 1308

Dear Mr. Coblenz:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Samuel Gaines, Esq. 1801 East Ninth Street Cleveland, Ohio 44114

RE: MUR 1308

Dear Mr. Gaines:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

Since

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Carole Bellows, Esq. 1 IBM Plaza Chicago, Illinois 60611

RE: MUR 1308

Dear Ms. Bellows:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harriet Pilpel, Esq. Greenbaum, Wolff & Ernst 437 Madison Avenue New York, New York 10022

RE: MUR 1308

Dear Ms. Pilpel:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert G. Ringo, Esq. Ringo, Walton, Eves & Gardner 605 Jefferson Street P.O. Box 1067 Corvallis, Oregon 97330

RE: MUR 1308

Dear Mr. Ringo:

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lindsey Cowen, Esq. 2665 Leighton Road Cleveland, Ohio 44120

RE: MUR 1308

Dear Dean Cowen:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 5234529.

General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lyn Hecht Schafran, Esq. 54 Riverside Drive New York, New York 10024

RE: MUR 1308

Dear Ms. Schafran:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Floyd Abrams, Esq. 80 Pine Street New York, New York 10005

RE: MUR 1308

Dear Mr. Abrams:

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Sincere

General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Brosnahan, Esq.
Morrison & Foerster
l Market Plaza
San Francisco, California 94105

RE: MUR 1308

Dear Mr. Brosnahan:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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General Counsel

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael A. Cardozo 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Cardozo:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Wiley A. Branton, Esq. 825 6th Street, S.W. Washington, D.C. 20024

RE: MUR 1308

Dear Mr. Branton:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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WASHINGTON, D.C. 20463

January 23, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert B. McKay, Director
Aspen Institute for
Humanistic Studies
717 Fifth Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. McKay:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Nabrit, Jr.
Howard University
2400 6th Street, N.W.
Washington, D.C. 20001

RE: MUR 1308

Dear Mr. Nabrit:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

\$ 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Michael Meltsner, Dean Northeastern University of Law 360 Huntington Avenue Boston, Massachusetts 02115

RE: MUR 1308

Dear Mr. Meltsner:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

A 122/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Honorable Marvin E. Frankel 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Judge Frankel:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

\$ 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Edward Silver, Esq.
Proskauer, Rose, Goetz &
Mendelsohn
300 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Silver:

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Sincerely,

Charles N. Steele General Counsel

13/12/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Julius L. Chambers, Esq.
Chambers, Stein, Ferguson &
Becton
951 S. Independence Blvd.
Suite 730
Charlotte, North Carolina 28202

RE: MUR 1308

Dear Mr. Chambers:

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Sincerely,

Charles N. Steele General Counsel

B/12/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jane Picker, Esq. Cleveland State University 1801 Euclid Cleveland, Ohio 44115

RE: MUR 1308

Dear Ms. Picker:

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Llewelyn G. Pritchard Karr, Tuttle, Koch, Campbell First National Bank Building Seattle, Washington 90104

RE: MUR 1308

Dear Mr. Pritchard:

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Sincerely,

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Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Albert J. Rosenthal, Dean Columbia University Law School 116 and Amsterdam Avenue New York City, New York 10027

RE: MUR 1308

Dear Dean:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Harriet Rabb, Associate Dean Columbia University Law School 116 and Amsterdam Avenue New York City, New York 10027

RE: MUR 1308

Dear Dean:

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Sincerely,

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Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Michael H. Posner, Executive Secretary Lawyers Committee for International Human Rights 236 East 46th New York, New York 10017

RE: MUR 1308

Dear Mr. Posner:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/22/21



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Arthur Murphy, Esq.
Columbia University Law School
116 and Amsterdam Avenue
New York City, New York 10027

RE: MUR 1308

Dear Professor:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

The second secon

Charles N. Steele General Counsel

1/22/21



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Morton M. Maneker, Esq. Proskauer, Rose, Goetz & Mandelsohn 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Maneker:

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Sincerely,

Charles N. Steele General Counsel

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Mp 1/22/21



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Howard N. Golden, Esq. Golden, Weinshienk and Mandel 10 East 40th Street New York, New York 10016

RE: MUR 1308

Dear Mr. Golden:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

William A. Borders, Jr., Esq. 28 50th Street, N.E. Washington, D.C. 20019

RE: MUR 1308

Dear Mr. Borders:

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Sincerely,

Charles N. Steele General Counsel

1/22/11



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

LaDoris Cordell, Assistant Dean Standford University Law School 2369 University Avenue Palo Alto, California 94303

RE: MUR 1308

Dear Dean:

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Barbara Allen Babcock, Esq. Professor of Law Stanford University Palo Alto, California 94305

RE: MUR 1308

Dear Professor:

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

THE STATE OF THE S

\$ 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ira Millstein, Esq. Weil, Gotshal & Manges 767 Fifth Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Millstein:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David Tatel, Esq. Hogan & Hartson 815 Connecticut Avenue, N.W. Washington, D.C. 20006

RE: MUR 1308

Dear Mr. Tatel:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

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Sincerely,

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Charles N. Steele General Counsel

B,/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Terry Adamson, Esq.
Hansell, Post, Brandon & Dorsey
3034 Q Street, N.W.
Washington, D.C. 20007

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RE: MUR 1308

Dear Mr. Adamson:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

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Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Conrad Harper, Esq.
Simpson, Thacher & Bartlett
1 Battery Park Plaza
New York, New York 10022

RE: MUR 1308

Dear Mr. Harper:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

\$1/22/01



WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marian Wright Edelman, President Children's Defense Fund 1520 New Hampshire Avenue, N.W. Washington, D.C. 20036

RE: MUR 1308

Dear Ms. Edelman:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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B/22/21

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Andrew L. Johnson 33 Public Square, Suite 513 Cleveland, Ohio 44113

RE: MUR 1308

Dear Mr. Johnson:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

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Sincerely,

Charles N. Steele General Counsel

1/22/21



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Steven L. Kass, Esq. Berle, Butzel, Kass & Case 45 Rockefeller Plaza New York, New York 10020

RE: MUR 1308

Dear Mr. Kass:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

John H. Adams, Executive Director Natural Resources Defense Council 122 East 42nd Street New York, New York 10017

RE: MUR 1308

Dear Mr. Adams:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

William K. Coblenz, Esq. Jacobs, Sills, Coblenz 555 California Street San Francisco, California 94104

RE: MUR 1308

Dear Mr. Coblenz:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Samuel Gaines, Esq. 1801 East Ninth Street Cleveland, Ohio 44114

RE: MUR 1308

Dear Mr. Gaines:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/22/81

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Carole Bellows, Esq. 1 IBM Plaza Chicago, Illinois 60611

RE: MUR 1308

Dear Ms. Bellows:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

\$ 1/22/81

Charles N. Steele General Counsel



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mario Obledo 915 Capitol Mall, Room 200 Sacramento, California 95814

RE: MUR 1308

Dear Mr. Obledo:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harriet Pilpel, Esq. Greenbaum, Wolff & Ernst 437 Madison Avenue New York, New York 10022

RE: MUR 1308

Dear Ms. Pilpel:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

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Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert G. Ringo, Esq. Ringo, Walton, Eves & Gardner 605 Jefferson Street P.O. Box 1067 Corvallis, Oregon 97330

RE: MUR 1308

Dear Mr. Ringo:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Lindsey Cowen, Esq. 2665 Leighton Road Cleveland, Ohio 44120

RE: MUR 1308

Dear Dean Cowen:

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Sincerely,

Charles N. Steele General Counsel

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DJB 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Lyn Hecht Schafran, Esq. 54 Riverside Drive New York, New York 10024

RE: MUR 1308

Dear Ms. Schafran:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Floyd Abrams, Esq. 80 Pine Street New York, New York 10005

RE: MUR 1308

Dear Mr. Abrams:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/2/81

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Brosnahan, Esq.
Morrison & Foerster
1 Market Plaza
San Francisco, California 94105

RE: MUR 1308

Dear Mr. Brosnahan:

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Michael A. Cardozo 300 Park Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Cardozo:

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Sincerely,

Charles N. Steele General Counsel

1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Wiley A. Branton, Esq. 825 6th Street, S.W. Washington, D.C. 20024

RE: MUR 1308

Dear Mr. Branton:

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert B. McKay, Director Aspen Institute for Humanistic Studies 717 Fifth Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. McKay:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Judith Vladeck, Esq.
Vladeck, Elias, Vladeck
& Engelhard
1501 Broadway
New York, New York 10036

RE: MUR 1308

Dear Ms. Vladeck:

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Sincerely,

Charles N. Steele General Counsel

A 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Howard L. Ganz, Esq.
Proskauer, Rose, Goetz &
Mendelsohn
300 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Ganz:

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Sincerely,

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Charles N. Steele General Counsel

1/22/81



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Morris P. Glushien, Esq. 123 E. 62nd Street New York, New York 10021

RE: MUR 1308

Dear Mr. Glushien:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

B1/22/81



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Orville H. Schell, Jr., Esq. Hughes, Hubbard & Reed One Wall Street
New York, New York 10005

RE: MUR 1308

Dear Mr. Schell:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

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Charles N. Steele General Counsel

JB 1/22/21



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

William B. Spann, Jr., Esq. 3415 Habersham Road, N.W. Atlanta, Georgia 30305

RE: MUR 1308

Dear Mr. Spann:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

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Charles N. Steele General Counsel

1/23/81



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jay Topkis, Esq.
Paul, Weiss, Rifkin, Wharton
& Garrison
345 Park Avenue
New York, New York 10022

RE: MUR 1308

Dear Mr. Topkis:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

1/22/81

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Monrad G. Paulsen, Dean Benjamin N. Cardozo School of Law 55 5th Avenue New York, New York 10003

RE: MUR 1308

Dear Mr. Paulsen:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Junius Williams 24 Commerce Street Newark, New Jersey 07102

RE: MUR 1308

Dear Mr. Williams:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

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Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sara-Ann Determan, Esq. 3514 Pine Tree Terrace Falls Church, Virginia 22041

RE: MUR 1308

Dear Ms. Determan:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

The second secon

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

M.D. Taracido, Esq.
Puerto Rican Legal Defense
Fund
95 Madison Avenue
New York, New York 10016

RE: MUR 1308

Dear Mr. Taracido:

B1/22/21

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

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Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jack Greenberg, Director
Counsel
NAACP Legal Defense & Education
10 Columbus Circle
New York, New York 10619

RE: MUR 1308

Dear Mr. Greenberg:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

LB, 122121

Charles N. Steele General Counsel



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Seth M. Hufstedler Beardsley Hufstedler 611 W. Sixth Street Los Angeles, California 90017

RE: MUR 1308

Dear Mr. Hufstedler:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

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Sincerely,

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Charles N. Steele General Counsel

IB 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Peter Langrock, Esq.
Langrock & Sperry
15 S. Pleasant Street
Middlebury, Vermont 05753

RE: MUR 1308

Dear Mr. Langrock:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

\$ 1/22/81



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Ernest Bonyhadi, Esq.
Stoel, Rives, Boley & Fraser
900 S.W. Fifth Avenue, 23d Flr.
Portland, Oregon 97204

RE: MUR 1308

Dear Mr. Bonyhadi:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

David R. Hood c/o Carnegie Corporation of New York 437 Madison Avenue New York, New York 10022

RE: MUR 1308

Dear Mr. Hood:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

DB 1/22/21



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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Bernard D. Fischman, Esq. 115 Central Park West New York, New York 10023

Dear Mr. Fischman:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

RE:

MUR 1308

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Charles L. Black, Jr., Esq. Sterling Professor Yale University Law School New Haven, Connecticut 06520

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RE: MUR 1308

Dear Mr. Black:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

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Sincerely,

Charles N. Steele General Counsel

B 1/22/81

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

John Baker, Esq.
Associate Dean
University of Indiana Law School
Bloomington, Indiana 47405

RE: MUR 1308

Dear Mr. Baker:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Bierman, Esq.
Foley, Lardner, Hollabaugh
& Jacobs
1775 Pennsylvania Avenue, N.W.
Washington, D.C. 20006

RE: MUR 1308

Dear Mr. Bierman:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Robert L. Bogomolny, Esq. 24275 Lyman Boulevard Cleveland, Ohio 44122

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RE: MUR 1308

Dear Mr. Bogomolny:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Chesterfield Smith, Esq. Holland & Knight 92_Lake Wire Drive Lakeland, Florida 33801

RE: MUR 1308

Dear Mr. Smith:

On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

JB 1/22/21

Charles N. Steele General Counsel



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

James Freedman, Dean
University of Pennsylvania
Law School
3400 Spruce Street
Philadelphia, Pennsylvania 19104

RE: MUR 1308

Dear Mr. Freedman:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

UB 1/22/21



WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Jerome J. Shestack, Esq. Schnader, Harrison, Segal & Lewis 1719 Packard Building Philadelphia, Pennsylvania 19102

RE: MUR 1308

Dear Mr. Shestack:

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On October 10, 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on January 9, 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	WID 1200
Committee for an Independent Judiciary, et al.)	MUR 1308

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 9, 1981, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1308:

- Find REASON TO BELIEVE that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. § 9012(f).
- 2. Find NO REASON TO BELIEVE that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 434, 441a, ro 26 U.S.C. § 9003(b)(2).
- 3. Find NO REASON TO BELIEVE that the following individuals have violated the Federal Election Campaign Act of 1971, as amended or Chapters 95 or 96 of Title 26, United States Code:

Floyd Abrams
John H. Adams
Terry Adamson
Barbara Allen Babcock
John Baker
Carole Bellows
James Bierman
Julius L. Chambers
William K. Coblentz
La Doris Cordell
Lindsey Cowen
Sara-Ann Determan
Marian Wright Edelman
Bernard D. Fischman

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Charles L. Black
Robert L. Bogomolny
Ernest Bonyhadi
William A. Borders, Jr.
Wiley A. Branton
James Brosnaham
Michael A. Cardozo
Arthur Murphy
James M. Nabrit, Jr.
Mario Obeldo
Monrad G. Paulsen
Jane Picker
Harriet Pilpel
Michael H. Posner

(Continued)

CERTIFICATION - MUR 1308 First General Counsel's Report Dated January 6, 1981

Page 2

Marvin E. Frankel James O. Freedman Samuel T. Gaines Howard L. Ganz Morris P. Glushien Howard N. Golden Jack Greenberg Conrad Harper David R. Hood Seth M. Hufstedler Seth M. Hufstedler William B. Span Andrew L. Johnson, Jr. M. D. Taracido Stephen L. Kass Peter Langrock Robert B. McKay Morton M. Maneker Michael Meltsner Ira Millstein

Llewelvn G. Pritchard Harriett Rabb Robert G. Ringo Albert J. Rosenthal Lynn Hecht Schafran Orville H. Schell, Jr. Jerome J. Shestack Edward Silver Chesterfield Smith William B. Spann, Jr. David Tatel Jay Topkis Judith Vladeck Junius Williams Richard I. Bettie

4. Approve and send the letters as submitted with the First General Counsel's Report dated January 6, 1981.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, and Tiernan voted affirmatively in this matter.

Attest:

1-9-81

Date

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Mayone To Emmone Marjorie W. Emmons Secretary to the Commission

January 6, 1981 MEMORANDUM TO: Marjorie W. Emmons Elissa T. Garr FROM: MUR 1308 SUBJECT: Please have the attached First GC Report distributed to the Commission on a 48 hour tally basis. Thank you. 0 10 N 0 V 0 4 C M 00

FEDERAL ELECTION COMMISSION 1325 K Street, N.W. Washington, D.C. 20463 FIRST GENERAL COUNSEL'S REPORT DATE AND TIME OF TRANSMITTAL MUR # 1308 BY OGC TO THE COMMISSION 1-6-81 DATE COMPLAINT RECEIVED BY OGC: October 10, 1980 STAFF MEMBER(S) Daniel Blessington COMPLAINANT: Reagan Bush Committee RESPONDENT'S NAME: Committee for an Independent Judiciary, et al. C 2 U.S.C. \$\$ 431(4), 433(a), 434, 441a and 441d; S RELEVANT STATUTE: and 26 U.S.C. \$\$ 9003(b)(2) and 9012(f). S INTERNAL REPORTS CHECKED: Public Records FEDERAL AGENCIES CHECKED: None SUMMARY OF ALLEGATIONS 0 On October 10, 1980 Loren Smith, Chief Counsel of the Reagan Bush Committee ("Reagan Bush"), filed a complaint with the Commission on behalf of Reagan Bush against the Committee for an Independent Judiciary ("Committee"), its treasurer and sixty named individuals. The complaint is based upon a full page advertisement which appeared in the National Law Journal of October 13, 1980, in which the Committee communicated its support for Jimmy Carter's presidential efforts and its misgivings with respect to the type of appointments Ronald Reagan might make to the Supreme Court were he to be elected President. (Attachment #1). The complaint charges: that the Committee is a political committee within the meaning of 2 U.S.C. § 431(4); that an advertisement such as the one complained of costs \$1,850 (according to information purportedly received from the

2 -National Law Journal by the complainant); that the ad expressly advocates the election of a clearly identified candidate; that, at the time of the complaint, the Committee was not registered with the Federal Election Commission ("Commission"); and that the advertisement failed to state who paid for it and whether or not it was authorized by a candidate. Based on the above, the complaint indicates that there are violations of: 2 U.S.C. § 433(a) for the Committee's apparent failure to register within 10 days of becoming a political committee $\frac{1}{2}$; 2 U.S.C. § 434(b)(3) for the Committee's alleged failure to attempt to acquire contributor identification; and 2 U.S.C. § 441d for the Committee's alleged failure to disclose in the advertisement who paid for it and whether or not it was authorized by a candidate. In addition, the complaint states the possibility that there have been violations of 2 U.S.C. §§ 434 and 441a and 26 U.S.C. § 9003(b)(2). FACTUAL AND LEGAL ANALYSIS The Committee A. Registration 2 U.S.C. § 433(a) requires political committees to file a statement of organization within 10 days of becoming a political committee. A political committee is defined in 2 U.S.C. § 431(4) as "any committee, club, association or other group of persons 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. . . . " In its monthly report for the period ending September 30, 1980, the 8 Committee disclosed that it had received contributions of Since the Committee did not \$1,445. (Attachment #3). register with the Commission until October 18, 1980, it appears to have violated 2 U.S.C. § 433(a) by not filing its statement of organization within the required 10 day period. In its response to the Commission notification of receipt of the complaint, the Committee apologized for "the inadvertent delay in filing its Statement of Organization," indicating it had received contributions in excess of The Committee filed a Statement of Organization with the Commission on October 18, 1980, which indicated it had become a political committee on September 30, 1980. (Attachment #2).

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\$1000 on September 30 and contending that it had made no expenditures prior to that date. (Attachment #4, p.2). 2/

2. Disclaimer

2 U.S.C. § 441d(a) provides:

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, such communication --

- (1) if paid for and authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication has been paid for by such authorized political committee, or
- (2) if paid for by other persons but authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state that the communication is paid for by such other persons and authorized by such authorized political committee;
- (3) if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee.

The National Law Journal advertisement expressly advocated the election of a clearly identified candidate by stating that it "supports Jimmy Carter for President . . . " See <u>Buckley v. Valeo</u>, 424 U.S. 1, 44n. 52. Although the advertisement did indicate who paid for it, it did not state whether or not it had been authorized by a candidate. It appears, therefore, that the Committee is in violation of 2 U.S.C. § 441d with respect to this particular advertisement.

^{2/} Schedule E of the Committee's 30 day post general election report, however, indicates an expenditure of \$3,568.79 on August 17, 1980. (Attachment #8, p.4).

In his response to the Commission, the Committee treasurer, Richard I. Beattie, has acknowledged the above-described deficiency, attributing it to an apparent oversight. (Attachment #4 p. 3) Enclosed with this response, however, was a copy of another advertisement which was carried in the New York Law Journal. The latter advertisement is identical in all respects to the first, except for its inclusion of the additional disclaimer language: "The Committee is not authorized by any candidate or any candidate's committee." (Attachment #5). 3/ Section 44ld appears to have been violated, although the circumstances support the Committee's contention that it was an oversight. 3. Reporting 2 U.S.C. § 434 details the reporting requirements for 3 political committees. Subsection 434(b)(3) requires that each report filed must identify each "person . . . who makes a contribution. . . during the reporting period, whose contribution or contributions have an aggregate amount or value in excess 10 of \$200 within the calendar year . . . " A review of Committee reports does not suggest that there has been a violation of either this general section or the identification provision. 0 In its monthly report for the period ending September 30, 1980, the Committee itemized one contribution in excess of \$200, and it contained the required identification. (Attachment #3, page 3). The Committee's 30 day post-general election report also shows one itemized contribution in excess of \$200 which contains the required identification (Attachment #8 p.3). At this time, therefore, it does not appear that there is reason to believe that the Committee violated 2 U.S.C. § 434. Contribution Limits 2 2 U.S.C. § 44la imposes contribution limits on individuals and political committees. The Committee's Statement of Organization (Attachment #2) indicates that it is an unauthorized, single candidate committee, and its pre-general and post-general election reports have itemized its only reported expenditures on Schedule E, "Itemized Independent Expenditures" (Attachments #4, p.4 and #8 p.4, respectively). Since there is no other evidence suggesting that these expenditures are in fact excessive contributions, it does not appear at this time that the Committee has violated 2 U.S.C. § 441a. 3/ The same advertisement was also carried in Legal Times of Washington in its editions of October 13 and 20, 1980, and the full disclaimer was included. (Attachment #6).

5 -Conditions For Eligibility 26 U.S.C. § 9003(b)(2) sets out conditions to which a major party candidate must certify, and cannot be violated as such. In any case, the Committee did not make such a certification. Accordingly, the Commission should find no reason to believe that the Committee has violated this provision. Unauthorized Expenditures and Contributions 26 U.S.C. § 9012(f) provides: [I]t shall be unlawful for any political committee which is not an authorized committee with respect to the eligible candidates of a political party for President and Vice President in a presidential election knowingly and willfully to incur expenditures to further the election of such candidates, which would constitute qualified campaign expenses, if incurred by an authorized committee of such candidates, in an aggregate amount exceeding \$1,000. Although the complaint did not charge a violation of the above provision, it appears that the Committee has violated it. pre-election report filed by the Committee on October 24, 1980 indicates that the Committee expended a total of \$2,150 in support of Jimmy Carter for advertisements in the National Law Journal (Attachment #7). In addition, the Committee filed a 24 hour independent expenditure report and a 30 day post-general C election report which indicated further expenditures in support of Jimmy Carter (Attachments #8 and #9). It appears, therefore, that the Committee has violated 26 U.S.C. § 9012(f) by incurring C 00 expenditures in excess of \$1,000 on behalf of an eligible candidate. Given the recent decision declaring 26 U.S.C. § 9012(f) unconstitutional, 4/ the Commission's future enforcement of the provision is brought into question. It is the view of this Office that the declaratory judgment must be given due consideration by the Commission, but that such consideration does not preclude the Commission from making an initial finding pending the outcome of the appeal. Accordingly, this Office recommends that the Commission find reason to believe that the Committee has violated 26 U.S.C. § 9012(f) by incurring 4/ Federal Election Commission v. Americans for Change, Nos. 80-1609, 80-1754 (D.D.C. September 30, 1980) (Three-Judge Court), notice of appeal filed with the United States Supreme Court on October 8, 1980.

- 6 expenditures in excesss of \$1000 in behalf of candidate Jimmy Carter 5/. The Sixty Named Individuals The complaint was filed against the Committee, its treasurer and the "purported members" of the Committee. (Attachment #1, p.1) With the possible exception of the charge involving 2 U.S.C. § 44la, however, the violations complained of in the present circumstances are more properly directed at a committee - not officers or members of, or contributors to, a committee. Moreover, Committee reports on file with the Commission do not suggest that any of the sixty named respondents has exceeded his or her contribution limitations to the Committee under 2 U.S.C. § 441a. 140 For the foregoing reasons, the Office of General Counsel recommends that the Commission find no reason to believe that the sixty individual respondents named in the complaint, and 10 the Committee treasurer, have violated the Federal Election Campaign Act of 1971, as amended or Chapters 95 or 96 of N Title 26, United States Code. Recommendations Find reason to believe that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. § 9012(f). 4 0 Find no reason to believe that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 434, 441a or 3 26 U.S.C. § 9003(b)(2). 8 Find no reason to believe that the following individuals have violated the Federal Election Campaign Act of 1971, as amended or Chapters 95 or 96 of Title 26, United States Code. Floyd Abrams Charles L. Black, Jr. John H. Adams Robert L. Bogomolny Ernest Bonyhadi Terry Adamson Barbara Allen Babcock William A. Borders, Jr. Wiley A. Branton John Baker Carole Bellows James Brosnaham James Bierman Michael A. Cardozo 5/ According to Committee reports presently on file with the Commission, it appears that the Committee has made independent expenditures in the amount of \$8,945.

Julius L. Chambers William K. Coblentz La Doris Cordell Lindsey Cowen Sara-Ann Determan Marian Wright Edelman Bernard D. Fischman Marvin E. Frankel James O. Freedman Samuel T. Gaines Howard L. Ganz Morris P. Glushien Howard N. Golden Jack Greenberg Conrad Harper David R. Hood Seth M. Hufstedler Andrew L. Johnson, Jr. Stephen L. Kass Peter Langrock Robert B. McKay Morton M. Maneker Michael Meltsner Ira Millstein

Arthur Murphy James M. Nabrit, Jr. Mario Obeldo Monrad G. Paulsen Jane Picker Harriet Pilpel Michael H. Posner Llewelyn G. Pritchard Harriett Rabb Robert G. Ringo Albert J. Rosenthal Lynn Hecht Schafran Orville H. Schell, Jr. Jerome J. Shestack Edward Silver Chesterfield Smith William B. Spann, Jr. M. D. Taracido David Tatel Jay Topkis Judith Vladeck Junius Williams Richard I. Bettie

4. Approve and send attached letters.

Attachments

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Attachment #1 - Reagan Bush Complaint (4 pages)

Attachment #2 - Statement of Organization (1 page)

Attachment #3 - September Monthly Report

Attachment #4 - Committee Response to Notification

of Complaint (3 pages)

Attachment #5 - Copy of ad appearing in New York

Law Journal (Exhibit A to Response of

Committee for an Independent Judiciary)

(1 page)

Attachment #6 - Copy of ad appearing in Legal Times (1 page)

Attachment #7 - 12 Day Report preceding General Election

(4 pages)

Attachment #8 - 30 Day Post-General Election Report (4 pages)

Attachment #9 - 24 Hour Report of Independent Expenditures (3 pages)

Letter to Richard I. Beattie with attached "Request For Answers
To Questions and Production of Documents (5 pages)
Sample letter to Sixty individual respondents named in complaint

(1 page)

Keagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

October 9, 1980

The Honorable Max L. Friedersdorf Chairman The Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

Dear Mr. Chairman:

On behalf of the Reagan Bush Committee I am filing this complaint, pursuant to 2 U.S.C.\$ 437g against the Committee for an Independent Judiciary located at 209 E. 56th Street, Suite IE, New York, New York 10022, its treasurer, Richard I. Beattie and the following individuals, who are the purported members of the committee: Floyd Abrams, John H. Adams, Terry Adamson, Barbara Allen Babcock, John Baker, Carole Bellows, James Bierman, Charles L. Black, Jr., Robert L. Bogomolny, Ernest Bonyhadi, William A. Borders, Jr., Wiley A. Branton, James Brosnahan, Michael A. Cardozo, Julius L. Chambers, William K. Coblentz, La Doris Corell, Lindsey Cowen, Sara-Ann Determan, Marian Wright Edelman, Bernard D. Fischman, Marvin E. Frankel, James O. Freedman, Samuel T. Gaines, Howard L. Ganz, Morris P. Glushien, Howard N. Golden, Jack Greenberg, Conrad Harper, David R. Hood, Seth M. Hufstedler, Andrew L. Johnson, Jr., Stephen L. Kass, Peter Langrock, Robert B. McKay Morton M. Maneker, Michael Meltsner, Ira Millstein, Arthur Murphy, James M. Nabrit, Jr., Marlo Obledo, Monrad G. Paulsen, Jane Picker, Harriet Pilpel, Michael H. Posner, Llewelyn G. Pritchard, Harriet Rabb, Robert G. Ringo, Albert J. Rosenthal, Lynn Hecht Schafran, Orville H. Schell, Jr., Jerome J. Shestack, Edward Silver, Chesterfield Smith, William B. Spann, Jr., M.D. Taracido, David Tatel, Jay Topkis, Judith Vladeck, and Junius Williams.

This complaint is based upon a serious violation of the Federal Election Campaign Act of 1971, as amended. It involves violations of sections 433(a), 441d, 434(b)(3), of Title 2 of the U.S. Code as well as possible violations of 2 USC § 434 2 USC § 441a and 26 USC § 9003(b)(2).

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The basis of this complaint is an illegal independent expenditure made by an unregistered group which may be improperly coordinated with the Carter Reelection campaign. The October 13, 1980 issue of The National Law Journal carried an advertisement (see Exhibit A) using out-of-context and untrue statements to attack Governor Reagan's campaign and the Reagan judicial philosophy. The ad indicated that it was produced by The Committee for an Independent Judiciary and the above named persons. The ad also solicited funds for further such ads and for further anti-Reagan pro-Carter electoral activity.

The Committee for an Independent Judiciary calls itself a committee. It is a group that has apparently received contributions and it solicits contributions in this ad. The National Law Journal informed my office that a full page ad costs \$1850 and that the ad would have to have been placed no later than September 25, 1980. The ad expressly advocates the election of a clearly identified candidate—Jimmy Carter. The Committee for an Independent Judiciary is therefore a "political committee" as defined in 2 USC § 431(4).

2 USC § 433(a) requires all political committees to file a statement of organization within 10 days of becoming a political committee. The public records division of the FEC informed my office on October 8, 1980, that the Committee for an Independent Judiciary had not registered with the Commission.

2 USC § 441d requires any person who makes an expenditure "expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any ...magazine..." to include a disclaimer stating who paid for the advertisement and whether or not it is authorized by the candidate. The enclosed ad does not carry the required disclaimer.

The disclaimer provisions were originally included in the Act to prevent dirty tricks. The disclaimer is also necessary to warn contributors that they are contributing to a federal political committee. In this case contributors are not on notice that their contributions will count against their individual limits, possibly require disclosure and go to federal electoral activity. The solicitation makes no effort to acquire the contributor identification required by 2 USC § 434(b)3).

Since the ad carries no disclaimer we are unsure whether this is an independent expenditure, an unlawful contribution to the Carter/Mondale Committee, or an improper expenditure by the Carter/Mondale Committee. Since we do not know who is really behind this committee nor when it really was formed nor how much money it has raised or spent we do not know whether it has violated the disclosure provisions of 2 USC \$ 434, the limitations in 2 USC \$ 441a or the ban on private contributions to the Carter/Mondale Committee in 26 USC \$ 9003(b)(2).

We ask the Commission for an immediate action against these violations and a speedy investigation of the other possible violations. We request that the Commission seek to enjoin further illegal actions of this kind by this group. Since it is almost inconceivable that this group of attorneys was totally ignorant of the federal law we must assume that this ad was a knowing and willful violation of the law and should be dealt with as such.

Under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code, I swear that the above is true to the best of my knowledge.

Yours truly,

Loren A. Smith Chief Counsel

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Enclosure

Subscribed and sworn to before me this 9th day of October, 1980.

Notary Public in and for Alexandria, VA

MY COMMISSION EXPIRES NOVEMBER 5, 1982

To Those Concerned About A Possible Reagan Supreme Court:

ILL YOU join us in the Committee for an Independent Judiciary?

The Committee for an Independent Judiciary supports Jimmy Carter for President because the next President may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well.

The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the Jank As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. The National Law Journal reports that fijin California, Mr. Reagan's administration often would guiz botential nominees on the minutiae of their political thinking. His staff fed judicial selection panets a diet of blue chip, right of carrier white and male nominees.

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Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next four years.

The Committee will: 1) Send this letter to other lawyers and urge them to join: 2) Solicit contributions to pay for mailings, advertisements and related activity: 3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue: 4) Urge undertaking related activity and formation of similar groups throughout the country: 5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in the election.

the election.

We hope you will complete the coupon and return it to us with your contribution.

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION UNLT

Ployd Abrams, Lawyer, (NYC): Jehn M. Adams, Executive Director, Natural Resources Defense Council, (NYC), Terry Adamson, Partner, Hensell, Post, Brancon & Dorsey (Wash. D.C.), Barbara Allen Babcock, Prof. of Law. Stanford Univ. Law School (Stanford), John Baker, Assoc. Dean, Univ. of Indiana Law School (Stoomington); Richard I. Beettle, Partner Simpson, Thacher & Bartlett (NYC); Tresurer: Cerobe Belleven, Past Pras., Illinois State Bar. Assn. (Chicago), James Bleeman, Partner, Foley, Lardner, Holisbugh & Jecobs (Wash. D.C.), Charles L. Black, Jr., Starling Professor, Yale Univ. Law School (New Haven); Robert L. Begombley, Dean, Claveland-Marshall College of Law (Claveland, Errans Bonyhad), Partner (Stool, Pales), Barser (Partner) and Ora. William N. Borders, Jr., Pras. Nahoral Bar. Assn. (Wash. D.C.), James Bronnahan, Partner, Bool, Pales, Bar. (Partner) and Ora. William N. Borders, Jr., Pras. Nahoral Bar. Assn. (Wash. D.C.), James Bronnahan, Partner, Index Partner, Partner Jacobs, Sills & Godennic San Francisco). Le Derie Cordell, Asst. Dean, Stanford Univ. Law School (Stanford), Lindeay, Cowen, Dean, Thomas Backus, School of Law Wastern Reserve Univ. (Cleveland), Bars-Ann Determen, Partner, Kogan & Hartson (Wash. D.C.), Marian Wright Rödelman, Pres., Children's Detense Fund (Wash. D.C.), Bernard D. Flackmen, Partner, Snee & Gould (NYC), Marvin E. Frankel, Former U.S. Dist. Judge. Southern Dist. N.Y. (NYC), Chairman, James O. Fraedman, Dean, Univ. of Pannsylvania Law School (Baria). Samuel T. Gainee, Past Pres., The Bar. Assn. of Greater Cleveland, Claveland, Leavyer & Arbitrator (NYC), Hormer, Partner, Serie Bora, San (Californie). Andrew Control (Cleveland), Howard L. Ganz, Pertner, Pressauer, Rose Gorg & Mendeaschn (NYC), Beth M. Mufstedler, Past Pres., Californie) State Ber. Assn. (Californie). Andrew L. Johnson, Jr., Nathers, Partner, Serie Burzel, Chairman, Sec. on individual Rights & Responsibility, ABA (MiddleDurg, Nathers). Partner, Past Pres. Derescon, NYC), Pathar Defense, Partner, Serie Burzel, Par

You may list my name as a member of the Committee for an Independent Judiciary. 209 E. 56th Street, Suite 1E, New York, New York 10022

Affiliation (for identification)

ADDRESS

ENCLOSED

CONTRIBUTION OF ----

(MAKE CHECK PAYABLE TO COMMITTEE FOR AN INDEPENDENT JUDICIARY.)

Paid for by the Committee For An Independent Judiciery

STATEMENT OF ORGANIZAT

• (see reverse side for instruct	tions)	
1. (a) Name of Committee (in Full) O Check if name or address is changed. Committee for an Independent Judiciary	2. Dete 9/30/80	SUCCTIB AD:
6) Address (Number and Street) 209 East 56th Street, Suite 1-E	3. FEC Identification	n Number
(c) City, State and ZIP Code New York, New York 10022	4. Is this an amended	d Statement? D YES X NO
B. TYPE OF COMMITTEE (check one): D (a) This committee is a principal compaign committee. (Complete the candidate D (b) This committee is an authorized committee, and is NOT a principal campaign		e candidate information below.)
Name of Candidate Candidate Party Affiliation	on Office Sought	State/District
M (c) This committee supports/86999% only one candidate	candidate) and	is NOT an authorized committee.
(National, State or subordinate) (In This committee is a separate segregated fund. (In This committee supports/opposes more than one Federal candidate and is National.	(Democratic,	, Republican, etc.)
6. Name of Any Connected Mailin	ng Address and EIP Code	Relationship
p		
None .		
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REPORT OF RECEIPTS AND DISSURSEMENTS For a Political Committee Other Than an Authorized Committee

	A Leftel	c n	UU152
Committee for an Independent Judiciary	(a) [] A	F REPORT (check appeal 16 Quarterly Repo	n
Addres (Number and Street) 209 East 56th Street, Suite 1-E		ctober 16 Quarterly Renuery 31 Year End Re	port
City, State and ZIP Code New York, New York 10022	ים	welfth day report prec	(Type of Election)
O Check if address is different than previously reported.	198		in the State of
2 FEC Monthication Number No number assigned to date.			the State of
2. D This committee qualified as a multicandidate committee during this Reporting Period on N/A (date)		ermination Report is Report an Amendm O YES 30 M	
SUMMARY B (1) (80	00	Column A This Period	Column B Colonder Year-to-Date
8. Covering Period 9/1/80 Through 9/30/9 8. (b.) Chath on Hand January 1, 1880			8 0
(b) Club on Hand at Beginning of Reporting Paried		8 0	
(c) Total Receipts (from Line 18)		\$1,445.00	\$1,445.00
(d) Subtotal (add lines 6(b)) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$1,445.00	\$1,445.00
7. Total Disbursaments (from Line 26)		8 0	8 0
8. Cash on Hand at Close of Reporting Pariod (subtract line 7 fo	om 6(d))	\$1,445.00	\$1,445.00
Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		s 0	
IG. Dubts and Obligations Owed SY the Committee (fremize all on Schedule C or Schedule D)		8 0	
Tearchy that I have expensed the Report and to the best of my beautiful it is true, correct and complete. Richard I. Beat+ie Type or From Improved Principal BIGHATURE OF TREASURES BOTE: Submission of bins, proposes, or incomplete information in	_10/20/ Com	Feder Tell F Lecel	
AR amount of the Boars & and the		makes and thought on bear	
At present respons of PEC PORM 3 and PEC	PORM 25 are di	sates and should no long	FECTORN 31 DAM

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DETAILED SUMMARY PAGE of Restipt and Deburaments (Page 2, FEC FORM 3X)

tum of Committee in Pall operation of Committee for an Independent Judiciary	Prepart Covering the Porton From: 9/1/80	Report Covering the Parisel: From: 9/1/80 To: 9/30/80			
L RECEIPTS	Total The Ferial	Calendy Year on Date			
11.CONTRIBUTIONS (soles than hared FROM:	-	-			
(b) Individuals/Foreira Other Than Pallided Committees		1,A45.Q0			
(Marrie Entry Unisonized 8)					
6 Political Party Committees					
&1 Other Pullstani Commission		0			
MI TOTAL CONTRIBUTIONS letter than learn) badd 110, 110 and 11c)	1,445.00	1,445.00			
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	. 0	0			
13. ALL LOAKS RECEIVED	. 0	0			
M. LOAN REPAYMENTS RECEIVED		-			
16. OFFSETS TO OPERATING EXPENDITURES (Natural, Rebotts, etc.)		0			
16. REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.	0	0			
17.OTHER RECEPTS (Divisions), Interest, egg.)	0	0			
18. TOTAL RECEIPTS (Add 114, 12, 13, 14, 15, 16 and 17).	1,445.00	1,445.00			
N. DISSURSEMENTS					
18. OPERATING EXPENDITURES		0			
28. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES.	0	0			
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES.	0	0			
22. INDEPENDENT EXPENDITURES (Um Sinado E)	0	0			
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441ald!) Run Schools F)	0	0			
31. LOAN REPAYMENTS MADE	0	0			
28. LOANS MADE	0	0			
26 REFUNOS OF CONTRIBUTIONS TO:	Christian				
fel Individuals/Persons Other Than Pullsted Commission	0	0			
& Pulecal Party Committees	0	0			
(c) Other Publical Commission	0	0			
MI TOTAL CONTRIBUTION REFUNDS (and 20), 300 and 2001					
27. OTHER DISBURSEMENTE	0	0			
28. TOTAL DISSURSEMENTS (Add Lines 16, 20, 21, 22, 23, 34, 35, 20d and 27),		0			
BL NET CONTRIBUTIONS AND NET OPERATING EXPENDITURE	THE RESERVE OF THE PARTY OF THE	The second second			
28. TOTAL CONTRIBUTIONS (softer than been) from Line 114	1,445.00	1,445.00			
38 TOTAL CONTRIBUTION REFUNDS from Line 284	0	0			
21 NET CONTRIBUTIONS lester than band before the 20 from the 200		1.445.00			
22 TOTAL OPERATING EXPENDITURES from Law 10	1,445.00	1.445.00			
22 OF FEE TS TO OPERATING EXPENDITURES have been fee.					

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ITEMIZED RECEIPTS

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Any information capital from such Reports or Bastomen's may not be sold or used by any person for the purpose of soliciting contributions or for mercial Durbosse, other then using the name and address of any political committees to collect contributions from such committee. Committee for an Independent Judiciary A. Pell Name, Malkey Address and EP Cod Name of Employer Date (menth, Amount of Bosh day, year) Resolpt this Parted Jacobs, Sills & William R. Coblents 555 California Street, Suite Coblents 9/30/80 \$250.00 San Francisco, California ocean Fer: O Primery
O Other (specify): Attorney at Law Aprepre Year to Dow-8 250 .00 B. Full Name, Malling Address and ETP Gods Name of Employer Date (menth. Amount of Each Receipt This Period day. year) Corupation O Primery Record For: O General O Other tepesty): Approprie Year-to-Dett-8 C. Full Name, Mailing Address and EP Code Com trenth, Name of Employer Amount of Each day, year) Resails The Period Process For: O Primary O Other tapacity): Approprie Year-to-Date-\$ B. Full Home, Multing Address and EP Code Nome of Employer Amount of East Date (month, Receipt This Paried dr. verl .. Occupation O General O Primary Recept For: O Other terestry): Approprin Year-to-Date-S E. Full Harms, Malling Address and ZP Code me of Employer Date (month, Amount of Each day, year) coipt This Forest C C Occupation Recogn For: O Primary O General O Other laberty): Ageropes You to-Date-8 Amount of Both F. Pall Huma, Malling Address and EP Code Name of Employer Dete (month, Recept The Paried day, year) Occupation Recept For: 02.487 D General Agregate Year to-Date - \$ O Other tenecity): C. Fell Home, Markey Address and 21º Codo Amount of Both Name of Employer Date trenth, CT. YOU! Records The Reveal 0 0000 Recent For O Property O Other textstyl. Aggregate Year to-Coto-\$ \$250.00

COMMITTEE FOR AN INDEPENDENT JUDICIARY 209 East 56th Street, Suite 1-E New York, New York 10022

October 29, 1980

Re: MUR 1308

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

Dear Mr. Steele:

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We are writing in response to your letter of October 10, 1980, received by the Committee for an Independent Judiciary (the "Committee") on October 14, 1980, enclosing a copy of a complaint received by the Federal Election Commission (the "Commission") from the Reagan Bush Committee with respect to the activities of the Committee.

. The Reagan Bush Committee alleges that
the Committee had not filed its Statement of
Organization by October 8, 1980, apparently on
the assumption that the Committee became a
"political committee" on September 25, 1980.
The Committee's Statement of Organization was
not due by October 8, 1980. The Committee became
a "political committee" subject to the reporting
requirements under the Federal Election Campaign

0 NOV 3 A 9: 37

Act, as amended (the "Act"), on September 30, 1980 when it received contributions in excess of \$1000. Contrary to the assertion of the Reagan Bush Committee, no expenditures had been made prior to that date.

A copy of the Committee's Statement of Organization, its monthly report for the month of September and its pre-election report, pre-viously filed with the Commission pursuant to Sections 433 and 434 of the Act are enclosed for your convenience. The Committee apologizes for the inadvertent delay in filing its Statement of Organization.

the Committee, in its advertisement in the October 13, 1980 issue of The National Law Journal, published by the New York Law Publishing Company, failed to include a disclaimer "stating who paid for the advertisement and whether or not it is authorized by the candidate". Contrary to such assertion, the subject advertisement did include the disclaimer "Paid for by the Committee for an Independent Judiciary." The second part of the disclaimer, however, indicating whether the Committee is authorized by a candidate, was omitted

apparently as a result of an oversight. As evidence with respect thereto, the Committee's identical advertisement published in the New York Law Journal, also published by the New York Publishing Company, on October 7, 1980 (a copy of which is enclosed and marked Exhibit A) did contain the sentence: "The Committee is not authorized by any candidate or any candidate's committee."

. The Reagan Bush Committee alleges that
the Committee's solicitation made "no effort to
acquire the contributor identification required
by 2 USC § 434 (b)3) (sic)." The Act does not
require that a solicitation seek such information.
However, as indicated on the enclosed reports,
the Committee has obtained such information when
required.

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For the foregoing reasons, we believe the subject complaint of the Reagan Bush Committee should be dismissed.

Very truly yours,

Richard I. Beattie

Treasurer

To Those Concerned About A Possible

NEW YORK LAW JOURNA

October 7, 1980

Reagan Supreme Court:

LL YOU join us in the Committee for an Independent Judiciary?
The Committee for an Independent Judiciary

pendent Judiciary?
The Committee for an Independent Judiciary supports Jimmy Carter for President because the next President may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decancy and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well.

The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary, as well." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper . very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological punty in his judicial nominees. The National Law Journal reports that "(in California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking. ." His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees.

On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual schievement. They include law school deans and professors, Wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next four years.

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The Committee will: 1) Send this letter to other is urge them to join. 2) Solicit contributions to pay for mailings, advertisements and related activity. 3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their ideal. and appear on radio and television to express their views on this issue. 4) Urge undertaking related activity and formation of similar groups throughout the country. 5) Urge formation of student and faculty groups on campuses to express the views

The Committee will not take any position on other issues in

the election.

We hope you will complete the coupon and return it to us with your contribution.

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)

Floyd Abrams, Lawyer, (NYC); Jede N. Assams, Executive Director, Natural Resources Defense Council.

(NYC): Terry Adamses. Partner, Mansel, Post, Exendon & Dorsey (Wash. D.C.); Barbars Allen Babcocks.

Prof. of Law. Stanford Univ. Law School (Stanford); Jehn Babce, Assoc. Dean. Univ. of Indiana Law School (Boodmington); Richard & Bastella, Partner, Simpson, Thacher & Bartlett (NYC); Treater Carele.

Bastews, Past Pres., Illinois State Bar Assn. (Chicago); James Bierman, Partner, Foley, Lardner, Molizabuga & Jacobs (Wash. D.C.); Charles L. Bleck, Jr., Sering Professor, Yale Univ. Law School (New Warn); Robert L. Bogemeinley, Dean. (Ceveland, Marshell College of Law (Cleveland); Erwest Bomyhada, Partner, Stowl. Rives. Boley & Fraser (Portland, Ors.); William A. Borders, Jr., Pres., Nabonal Bar Assn. (Wash. D.C.): James Brownson, Dean. Howard Univ. Law School (Wash. D.C.); Lames Brownson, Partner, Mornson and Foerster (San Francisco); Michael A. Cardoxe, Partner, Prostauer, Rose, Goost & Mendersohn (NYC); Julius L. Chembers, Partner, Crambers, Stein, Ferguson & Becking Charlotte); William K. Coblenitz, Partner, Jacobs, Sills & Coblenitz (San Francisco); La Deria Cardell, Asst. Dean, Stanford Univ. Law School (Stanford); Lindsey Gewen, Dean, Thomas Backius School of Law, Wessiem Passerve Univ. (Cleveland); Sara-Asm Determen, Partner, Hopes & Harison (Wash. D.C.); Merian Wright

Ecelman, Pres., Children's Defense Fund (Wash. D.C.); Bernard D. Fischman, Partner, Shee & Gould (NYC); Lavier E. Franks, Former U.S. Dat. Judge, Southern Dist. NY. (NYC). Chemis J. Sara, Assn. of Greater Cieveland; Cleveland; Explanded Dist. NYC) March E. Franks, Former U.S. Dat. Judge, Southern Dist. NY. (NYC). Chemis B. March (NYC); Jack Greenberg, Director-Counsel, MAACP Legal Delense & Educational Fund (NYC); New Country Delense), Partner, Fores, Sara, of Greater Cieveland; Sephensen, Partner, Proskauer, Rose, Goet & Mendelsohn (NYC); Bertner, Bertner, Bertner, Brown, Pres , National Bar Assn. (Newark).

Poid for by the Committee For An Independent Judiciary.
The Committee is not surhorized by any candidate or any candidate's committee

You may list my name as a member of the Committee for an independent Judiciary. 209 E. 56th Street, Suite 1E, New York, New York 18822

NAME

Attitiation (for identification)

ADDRESS

ENCLOSED CONTRIBUTION OF -

(MAKE CHECK PAYABLE TO COMMITTEE FOR AN INDEPENDENT JUDICIARY.)

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EXHIBIT A TO RESPONSE OF COMMITTEE FOR AN INDEPENDENT JUDICIARY

To Those Concerned **About A Possible Reagan Supreme Court:**

ILL YOU join us in the Committee for an Independent Judiciary?
The Committee for an Independent Judiciary supports Jimmy Carter for President be-cause the next President may appoint a majority of the

Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right

alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well. The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper. judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. The National Law Journal reports that "[i]n California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking..." His staff fed judicial selection panets a diet of blue chip, right of center white and male nominees.

On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of minorities (more than all his predecesors combined) out or over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual achievement. They include law school deans and professors, Wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next

The Committee will: 1) Send this letter to other lawyers and urge them to join. 2) Solicit contributions to pay for mailings, advertisements and related activity. 3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue. 4) Urge undertaking related activity and formation of similar groups throughout the country. 5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in

We hope you will complete the coupon and return it to us with your contribution.

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)

Floyd Abrama, Lawyer, (NYC); John N. Adema, Executive Director, Natural Resources Defense Council, (NYC); Terry Adamson, Partner, Hansell, Post, Brandon & Dorsey (Wash. D.C.); Barbara Allen Babcock, Prof. of Law, Stanford Univ. Law School (Stanford); John Baker, Assoc. Dean. Univ. of Indiana Law School (Bioomington); Richard I. Beettie, Partner, Simpson, Thecher & Bartlett (NYC); Tressurer; Carole Bellows, Past Pres., Illinois State Bar Assn. (Chicago); James Bierman, Partner, Foley, Lardner, Hollabugh & Jacobs (Wash. D.C.); Charlee L. Black, dr., Sterling Professor, Yale Univ. Law School (New Haven); Robert L. Bogomolny, Dean, Cleveland-Marshall College of Law (Cleveland); Ernest Bonyhadi, Partner, Stoel, Rives, Boley & Fraser (Portland, Ore.); William A. Borders, dr., Pres., National Bar Assn., Partner, Morrison and Foerster (San Francisco); Michael A. Cardoso, Partner, Proskauer, Rose, Gostr & Partner, Stoel, Rives, Boley & Fraser (Portland, Ore.); William & Borders, Jr., Pres., National Bar Asan, (Wash. D.C.); Wiley &. Branten, Dean, Howard Univ. Law School (Wash. D.C.); James Broanshan, Partner, Morrison and Foerater (San Francisco); Michael & Cardozo, Partner, Proskauer, Rose, Goetz & Mendelsohn (NYC); Julius L. Chambers, Partner, Chambers, Stein, Ferguson & Becton (Charlotte); William K. Goblentz, Partner, Jacobs, Silis & Coblentz (San Francisco); La Dorle Gordell, Asst. Dean, Stanford Univ. Law School (Stanford); Lindsey Cowen, Dean, Thomas Beckus School of Law, Western Reserve Univ. (Cleveland); Bara-Ann Determan, Partner, Hogan & Hartson (Wash. D.C.); Martien Wright Edelman, Pres., Children's Defense Fund (Wash. D.C.); Bernerd D. Fischman, Partner, Shee & Gould (NYC); Marvin E. Frankel, Former U.S. Dist. Judge, Southern Dist. N.Y. (NYC), Chalman; James O. Freedman, Dean, Univ. of Pennsylviania Law School (Phila.); Samuel T. Gaines, Past Pres., The Bar Asson of Graeter Cleveland (Cleveland); Howard L. Ganz, Partner, Proskauer, Rose, Goetz & Mendelsohn (NYC), Morris P. Glushlen, Lawyer & Arbitrator (NYC); Howard N. Golden, Partner, Golden, Weinshienk & Mandel (NYC), Jack Greenberg, Director-Counsel, NACP Legal Defense & Educational Fund (NYC), Vice-Chalman; Conrad Harper, Partner, Simpson, Thacher & Bartlett (NYC); David R. Hood, Lawyer (NYC); Seth M. Hufstedler, Past Pres., California State Bar Assn. (California); Andrew L. Johnson, Jr., Past Pres. Bar Assn. of Greater Cleveland (Cleveland); Stephen L. Kass, Partner, Berle, Butzel, Kass Case (NYC); Peter Langrock, Chairman, Sec. on Individual Rights & Responsibility, ABA (Middleburg, Vermont); Robert B. McKey, Director, Justice Program, Aspen Inst. for Humanistic Studies (NYC); Morton M. Maneker, Partner, Proskauer, Rose, Goetz & Mendelsohn (NYC); Michael Meltsner, Dean, Northeastern Univ. School of Law (Boston); Ira Millistein, Partner, Weil, Gotshal & Manges (NYC); Arthw Murphy, Prof. of Law, Columbia Univ. Law School (NYC); James M. Nabrit, Asst Dean, Columbia Univ. Law School (NYC), Robert G. Ringo, Past Pres., Oregon Trial Lawyers Assn. (Corvallis: Ore.), Albert J. Rosenthal, Dean, Columbia Univ. Law School (NYC); Lynn Hecht Schafren, Vice Chairperson, N.Y.C. Comm. on Status of Women (NYC); Orvitle H. Schell, Jr., Past Pres. Assn. of Bar, City of N.Y. (NYC): Jerome J. Sheeteck, Partner, Schnader, Harris, Segal & Lewis (Phila.): Edward Silver, Partner, Proskauer Rose Goetz & Mendelsohn (NYC): Chesterfield Smith, Partner, Holland and Knight, Past Pres., American Bar Assn. (Lakeland); William B. Spann, Jr., Past Pres., American Bar Assn (Atlanta). M.D. Terscido, Pres. & Gen. Counsel, Puerto Rican Legal Defense Fund (NYC): David Tatel, Partner, Hogan & Hartson (Wash. D.C.). Jay Topkis, Partner, Paul Weiss Rifkind Wharton & Gar-rison (NYC). Judith Vladeck, Partner, Vladeck Elias Vladeck & Engelhard (NYC): Junius Williams, Past Pres., National Bar Assn. (Newark). Bar Assn. (Newark).

Peld for by the Committee For An Independent Judiciary.

The Committee is not authorized by any candidate or any candidate's committee.

You may list my name as a member of the Committee for an Independent Judiciary, 209 E. 56th Street, Suite 1E, New York, New York 10022 NAME

Affiliation (for identification)

ADDRESS

ENCLOSED 18 MY CONTRIBUTION OF -

(MAKE CHECK PAYABLE TO COMMITTEE FOR AN INDEPENDENT JUDICIARY.)

1. Name of Committee (in Full)	4. TYPE OF REPOR	IT (shock appro	prieto bones)
Committee for an Independent	(a) April 16 Ou		
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REPORT OF RECEIPTS AND DISBURSEMENTS litical Committee Other Than an Authorized Committee 84 DEC 8

(Summary Page)

P3: 54

1. Name of Committee (in Full) Committee for an Independent		OF RE	PORT (che	ck appro	priate I	ooxes)	
	41						
	(w)	April 1	5 Quarterly	Report			
· Judiciary	July 15 Quarterly Report						
Address (Number and Street)		Octobe	r 15 Quarte	rly Repo	ort		
209 East 56th Street, Switz 1-E		Januar	31 Year E	nd Repo	rt		
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SUMMARY			Column A This Period		Celu-	Column B	
5. Covering Period 10/16/80 Through 11/24/8		-4	1113 7 41100		Cale	1081 1881-10	-030
6. (a) Cash on Hand January 1, 1950				101-	\$	0	
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(c) Total Receipts (from Line 18)	• • • • • • • • • • • • • • • • • • • •	. \$	6744	.50	\$	9114	
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$	6964		s	9114	
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Ecertify that I have examined this Report and to the best of my knowledge	and belief		For	further in	formatic	n, contact:	
it is true, correct and complete.				Federal Ei Foli Free I		ommission 9530	
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NOTE: Submission of false, erroneous, or incomplete information may	subject the p	person si	gning this Re	port to 1	he penait	ies of 2 U.S.C	. §43
All previous versions of FEC FORM 3 and FEC FO	ORM 3a are of	bsolete :	rid should no	langer be	used.		
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Committee for an Independent Judiciary	Proport Covering the Period: From: 10/16/80 To: 11/24/80			
	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date		
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(a) Individuals/Persons Other Than Political Committees				
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(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)	67/7	9//9		
2. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	_	0		
13.ALL LOANS RECEIVED		0		
14. LOAN REPAYMENTS RECEIVED		0		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebetes, etc.)				
16.REFUNDS UP CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	_	0		
17.OTHER RECEIPTS (Dividends, Interest, etc.)		0		
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23.COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441a(d)) (Use Schedule F)	0	0		
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ITEMIZED RECEIPTS

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□ Other (specify): Aggregate Year-to-Date—\$	Receipt For: Primary General	Occupation		
SUBTOTAL of Receipts This Page (optional)		Aggregate Year-to-Date—\$		
	SUBTOTAL of Receipts This Page (optional)			750.00

ITEMIZED INDEPENDENT EXPENDITURES

Page _ of _ Pages

(See Reverse Side for Instructions)

Committee for an Independent Name, Maring Address & ZIP Code	Purpose of	Date Importh,	Unassign Amount	Name of Federal Candidate
of Each Payee	Expenditure	day, yearl		supported or opposed by the expenditure & office sought
Byron Reimus Pudier + Finn 110 East 54 M St. N.y., N.Y. 10022	mailings, Fress unference, printing xentring + other telated charges	8/11/१०	356 8. 79	Jemmy Carter
Philadelphia Inquirer. Philadelphia, Po.	Newspaper Advirtisement	1430/80	2601	JI MANY CATER
Legal Times 1601 Connecticut AVE. Washington, D.C. 20009	Newspaper Advertisement	1/2/80	625	Jimmy aste
				□ Support □ Oppose
				Support Dagose
				Support C Oupose
a) SUBTOTAL of Itemized Independent Expendit			\$ 4794.79	1 3 3 2 mg/s
bISUBTOTAL of Unitermized Independent Expendent CI TOTAL Independent Expenditures				5 6794.79

request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or republication on whole or in part of emy gampaign materials prepared by the candidate, his campaign compilities by their agents

December

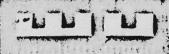
My Commission expires

NGTARY PUBLIC

DIAISE M. LATUCA
MOTARY PUBLIC, STATE OF NEW YORK
No. 41-4663314
Qualified in Quants County
Contificate Filed in New York County
Commission Expires March 30, 1982

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1-019957A305 10/31/80

TLX SIMPTHABAR NYK

. 09. PD. NEW YORK, N.Y. OCTOBER 31, 1980 PMS FEDERAL ELECTION COMMISSION 1325 K STREET. N.W. WASHINGTON, D. C. 20463

24 HOUR REPORT OF INDEPENDENT EXPENDITURES INFORMATION REQUIRED AS FULLOWS:
1. NAME: COMMITTEE FOR AN INDEPENDENT JUDICIARY

2. FEC IDENTIFICATION NUMBER: NOT ASSIGNED TO DATE



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medele

T 3. PATEE: PHILADELPHIA INQUIRER, 400 NORTH BROAD STREET

PHILADELPHIA, PENNSYLVANIA 19130

4. PUPPOSE: NEWSPAPER ADVERTISEMENT

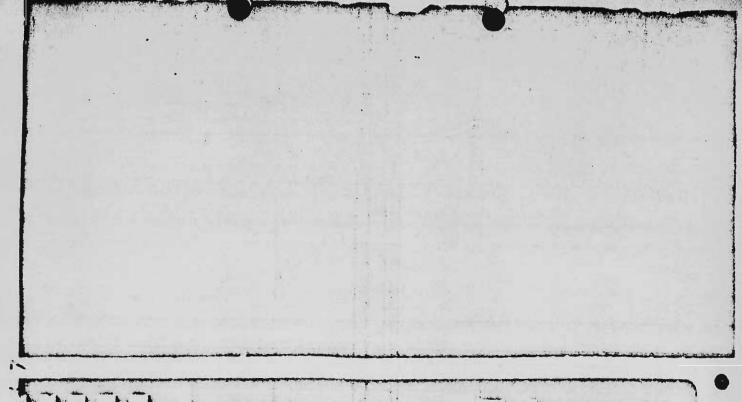
5. DATE: GCTUBER 30, 1980

S. AMOUNT: DLP2501

7. CANDIDATE: SUPCRIING JIMMY CARTER FOR PRESIDENT

UNDER PENALTY OF PERJURY, I CERTIFY THAT THE

REPORTED INDEPENDENT EXPENDITURE WAS NOT MADE IN COOPERA-





OTION, CONSULTATION OR CONCERT WITH OR AT THE REQUEST OR

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SUGGESTION OF ANY CANDIDATE OR AUTHORIZED COMMITTEE OR

2

SO AGENT OF SUCH CANDIDATE OR AUTHORIZED COMMITTEE.

RICHARD I. REATTIE

TREASURER, COMMITTEE FOR
AN INDEPENDENT JUDICIARY

209 EAST 56TH STREET

SUITE 1-E

NEW YORK, NEW YORK 10022

1753 EST

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Richard I. Beattie, Treasurer Committee for an Independent Judiciary 209 East 56th Street, Suite 1-E New York, New York 10022

RE: MUR 1308

Dear Mr. Beattie:

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The Federal Election Commission notified you on October 10, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("FECA") and Chapters 95 and 96 of Title 26, U.S. Code. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on , 1981, determined that there is reason to believe that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441b, provisions of the FECA of 1971, as amended, and section 9012(f) of Chapter 95 of Title 26 U.S. Code. Specifically, it appears that your committee violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission within 10 days of becoming a political committee pursuant to 2 U.S.C. § 431(4).

In addition, it appears that your committee violated 2 U.S.C. § 441d by failing to provide a statement of candidate authorization or nonauthorization on a communication (i.e., an advertisement appearing in the October 13th edition of the National Law Journal which expressly advocated the election of Jimmy Carter, a clearly identified candidate for President).

Letter to Richard I. Beattie, Treasurer Page Two MUR 1308

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Finally, although not alleged in the complaint, the Commission has determined based upon review of reports on file, that your committee may have violated 26 U.S.C. § 9012(f) by incurring expenditures in excess of \$1000 on behalf of a candidate who was eligible to receive public matching funds. Specifically, it appears that your committee may have violated this provision by expending a total of \$5,376, in support of Jimmy Carter, for advertisements in the National Law Journal, Philadelphia Inquirer, and Legal Times; and by expending an additional \$3,568.79 in support of Jimmy Carter in connection with mailings, printing, xeroxing, and other related charges itemized on Schedule E of the 30 day Post-General Report. 1/

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter(s) in question. Please submit responses to the enclosed Request for Answers to Questions and Production of Documents within 10 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

On October 8, 1980, the Commission filed a notice of appeal with the United States Supreme Court from a decision regarding the constitutionality of 26 U.S.C. § 9012(f) (Federal Election Commission v. Americans for Change, Nos. 80-1609, 80-1754 (D.D.C. September 30, 1980) (Three-Judge Court).

Letter to Richard I. Beattie, Treasurer Page Three MUR 1308 If you have any questions, please contact Daniel Blessington, the attorney assigned to this matter at (202) 523-4529. Sincerely, Enclosures C 7 Procedures . Request for Answers to Questions and LO Production of Documents N 0 A 8



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL RETURN RECEIPT REQUESTED

RE: MUR 1308

Dear

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On , 1980, the Commission notified you of a complaint alleging that you had violated certain sections of the Federal Election Campaign Act of 1971, as amended and Chapters 95 and 96 of Title 26, United States Code.

The Commission, on , 1981, determined that on the basis of the information in the complaint there is no reason to believe that you have violated any statute within its jurisdiction.

If you have any questions, please direct them to Daniel Blessington, the attorney assigned to this matter, at (202) 523-4529.

Sincerely,

Charles N. Steele General Counsel

Letters?

Action

MUR 1308

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 1308

Committee for an Independent)

Judiciary, et al.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 9, 1981, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1308:

- Find REASON TO BELIEVE that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441d, and 26 U.S.C. § 9012(f).
- Find NO REASON TO BELIEVE that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 434, 441a, ro 26 U.S.C. § 9003(b)(2).
- 3. Find NO REASON TO BELIEVE that the following individuals have violated the Federal Election Campaign Act of 1971, as amended or Chapters 95 or 96 of Title 26, United States Code:

Floyd Abrams
John H. Adams
Terry Adamson
Barbara Allen Babcock
John Baker
Carole Bellows
James Bierman
Julius L. Chambers
William K. Coblentz
La Doris Cordell
Lindsey Cowen
Sara-Ann Determan
Marian Wright Edelman
Bernard D. Fischman

Ln

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CO

Charles L. Black
Robert L. Bogomolny
Ernest Bonyhadi
William A. Borders, Jr.
Wiley A. Branton
James Brosnaham
Michael A. Cardozo
Arthur Murphy
James M. Nabrit, Jr.
Mario Obeldo
Monrad G. Paulsen
Jane Picker
Harriet Pilpel
Michael H. Posner

(Continued)

Marvin E. Frankel James O. Freedman Samuel T. Gaines Howard L. Ganz Morris P. Glushien Howard N. Golden Jack Greenberg Conrad Harper David R. Hood Seth M. Hufstedler Andrew L. Johnson, Jr. Stephen L. Kass Peter Langrock Robert B. McKay Morton M. Maneker Michael Meltsner Ira Millstein

Llewelyn G. Pritchard Harriett Rabb Robert G. Ringo Albert J. Rosenthal Lynn Hecht Schafran Orville H. Schell, Jr. Jerome J. Shestack Edward Silver Chesterfield Smith William B. Spann, Jr. M. D. Taracido David Tatel Jay Topkis Judith Vladeck Junius Williams Richard I. Bettie

4. Approve and send the letters as submitted with the First General Counsel's Report dated January 6, 1981.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, and Tiernan voted affirmatively in this matter.

Attest:

Date

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Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 1-6-81, 1:58 Circulated on 48 hour vote basis: 1-6-81, 11:00



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 19, 1981

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Richard I. Beattie, Treasurer Committee for an Independent Judiciary 209 East 56th Street, Suite 1-E New-York, New York 10022

RE: MUR 1308

Dear Mr. Beattie:

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The Federal Election Commission notified you on October 10, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("FECA") and Chapters 95 and 96 of Title 26, U.S. Code. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on January 9, 1981, determined that there is reason to believe that the Committee for an Independent Judiciary violated 2 U.S.C. §§ 433(a) and 441b, provisions of the FECA of 1971, as amended, and section 9012(f) of Chapter 95 of Title 26 U.S. Code. Specifically, it appears that your committee violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission within 10 days of becoming a political committee pursuant to 2 U.S.C. § 431(4).

In addition, it appears that your committee violated 2 U.S.C. § 441d by failing to provide a statement of candidate authorization or nonauthorization on a communication (i.e., an advertisement appearing in the October 13th edition of the National Law Journal which expressly advocated the election of Jimmy Carter, a clearly identified candidate for President).

Letter to Richard I. Beattie, Treasurer Page Two MUR 1308

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Finally, although not alleged in the complaint, the Commission has determined based upon review of reports on file, that your committee may have violated 26 U.S.C. § 9012(f) by incurring expenditures in excess of \$1000 on behalf of a candidate who was eligible to receive public matching funds. Specifically, it appears that your committee may have violated this provision by expending a total of \$5,376, in support of Jimmy Carter, for advertisements in the National Law Journal, Philadelphia Inquirer, and Legal Times; and by expending an additional \$3,568.79 in support of Jimmy Carter in connection with mailings, printing, xeroxing, and other related charges itemized on Schedule E of the 30 day Post-General Report. 1

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matter(s) in question. Please submit responses to the enclosed Request for Answers to Questions and Production of Documents within 10 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

On October 8, 1980, the Commission filed a notice of appeal with the United States Supreme Court from a decision regarding the constitutionality of 26 U.S.C. § 9012(f) (Federal Election Commission v. Americans for Change, Nos. 80-1609, 80-1754 (D.D.C. September 30, 1980) (Three-Judge Court).

Letter to Richard I. Beattie, Treasurer Page Three MUR 1308 If you have any questions, please contact Daniel -Blessington, the attorney assigned to this matter at (202) 523-4529. Chairman Enclosures Procedures . Request for Answers to Questions and Production of Documents w N 0 T 0 3 8

CERTIFIED MAIL RETURN RECEIPT REQUESTED Richard I. Beattie, Treasurer Committee for an Independent Judiciary 209 East 56th Street, Suite 1-E New York, New York 10022 RE: MUR 1308 Dear Mr. Beattie: The Federal Election Commission notified you on October 10, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Ln Act of 1971, as amended ("FECA") and Chapters 95 and 96 of Title 26, U.S. Code. A copy of the complaint was forwarded to you at that time. 0 Upon further review of the allegations contained in the 7 complaint and information supplied by you, the Commission, 0 on January 9, 1981, determined that there is reason to believe that the Committee for an Independent Judiciary 7 violated 2 U.S.C. 55 433(a) and 441b, provisions of the FECA of 1971, as amended, and section 9012(f) of Chapter 95 of Title C 26 U.S. Code. Specifically, it appears that your committee 2 violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission within 10 days of becoming 00 a political committee pursuant to 2 U.S.C. § 431(4). In addition, it appears that your committee violated 2 U.S.C. § 441d by failing to provide a statement of candidate authorization or nonauthorization on a communication (i.e., an advertisement appearing in the October 13th edition of the National Law Journal which expressly advocated the election of Jimmy Carter, a clearly identified candidate for President).

Letter to Richard I. Beattie, Treasurer Page Two MUR 1308

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The Office of General Counsel would like to settle this matter through conciliation prior to finding probable cause; however in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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On October 8, 1980, the Commission filed a notice of appeal with the United States Supreme Court from a decision regarding the constitutionality of 26 U.S.C. § 9012(f) (Federal Election Commission v. Americans for Change, Nos. 80-1609, 80-1754 (D.D.C. September 30, 1980) (Three-Judge Court).

Letter to Richard I. Beattie, Treasurer Page Three MUR 1308 If you have any questions, please contact Daniel Blessington, the attorney assigned to this matter at (202) 523-4529. Sincerely, D)B/19/81 Enclosures Procedures Request for Answers to Questions and LO Production of Documents V 0 T 0 4 C 3 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	f)	
	· · · · · · · · · · · · · · · · · · ·) MUR	1308
Committee For A	n-Independent)	
Judiciary, et	al.)	

REQUEST FOR ANSWERS TO QUESTIONS AND PRODUCTION OF DOCUMENTS

TO: Richard I. Beattie, Treasurer
Committee For An Independent Judiciary
209 East 56th Street, Suite 1-E
New York, New York 10022

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The Federal Election Commission requests that you, as Treasurer of the Committee For An Independent Judiciary, or your authorized agent having knowledge of the information sought herein, submit in writing, under oath, within ten (10) days, responses to the following numbered requests.

- Please state your name and address.
- What is your position and what are your duties and responsibilities with the Committee for an Independent Judiciary?
- 3. On what date did contributions received on behalf of the Committee for an Independent Judiciary exceed, in the aggregate, \$1000?
- 4. Please describe in detail any agreement(s) with Byron, Reimus, Ridder and Finn which in any way relate, refer or pertain to services provided to or in behalf of the Committee for an Independent Judiciary. Include the dates of any agreements, and identify the parties involved.

ALTERNATION OF THE PROPERTY OF THE PARTY OF

Please submit copies of all documents and materials which in any way relate, refer or pertain to any agreement referred to in Request Number 4. Include ... any written agreements, as well as billings. Please describe in detail the nature of all services 6. provided to or in behalf of the Committee for an Independent Judiciary by Byron, Reimus, Ridder and Finn. Include the dates that any such services were provided. Please submit representative copies of any mailings produced and/or sent by Byron, Reimus, Ridder and Finn in behalf of the Committee for an Independent Judiciary. 10 N Please describe the audience to which any mailings referred to in Request Number 7 were directed. 0 3 0 4 0 3 00

90 Nev 1 All: 29

COMMITTEE FOR AN INDEPENDENT JUDICIARY 209 East 56th Street, Suite 1-E New York, New York 10022

October 29, 1980

Re: MUR 1308

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

Dear Mr. Steele:

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We are writing in response to your letter of October 10, 1980, received by the Committee for an Independent Judiciary (the "Committee") on October 14, 1980, enclosing a copy of a complaint received by the Federal Election Commission (the "Commission") from the Reagan Bush Committee with respect to the activities of the Committee.

. The Reagan Bush Committee alleges that
the Committee had not filed its Statement of
Organization by October 8, 1980, apparently on
the assumption that the Committee became a
"political committee" on September 25, 1980.
The Committee's Statement of Organization was
not due by October 8, 1980. The Committee became
a "political committee" subject to the reporting
requirements under the Federal Election Campaign

Act, as amended (the "Act"), on September 30, 1980 when it received contributions in excess of \$1000. Contrary to the assertion of the Reagan Bush Committee, no expenditures had been made prior to that date.

A copy of the Committee's Statement of Organization, its monthly report for the month of September and its pre-election report, pre-viously filed with the Commission pursuant to Sections 433 and 434 of the Act are enclosed for your convenience. The Committee apologizes for the inadvertent delay in filing its Statement of Organization.

the Committee, in its advertisement in the October 13, 1980 issue of The National Law Journal, published by the New York Law Publishing Company, failed to include a disclaimer "stating who paid for the advertisement and whether or not it is authorized by the candidate". Contrary to such assertion, the subject advertisement did include the disclaimer "Paid for by the Committee for an Independent Judiciary." The second part of the disclaimer, however, indicating whether the Committee is authorized by a candidate, was omitted

Honorable Charles Steele -3- October 29, 1980

apparently as a result of an oversight. As evidence with respect thereto, the Committee's identical advertisement published in the New York

Law Journal, also published by the New York Publishing Company, on October 7, 1980 (a copy of

contain the sentence: "The Committee is not authorized by any candidate or any candidate's

which is enclosed and marked Exhibit A) did

committee."

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. The Reagan Bush Committee alleges that the Committee's solicitation made "no effort to acquire the contributor identification required by 2 USC § 434 (b)3) (sic)." The Act does not require that a solicitation seek such information. However, as indicated on the enclosed reports, the Committee has obtained such information when required.

For the foregoing reasons, we believe the subject complaint of the Reagan Bush Committee should be dismissed.

Very truly yours,

Richard I. Beattie

Treasurer

		IZATION	
	(see reverse side for instructi	ons)	
1. (a) Name of Committee (in Full) Committee for an Inde	Check if name or address is changed. pendent Judiciary	2. Date 9/30/80	
(b) Address (Number and Street) 209 East 56th Street,	Suite 1-E	3. FEC Identification N/A	lumber
(c) City, State and ZIP Code New York, New York 10)22	4. Is this an amended S	tatement? DYES KNO
5. TYPE OF COMMITTEE (check one):			
O (a) This committee is a principal car	npaign committee. (Complete the candidate	information below.)	
(b) This committee is an authorized	committee, and is NOT a principal campaign	committee. (Complete the c	endidate information below.)
_			
Name of Candidate	Candidate Party Affiliation	n Office Sought	State/District
M (c) This committee supports/869666			NOT an authorized committee.
	(name of c		
O (d) This committee is a(Natio	nal. State or subordinate)	Of the (Democratic, R	Perty.
AND THE RESIDENCE OF THE PARTY		(Deliburation, I	opeditori, titol
		T a capacita secretarial front	nos a pastu comentu
D (f) This committee supports/oppose	s more than one Federal candidate and is NC	separate segregated fund	nor a party committee.
6. Name of Any Conne		Address and	Relationship
Organization or Affiliated (Committee Z	IP Code	
None			
None			
			X.
7. Custodian of Records: Identify by na records.	me, address (phone number — optional) are	nbership Organization UT and position, the person in po	ossession of committee books and
7. Custodian of Records: Identify by na	al Stock D Labor Organization D Men	nbership Organization UT and position, the person in po	rade Association Cooperative
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7. Custodian of Records: Identify by na records. Full Name Preasurer — See #8 8. Treasurer: List the name and address (agent (e.g., assistant treasurer). Full Name Richard I. Beattie 9. Banks or Other Depositories: List all be or maintains funds. Name of Bank, Depository, etc. Manufacturers Hanover Trust Company I certify that I have examined this Stateme Richard I. Beattie Type or Print Name of Treasurer	me, address (phone number – optional) ar Mailing Address and ZIP (phone number – optional) of the treasurer Mailing Address and ZIP (209 East 56th Stree Suite 1–E New York, New York mailing Address and ZIP (209 East 56th Stree Suite 1–E New York, New York Mailing A One Battery P New York, New New York, New nt and to the best of my knowledge and believed.	nbership Organization OT and position, the person in position, the person in position of the committee; and the notate of the	ossession of committee books and Title or Position ame and address of any designated Title or Position Treasurer counts, rents safety deposit boxe Date
7. Custodian of Records: Identify by na records. Full Name Treasurer - See #8 8. Treasurer: List the name and address (agent (e.g., assistant treasurer). Full Name Richard I. Beattie 9. Banks or Other Depositories: List all be or maintains funds. Name of Bank, Depository, etc. Manufacturers Hanover Trust Company I certify that I have examined this Statemer Richard I. Beattie Type or Print Name of Treasurer	me, address (phone number – optional) are Mailing Address and ZIP (phone number – optional) of the treasurer Mailing Address and ZIP (209 East 56th Street Suite 1-Et New York, New York maks or other depositories in which the common Mailing Address and ZIP (209 East 56th Street Suite 1-Et New York, New York maks or other depositories in which the common Mailing Address and ZIP (209 East 56th Street Suite 1-Et New York, New York (SIGNATURE OF The process of the pro	nbership Organization OT and position, the person in position, the person in position of the committee; and the notate of the	Title or Position Treasurer Counts, rents safety deposit boxe 10/15/80 Date To the penalties of 2 U.S.C. §4376

- Frint or type full name and mailing address of the committee. The name of a principal campaign committee or other authorizcommittee must include the name of the candidate who authorized the ommittee. A political committee which is not an authorized committee can not include the name of any candidate in its name, except that a delegate committee must include the word "delegate(s)" in its name and may also include the name of the presidential candidate which it supports. A political committee established solely to draft an individual or to encourage an individual to become a candidate may include the name of the individual in the name of the committee, provided the committee's name clearly indicates that it is a draft committee. The name of a separate segregated fund must include the full name of its connected organization. Any abbreviation or acronym used by the fund must also be reported.
- State the date the group or organization became a political committee. If this filing is an amendment, note the date of the change in information.
- Only committees which have previously filed a Statement of Organization should fill in this block with the number which was originally assigned to the committee. All new committees will be assigned identification numbers when the completed statement has been received.
- LINE 4 Al! political committees registering for the first time check "NO". Committees which have previously filed FEC FORM 1 and are now submitting changes or corrections check "YES". If "YES" is checked, complete Lines 1 through 4. With respect to Lines 5-9 include only the change(s) in information previously submitted.
- LINE 5 Check and fill out ONE of the six sections as follows:
- (a) All principal campaign committees check (a) and fill in the corresponding information for the candidate under (b).
 - (b) All other authorized committees check (b) and fill in the corres-
- ponding information for the candidate.
- (c) A committee supporting/opposing a single Federal candidate which is not authorized by a candidate checks (c), and includes the candidate's name on the line provided. Delegate and draft committees must check (c), and provide the name of the candidate supported.
- (d) All national, State and subordinate committees of a political party check (d) and fill in the corresponding information.
- (e) All separate segregated funds check (e). A separate segregated fund is a political committee established, financed, maintained, or controlled by a corporation, labor organization, membership organization, cooperative or trade association.
- (f) A committee supporting/opposing more than one Federal candidate and which is not a separate segregated fund nor a political party committee C cnecks box (f).
- LINE 6 Political committees must list all affiliated committees and connected organizations (defined below) as follows:
- Principal campaign committees list all other committees authorized
- by the same candidate.
 Under "Relationship," write "affiliated."
 - Political committees authorized by the same candidate lother than the principal campaign committee) list the principal campaign committee authorized by the same candidate.
 - Under "Relationship," write "affiliated."
 - Political committees which have been established, financed, maintained, or controlled by the highest level parent organization (i.e., the corporation, labor organization, membership organization, cooperative or trade association) list:
 - (a) The name of the parent organization. Under "Relationship," write "connected."

AND

- (b) The name of any other political committee(s) established, financed, maintained, or controlled by the same parent organization or by a subsidiary, branch, or State, local, or other subordi-
- nate unit of the same parent organization.
 Under "Relationship," write "affiliated."
 Political committees which have been established, financed, maintained, or controlled by a subsidiary, branch, or State, local, or other subordinate unit of an organization list:
 - (a) The name of the subsidiary, branch, or State, local or other subordinate unit and the name of the parent organization of which it is a part.
 - Under "Relationship," write "connected."

AND

- (b) The name of the highest level political committee sponsored by the parent organization.
 Under "Relationship," write "affiliated,"
 State party committees list any subordinate committees (i.e., any
- county, district or local committee) under the control or direction of the State committee. Under "Relationship," write "affiliated."

Subordinate State party committees list the State party committee. Under "Relationship," write "affiliated."

Separate segregated funds must check the most appropriate box for the

type of "connected organization."

NOTE: The term "connected organization" recens any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee. A connected organization may be a corporation fincluding a corporation without capital stock), a labor organization, a membership organization, a cooperative, or a trade association. The definition of "affiliated committee" contained at 11 CFR 100.5 (g) of the Commission's regulations.

- The name, address, and committee position or title of the custodian of the committee's books and records must be entered on Line 7. The telephone number is optional, but is helpful in expeditiously resolving potential filing problems. If the treasurer is the custodian of records, the term "treasurer" is sufficient for Line 7.
- LINE 8 The name and address of the committee's treasurer must be entered on Line 8. The name and address of any designated agent (e.g., assistant treasurer) must also be included on Line 8. Every political committee must have a treasurer and may designate an assistant treasurer who shall assume the duties and responsibilities of the treasurer, in the event the treasurer is unavailable. The Commission recommends that each political committee designate an assistant treasurer because no contribution or expenditure may be accepted or made by or on behalf of a political committee at a time when there is a vacancy in the office of the treasurer. No expenditure may be made for or on behalf of a political committee without the authorization of its treasurer or another agent authorized orally or in writing by the treasurer.
- LINE 9 The committee must provide the name and mailing address of any bank, repository, or depository where the committee holds funds. Each political committee must have a checking account or transaction account at one of its depositories. All receipts of a political committee must be deposited into a designated campaign depository. All disbursaments must be made by check or similar drafts drawn on an account at a designated campaign depository, except for expenditures of \$100 or less. made from a petty cash fund.

TREASURER'S RESPONSIBILITIES

The treasurer of the political committee must preserve a copy of the Statement of Organization and each amendment for a period of not less than 3 years after the date of filing. The treasurer of the political committee is personally responsible for the timely and complete filing of this Statement and for the accuracy of any information contained in it.

Submit additional information on separate continuation sheets appropriately labeled and attached to this Statement of Organization. Indicate in the appropriate section when information is continued on separate page(s).

WHERE TO FILE

The original Statement of Organization (FEC FORM 1) and all aments ments must be filed with the appropriate office as follows:

- The principal campaign committee of a candidate for the House at Representatives and political committees which support or oppose only candidates for the House file with the Clerk of the House, 1036 Longworth House Office Building, Washington, D.C. 20515.
- The principal campaign committee of a candidate for the Sanata and political committees which support or oppose only candidates for the Senate file with the Secretary of the Senate, 119 D Street, N.E., Washing ton, D.C. 20510.
- An authorized committee which is not the principal campaign committee of a candidate files with the principal campaign committee which must forward a copy to the appropriate office listed herein.
- All other committees, including the principal campaign committee of a candidate for the office of President or Vice President, file with the Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463

Authorized committees of candidates for the House of Representatives and for the Senate must also file a copy of this Statement with the Secretary of State for the appropriate State officer) of the State in which nomination or election is sought. Authorized committees of candidates for the office of President or Vice President must also file a copy of the Statement in each State in which the committee makes expenditures Political committees other than authorized committees must also file copy of this Statement in the State in which the committee has its hees quarters

REPORT OF RECEIPTS AND DISBURSEMENTS For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full)	4. TYPE	OF REPORT (che	ck appropriate boxes)	
Committee for an Independent	(a) _	April 15 Quarterly	Report	
Judiciary		July 15 Quarterly	Report	
Address (Number and Street)		October 15 Quarte	rly Report	
209 East 56th Street, Suite 1-E		January 31 Year E	nd Report	
			Report (Non-election Year O	
City, State and ZIP Code	X		r period ending	
New York, New York 10022			(Type of Electic	
□ Check if address is different than previously reported.	1 _		in the State of	
2. FEC Identification Number No number assigned to date.			rt following the General Elec in the State of	
3. This committee qualified as a multicandidate com-	1 0	Termination Repo	rt	
mittee during this Reporting Period on N/A (date)	(b) is	this Report an Ame	indment? XI NO	
SUMMARY		Column A This Period		Dete
5. Covering Period 9/1/80 Through 9/30/80				
6. (a) Cash on Hand January 1, 1980			\$ 0	
(b) Cash on Hand at Beginning of Reporting Period				
(c) Total Receipts (from Line 18)	• • • • • •	\$1,445.00	\$1,445.00	23
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$1,445.00	\$1,445.00	
7. Total Disbursements (from Line 28)		. \$ 0	s 0	
8. Cash on Hand at Close of Reporting Period (subtract line 7 from	n 6(d))	\$1,445.00	\$1,445.00	
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		. s 0		
O. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)		. s 0		
I certify that I have examined this Report and to the best of my knowledge it is true, correct and complete. Richard I. Beattie Type or Print Name of Tressurer	and belief		further information, contact: Federal Election Commission Toll Free 800-424-9530 Local 202-523-4068	
SIGNATURE OF TREASURER	Date	7.00		
NOTE: Submission of false, erroneous, or incomplete information may	subject the	person signing this Re	port to the penalties of 2 U.S.C.	. §437g.
All previous versions of FEC FORM 3 and FEC FO	ORM 3a are o	basiete and should no	longer be used.	
			FEC FORM 3	× (3/80)

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DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 3X)

Name of Committee (in Full) ommittee for an Independent Judiciary		Report Covering the Period: From: 9/1/80 To: 9/30/80		
The second second	COLUMN A Total This Period	COLUMN B Calendar Year-to-Date		
I. RECEIPTS				
11. CONTRIBUTIONS (other than loans) FROM:	7 445 00	1 445 00		
(a) Individuals/Persons Other Than Political Committees	1,445.00	1,445_00		
(Memo Entry Unitemized \$)				
(b) Political Party Committees				
(c) Other Political Committees		0		
(d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)		1,445.00		
12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	0	0		
13. ALL LOANS RECEIVED	0	0		
14. LOAN REPAYMENTS RECEIVED		. 0		
15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebetes, etc.)		0		
16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	0	0		
17.OTHER RECEIPTS (Dividends, Interest, etc.)	0	0		
18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)	1 445 00	1,445.00		
II. DISBURSEMENTS				
19. OPERATING EXPENDITURES	0	0 .		
20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	0	0		
21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND				
OTHER POLITICAL COMMITTEES		0		
22. INDEPENDENT EXPENDITURES (Use Schedule E)		U		
23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. §441aldi) (Use Schedule F)	0	0		
24. LOAN REPAYMENTS MADE		0		
25. LOANS MADE	0	0		
26. REFUNDS OF CONTRIBUTIONS TO:				
(a) Individuals/Persons Other Than Political Committees	0	0		
(b) Political Party Committees		0		
(c) Other Political Committees		0		
(d) TOTAL CONTRIBUTION REFUNDS (add 26e, 28b and 26c)		0		
27.OTHER DISBURSEMENTS.		0		
28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27).	A CONTRACTOR OF THE PARTY OF TH	0		
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURE				
29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d	1 445 00	1,445.00		
30. TOTAL CONTRIBUTION REFUNDS from Line 26d		0		
31.NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)		1,445,00		
32.TOTAL OPERATING EXPENDITURES from Line 19				
		0		
33. OFFSETS TO OPERATING EXPENDITURES from Line 15		0		

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SCHEDULE A

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ITEMIZED RECEIPTS

Page 1 of 1 for LINE NUMBER 11 (a) (Use separate sthedule(s) for each estagory of the Detailed

Any information copied from such Reports or Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee, Committee for an Independent Judiciary A. Full Name, Mailing Address and ZIP Code Name of Employer Date (month. Amount of Each day, year) Receipt this Period Jacobs, Sills & William K. Coblentz 555 California Street, Suite 3100 Coblentz 9/30/80 \$250.00 San Francisco, California Occupation Receipt For: C Primary Attorney at Law Other (specify): Aggregate Year-to-Date-\$ 250.00 B. Full Name, Mailing Address and ZIP Code Name of Employer Date (month, Amount of Each day, year) Receipt This Period Occupation Receipt For: O Primary O General Aggregate Year-to-Date-\$ Other (specify): C. Full Name, Mailing Address and ZIP Code Name of Employer Amount of Each Date (month, Receipt This Period day, year) Occupation D General O Primary Receipt For: Aggregate Year-to-Date-\$ Other (specify): D. Full Name, Mailing Address and ZIP Code Name of Employer Date (month, Amount of Each Receipt This Period day, year) Occupation O Primary ☐ General Receipt For: Other (specify): Aggregate Year-to-Dete-\$ E. Full Name, Mailing Address and ZIP Code Date (month, Name of Employer Amount of Each day, year) Receipt This Period Occupation Receipt For: O Primary ☐ General Aggregate Year-to-Date-\$ Other (specify): F. Full Name, Mailing Address and ZIP Code Amount of Each Name of Employer Date (month, Receipt This Period day, year) Occupation Receipt For: D Primary ☐ General O Other (specify): Aggregate Year-to-Date-\$ G. Full Name, Mailing Address and ZIP Code Name of Employer Date Imonth, Amount of Each Receipt This Period day, year) Occupation Receipt For: O Primary D General Other (specify): Aggregate Year-to-Date-S \$250.00

REPORT OF RECEIPTS AND DISBURSEMENTS For a Political Committee Other Than an Authorized Committee

(Summary Page)

1. Name of Committee (in Full)	4. TYPE OF REPORT (check	eppropriate boxes)
Committee for an Independent Judiciary	(a) April 15 Quarterly Re	
Address (Number and Street)	October 15 Quarterly	
209 East 56th Street, Suite 1-E		
New York, New York 10022	January 31 Year End	Heport ort (Non-election Year Only)
City, State and ZIP Code	Monthly Report for	
New York, New York 10022	Twelfth day report pro	eceding General (Type of Flerion)
D Check if address is different than previously reported.		8 On the Sport of Federa
2, FEC Identification Number		and the second live and the second
Not assigned to date		n the State of
3. D This committee qualified as a multicandidate com-	Termination Report	
mittee during this Reporting Period on N/A (date)	(b) Is this Report an Amenda	mant? NO
SUMMARY	Column A This Period	Column B Calendar Year-to-Data
5. Covering Period $10/1/80$ Through $10/15/$	80	
6. (a) Cash on Hand January 1, 19 80		s 0
(b) Cash on Hand at Beginning of Reporting Period	s 1445.00	
(c) Total Receipts (from Line 18)	s 925.00	\$ 2370.00
(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)		\$ 2370.00
7. Total Disbursements (from Line 28)	s 0	s 0
B. Cash on Hand at Close of Reporting Period (subtract line 7 fro		\$ 220.00
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)		
Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	s 0	
Certify that I have examined this Report and to the best of my knowledge	e and belief For furt	her information, contact:
it is true, correct and complete.	Fede	ral Election Commission
RICHARD I. BEATTIE		Free 800-424-9530 If 202-523-4058
Type or Print Name of Treasurer	10/23/80	
SIGNATURE OF TREASURER	Date	
NOTE: Submission of false, erroneous, or incomplete information may	y subject the person signing this Report	t to the penulties of 2 U.S.C. §43
All previous versions of FEC FORM 3 and FEC F	Office Sale Coxession Sile Storic No 1311	



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DETAILED SUMMARY PAGE of Receipts and Disbursements (Page 2, FEC FORM 3X)



fizme of Committee (in Fult) Report Covering the Period: Committee for an Independent Judiciary From 10/1/80 To: 10/15/80 COLUMN A COLUMN B **Total This Period** Calendar Year-to-Date I. RECEIPTS 11. CONTRIBUTIONS (other than loans) FROM: \$2370.00 \$ 925.00 (a) Individuals/Persons Other Than Political Committees . . (Memo Entry Unitemized \$_ 0 0 \$.925,00 \$2370.00 (c) Other Political Committees . . \$2370.00 \$ 925.00 (d) TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c) 0 0 12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES 0 0 13. ALL LOANS RECEIVED 0 0 14 LOAN REPAYMENTS RECEIVED 0 0 15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.) 0 0 16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES 0 0 \$2370.00 \$ 925.00 18. TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17). II. DISBURSEMENTS 0 0 20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES. . . 21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND 0 0 \$2150.00 \$2150.00 22. INDEPENDENT EXPENDITURES (Use Schedule E) 23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES 0 0 0 24. LOAN REPAYMENTS MADE 0 0 25. REFUNDS OF CONTRIBUTIONS TO: 0 (d) TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)...... 0 \$2150.00 \$2150.00 28. TOTAL DISEURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27). . III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES \$2370.00 \$ 925.00 0 0 30. TOTAL CORTRIBUTION REFUNDS from Line 26d 0 0 31.NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 291 0 0 32. TOTAL CHERATING EXPENDITURES from Line 19 0 0 33. OF FSETS TO OPERATING EXPENDITURES from Line 15. 0 0 34. NET OPERATING EXPENDITURES (Lubtract Line 33 from Line 32) . .

LINE NUMBER

(Use superate schedule(s) for each category of the Datailed Summery Page)

Receipt For: O Primary O General O Occupation Receipt For: O Primary O General O Other (specify):				
Receipt For: D Primary D General Aggregate Year-to-Date-S	A. Full frame, Mailing Address and ZIP Code	Name of Employer		Amount of Each Receipt this Period
D Other (specify): B. Full Name, Mailing Address and ZIP Code Occupation Oc	Primary D General	Occupation		
B. Full Rismo, Mailing Address and ZIP Code Name of Employer		Aggregate Year-to-Date-S		
Receipt For: D Primary D General Docupation Description Description Description Docupation Docupation Docupation Description Descripti			Dam Impath	America of Each
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C. Full Name, Mailing Address and ZIP Code Name of Employer Occupation Occupation Receipt For: District Primary District Code Receipt For: Distri		Aggregate Year-to-Date-S		
Cocupation Coc			Fare liqueth.	Amount of Early
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ITEMIZED INDEPENDENT EXPENDITURES

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(See Reverse Side for Instructions)

Neme of Committee (in Full)		1.	D. No.	
Committee for an Independ	dent Judiciary		Not assi	igned to date
Full Name, Mailing Address & ZIP Code of Each Payee	Purpose of Expenditure	Date (month, day, year)	Amount	Name of Federal Candidate supported or opposed by the expenditure & office sought
National Law Journal c/o New York Law Publishing Company 233 Broadway New York, New York 10279	Newspaper advertisement	10/1/80	\$1400.00	Jimmy Carter for President
New York Law Journal c/o New York Law Publishing Company 233 Broadway New York, New York 10279	Newspaper advertisement	10/6/80	\$ 750.00	Jimmy Carter for President
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Under penalty of perjury I certify that the independent enterein were not made in cooperation, consultation, concerequest or suggestion of any candidate or any authorized of such candidate or authorized committee. Furthermore did not involve the financing of dissemination, distribution whole or in part of any campaign materials prepared by campaign committees or their agent.	ert with, or at the committee or agent these expenditures on, or republication	Subscribed and Octobes My Commission	expires	hour Stile
Signature	Date		Motory Public, No. 24 Obstitutes	ARY PUBLIC VA STYLE State of New York 4-4711094 or Final County Pres fearch 2 1002

GENERAL

DEFINITION

The term "independent expenditure" means: "an expenditure for a communication by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or consultation with any candidate, or any authorized committee or agent of such candidate, and which is not made in concert with, or at the request or suggestion of, any candidate, or any authorized committee or agent of such candidate."

WHO MUST FILE

Any political committee which makes independent expenditures must report these expenditures on Schedule E during the reporting period in which they were made.

Any independent expenditures aggregating \$1,000 or more made after the 20th day, but more than 24 hours, before 12:01 A.M. of the day of the election, must be reported within 24 hours after the independent expenditure is made. The report must include all of the information required on Schedule E and be filed with the appropriate office.

LINE BY LINE INSTRUCTIONS

For Schedule E, the committee must enter the full name of the committee and the FEC Identification Number in the appropriate boxes at the top of the page. For each person who receives a payment or disbursement during the calendar year aggregating in excess of \$200 in connection with an independent expenditure, the reporting committee must provide on Schedule E the full name, mailing address and zip code of the payee receiving any disbursement, the date and amount of any independent expenditure aggregating in excess of \$200, and the purpose of the independent expenditure (e.g., radio, television, newspaper). In addition, the committee must provide the name of the candidate, the office sought by the candidate (including State and Congressional District, where applicable), and whether the independent expenditure was in support of, or in opposition to, the candidate. A subtotal of itemized expenditures must be disclosed on Line (a) of the last Schedule E filed. A subtotal of independent expenditures not required to be itemized must also be disclosed on Line (b) of the last Schedule E filed.

The total of all independent expenditures (Line (c)) is carried forward to the appropriate line of the Detailed Summary Page.

CERTIFICATION AND NOTARIZATION

The treasurer of any political committee which makes an independent expenditure must sign Schedule E and certify under penalty of perjury that the expenditure was in fact an "independent expenditure."

Additionally, Schedule E must be notarized.

NOTE: Any other person (other than a political committee) who makes an independent expenditure must file on FEC FORM 5. ADVERTISENEY

To Those Concerned About A Possible Reagan Supreme Court:

NEW YORK LAW JOURNAL

October 7, 1980

ILL YOU join us in the Committee for an Independent Judiciary?

The Committee for an Independent Judiciary supports Jimmy Carter for President because the next President may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well. The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect treditional foreity values and the constitution of indepent humans."

traditional family values and the sanctity of innocent human if a." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper.... Association, Leonard Janofsky said that it is "improper . . . very dangerous and out of order. I would think there would be a lot of Republicans. including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. The National Law Journal reports that "[i]n California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking . ." His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees. center white and male nominees

On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual rement. They include law school deans and professors,

achievement. They include law school deans and professors, Wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next America they want for the next generation, not merely the next

The Committee will: 1) Send this letter to other lawyers and urge them to join. 2) Solicit contributions to pay for mailings, advertisements and related activity. 3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue. 4) Urge undertaking related activity and formation of similar groups throughout the country. 5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in

The Committee will not take any position on other issues in

the election.

We hope you will complete the coupon and return it to us with your contribution.

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)
Floyd Abrams, Lawyer, (NYC); John M. Adams, Executive Director, Natural Resources Defense Council, (NYC); Terry Adamson, Partner, Henself, Post, Brandon & Dorsey (Wash, D.C.); Barbara Allen Babcock, Prof. of Law, Stanford Univ. Law School (Stanford); John Baker, Assoc. Dean, Univ. of Indiana Law School (Bloomington); Richards, Beettie, Partner, Simpson, Thacher & Bartlett (NYC), Treasurer; Carole Bellowe, Past Pres., Illinois State Bar Asan. (Chicago); James Blemmen, Partner, Foley, Lardner, Hollabaugh & Jacobs (Wash, D.C.); Charles L. Black, dr., Sterling Prolessor, Yale Univ. Law School (Near) Aven); Robert L. Begoemolny, Dean, Cleveland-Marshall College of Law (Cleveland); Erneet Haven); Robert L. Begoemolny, Dean, Cleveland-Marshall College of Law (Cleveland); Erneet Haven); Robert L. Begoemolny, Dean, Cleveland, Ore.); William A. Borders, Jr., Pres., National Bar Assn. (Chicago); James Broannaban, Partner, Morrison and Foerster (San Francisco); Michael A. Cardoze, Partner, Proskauer, Rose, Goetz & Mandelsohn (NYC); Julius L. Chembers, Partner, Chambers, Stein, Ferguson & Becton (Charlotte); William K. Coblentz, Partner, Jacobs, Silfs & Coblentz (San Francisco); La Desis Cerdell, Asst. Dean, Stanford Univ. Law School (Stanford); Lindesy Cewen, Dean, Thomas Backus School of Law, Western Industry, Claveland; Sears-Ame Determan, Partner, Hogan & Hartson (Wash. D.C.); and Markey Dean, Univ. Or Pennsylvania Law School (Phile.); Semend T. Galieron William, College of Pennsylvania Law School (Phile.); Semend Determan, Partner, Hogan & Hartson (Wash. D.C.); Marvin E. Frenkus, Former U.S. Dist. Judge, Southern Dist. N.Y. (NYC), Chelmen; James O. Freedman, Dean, Univ. Or Pennsylvania Law School (Phile.); Semend T. Galieron, Partner, Shea & Gould (NYC); Marvin E. Frenkus, Former U.S. Dist. Judge, Southern Dist. N.Y. (NYC), Chelmen; James H. Chambara, Partner, Poles, Partner, The Bar Assn. of Greater Cleveland (Cleveland); Howard L. Gass, Partner, Ros

Peld for by the Committee For An Independent Juc The Committee is not authorized by any candidate or any candidate's com-

You may list my name as a member of the Committee for an Independent Judiciary, 209 E. 56th Street, Suite 1E, New York, New York 10022

Affiliation (for identification)

ADDRESS

ENCLOSED 15 MY CONTRIBUTION OF

(MAKE CHECK PAYABLE TO COMMITTEE FOR AN INDEPENDENT JUDICIARY.)

EXHIBIT A TO RESPONSE OF COMMITTEE FOR AN INDEPENDENT JUDICIARY

SIMPSON THACHER & BARTLETT ONE BATTERY PARK PLAZA NEW YORK, N. Y. 10004



Honorable Charles Steele General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D. C. 20463



RETURN RECEIPT REQUESTED

MORRISON & FOERSTER

ONE MARKET PLAZA

SPEAR STREET TOWER
SAN FRANCISCO, CALIFORNÍA 94105
TELEPRONE (445) 977-6000
TELER 24-0454

523 WEST SIXTH STREET LOS ANGELES, CALIFORNIA 90014 TELEPHONE (213) 626-3800

LOS ANGELES OFFICE

DENVER OFFICE
300 COLUMBIA PLAZA
1670 BROADWAY
DENVER, COLORADO 60202
TELEPHONE (303) 631-1100

JAMES J. BROSNAHAN SAN FRANCISCO DIRECT DIAL (415) 777-6189

October 22, 1980

WASHINGTON, D.C. OFFICE

RET

1085 COSTRECTICUT AVENUE, N. W. WASHINGTON, D. C. 20036 TELEPHONE (202) 455-5060

Gec #

LONDON OFFICE 19 GROSVENOE PLACE

LONDON SWIK THE ENGLAND TELEPHONE 235-0561

JEDDAE OFFICE

P. O. BOX 5840 JEDDAR, SAUDI ARABIA TELEPHONE 600751 OR 660753

Charles N. Steele, Esq. General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

Re: MUR 1308

Dear Mr. Steele:

You have sent me a copy of a letter from one Loren A. Smith, Chief Counsel to the Reagan Bush Committee charging myself and others with a violation of the Federal Election Campaign Act of 1971 in connection with an expression on our part of our views concerning Governor Reagan's anticipated judicial appointments should he become President of the United States. You have also asked for a response and have enclosed a self-addressed, special delivery envelope. My views are as follows:

- 1. The statements made by the Committee are protected by the First Amendment of the United States Constitution.
- 2. There is no violation of the Federal Election Campaign Act for reasons which others on the Committee will shortly give to you.
- 3. The complaint of Mr. Smith is without foundation and is done for the obvious purpose of distracting attention from the merits of the debate.
- 4. Mr. Smith's complaint is an obvious attempt to silence citizens who seek to express their views on a subject of national importance. His request for an injunction discloses his view and perhaps that of Governor Reagan that opponents should be silenced.

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MORRISON & FOERSTER Charles N. Steele, Esq. October 22, 1980 Page Two I intend to speak out on this issue without regard to the wishes of Loren A. Smith. When the complaint is dismissed or disposed of under your procedures, I would appreciate being notified so that I may consider what action might be appropriate against Mr. Smith and the group for which he is an agent, the Reagan Bush Committee. Brosnahan w JJB/jo 10 Floyd Abrams Barbara Allen Babcock N Richard I. Beattie William K. Coblentz 0 Ira Millstein Mario Obledo Jerome J. Shestack Chesterfield Smith William B. Spann, Jr. V Jay Topkis Loren A. Smith 0 3 63

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Charles N. Steele, Esq. General Counsel Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463 80 00125

all : Il

GCC # 30931 STOEL, RIVES, BOLEY, FRASER AND WYSE (DAVIES, BIGGS, STRAYER, STOEL AND BOLEY) (RIVES, BONYHADI & SMITH) ROBERT M. MUNTINGTON
STEPHEN T. JANIK
VELMA JEREMIAH
MICHARD C. JOSEPHSON
JOEL D. KUNTZ
DEXTER E. MARTIN
WILLIAM M. MCALLISTER
CHARLES J. MCMURCHIE
GEORGE K. MEIER,
DAVID P. MILLER
QREGORY R. MOWE
HARDY MYERS
THOMAS R. NICOLAI
MILO E. ORMSETH
TERREMOCE R. PANCOAST
MARK M. PETERMAN
CAMPBELL RICHARDSON
ROBERT L. RICOLEY
GEORGE D. RIVES
RICHARD E. ROY
JOHN M. SCHWEITZER
PATRICK J. SIMPSON
HUGH SMITH
THOMAS B. STOEL
MANCE M. WEBS
CLARENCE R. WICKS
MARCUS WOOD
WILLIAM W. WYSE ALLAN R. ABRAVANEL
JEFFREY MICHAEL ALDEN
RICHARD E. ALEXANDER
RICHARD D. BACH
PAUL L. BOLEY
EMNEST BONYHADI
PHILLIP D. CHADSEY
HARRY S. CHANDLER
CLEVELAND C. CORY
KAREN K. CREASON
THOMAS P. DEERING
JOHN DETJENS, III
BARNES H. ELLIS
EDWARD L. EPSTEIN
HOWARD M. FPUERSTEIN
RICHARD A. FRANZKE
GEORGE H. FRANZKE
GEORGE M. GALLOWAY
LEONARD A. GIRARDW
WOERSH, M. GOOSTEIN
RONALD S. GROSSMANN
CHAPLES H. HABERNIGG
ROBERT F. HARRINGTON
JOHN R. HAY
RICHARD A. HAYDEN, JR.
DAVID G. MAYHURST
HENRY M. HEWITT
CHARLES F. HINKLE LAW OFFICES Counsel DAVID L DAVIES HUGH L. BIGGS H L. BIGGS

THOMAS O, P. QUILBERT KIRK R. HALL
SUSAN M. HAMMER
R JOYCE A. HAPPOLE
JAMES C. HOWE
PAMELA L. JACKLIN
PETER R. JARVIS
OREGORY F. JENNER
CHARLES S. LEWIS, III
DENNIS LEYBOLD
QREGORY H. MACPHERSON
WILLIAM E. MERRITT
ROBERT J. MOORMAN
THOMAS H. NELSON
MARK A. NORBY
ARGARET SUL NOTO
DHOMAS R. PAGGE
QUY A. RANDLES
TOIS O. ROSENBAUM
TEVEN SCROQUIN
JAMES RAY STREINZ
THIN E. THOMPSON
E. WALTER VAN VALKENBURG
STEPHEN S. WALTERS
SMOTHY J. WYLDER 900 S W FIFTH AVENUE PORTLAND, OREGON 97204 GAIL L. ACHTERMAN
CHARLES F. ADAMS
STEPHEN E. BABSON
MARGARET M. BAUMGARONER
WILLIAM A. BERG
RUTH A. BEYER
CONSTANCE HEIMS BLOCK
JOHN F. BRADACH
HENRY C. BREITHAUPT
DEE K. CARLESON
BERTRAND J. CLOSE
ELIZABETH F. COSORIFF
NANCY I. COWGILF (503) 224-3380 October 20, 1980 ELIZABETH F. COSGRIFF
NANCY L. COWGILL
E. JOSEPH DEAN
FRANCIS S. DELIA
CHRISTINE L. DICKEY
MARK R. FEICHTINOER
RANDOLPH C. FOSTER
NANCY M. GANONG
ANDREW R. GARDNER
BENNETT H. GOLDSTEIN
SUSAN P. GRABER
DAVID W. OREEN
STEPHEN L. GRIFFITH HENRY H. HEWITT CHARLES F. HINKLE A . C Charles N. Steele, Esq. General Counsel Federal Election Commission 1325 K Street, NW Washington, DC 20463 Dear Mr. Steele: 11 Your Letter of October 10, 1980 -Re: Committee for an Independent Judiciary 0 I acknowledge receipt of your letter of October 10, 1980 to Mr. Beattie, Treasurer of the Committee for an Inde-0 pendent Judiciary, with a copy of the complaint by the Reagan-Bush Committee. 1 While I assure you that my participation on the Committee for an Independent Judiciary is totally unrelated to the Carter-Mondale Campaign Committee, I deny any willful violation on my part of the Federal Election Campaign Act of 30 1971. I understand that Mr. Richard I. Beattie or his law firm, Simpson, Thacher & Bartlett, will respond substantively on behalf of the Committee. You are hereby advised that I personally will be pleased to be represented by Simpson, Thacher & Bartlett in this matter, and I hereby authorize Mr. Richard I. Beattie of Simpson, Thacher & Bartlett to receive on my behalf any notifications or other communications from the Commission in this matter. yhad Ernest Bonyhadf EB: vwd cc: Richard I. Beattie, Esq.

FROMAL RECTION COMMISSION WASHINGTON D.C. 2048 3rd flow



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

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SPECIAL DELIVERY

October 14, 1980 MEMORANDUM TO: Marjorie W. Emmons Elissa T. Garr FROM: MUR 1308 SUBJECT: Please have the attached Memo on expedited MUR 1308 10 distributed to the Commission on an informatational basis. 7 Thank you. C

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FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

80 OCT 14 P3: 10

October 14, 1980

MEMORANDUM

TO:

The Commission

FROM:

Kenneth A. Gross

Associate General Counsel

SUBJECT:

MUR 1308

On October 10, 1980, Loren Smith, Chief Counsel of the Reagan-Bush Committee ("Reagan-Bush"), held a press conference in front of Commission offices on K Street. At the conclusion of the press conference, Mr. Smith hand-delivered a complaint to the General Counsel's office.

Prior to his remarks, Reagan-Bush workers handed out Smith's prepared statement and a copy of an advertisement which appeared in the National Law Journal of October 13, 1980. (Attachments I and II). Attachment II was also included as the only exhibit to the complaint.

The complaint restates the allegations in Mr. Smith's statement, makes specific reference to provisions of the Federal Election Campaign Act ("FECA") and Title 26 of the United States Code, and names as respondents the Committee for an Independent Judiciary and the sixty individuals listed in the advertisement.

The Office of General Counsel sent a notification of receipt of complaint to all named respondents through Richard Beattie, identified in the advertisement as the committee treasurer. Individual follow-up notifications are to be sent to all respondents by close of business, October 14, 1980.

If, upon initial review and analysis, it appears to this office that there is no reason to believe that any of the respondents have violated FECA or Title 26, it will make an appropriate recommendation to the Commission by the end of this week. Otherwise, we will prepare a First General Counsel's Report after the expiration of 15 days from receipt of notification or after responses have been received.

Keagan & Bush

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

ATTach ment I Plus

NEWS RELEASE

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FOR IMMEDIATE RELEASE:

Friday, October 10, 1980

CONTACT: Lyn Nofziger or

Loren Smith 703-685-3717

STATEMENT BY LOREN SMITH

CHIEF COUNSEL, REAGAN-BUSH COMMITTEE

Today we are filing a complaint against the Committee for an Independent Judiciary and its members for violations of the federal election law. The committee has illegally solicited funds. It has failed to register with the Federal Election Commission. It has failed to file financial disclosure forms. And it may also be making illegal in-kind contributions to the Carter-Mondale Reelection Committee.

The facts of this complaint are as follows:

The committee, which is made up of members of the bar, who are presumed to know the law, has published an advertisement in The National Law Journal of October 13th which violates several provisions of the Federal Election Campaign Act of 1971, as amended. While the article makes false, distorted and out-of-context representations concerning Governor Reagan's judicial record, it displays its authors' true disregard for the law as well as the facts by its violations of the law. It is the kind of misleading political tactic the election law was passed to prohibit. And since this act was performed by members of the bar, it must be presumed that it was a knowing and willful violation by those individuals who prepared it.

The heart of this violation is a newspaper advertisement which contains misleading statements concerning Governor Reagan's record on judicial appointments, as well as his judicial philosophy. In the process, the authors of the ad quote former A.B.A. president

- more -

Leonard Janofsky in a way that implies he disapproves of Governor Reagan's record and intentions with respect to judicial selection. It is true that Mr. Janofsky disapproved of the Republican Party platform plank on judicial selection if that plank is interpreted as a litmus test on any particular issue. But, it is also true that Governor Reagan does not hold to such an interpretation.

In fact, the Governor has stated that he is vitally concerned with the quality of prospective appointees and that he will consider as an additional factor only a "broad compatibility" with his own judicial philosophy. Mr. Janofsky approves of Governor Reagan's position in this regard and also believes the Governor's appointments to the California bench were generally excellent. Thus, this illegal advertisement, which distorts Governor Reagan's position on judicial appointments, is apparently part of the Carter campaign of fear and divisiveness in its attempt to frighten members of the bar with the prospect of Reagan Supreme Court appointees.

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This advertisement failed to carry a proper disclaimer indicating that it was an expenditure on behalf of the Carter candidacy. Federal law requires that the ad either indicate that it was authorized by the Carter campaign or that it was not authorized by any candidate.

The ad also solicited contributions for further efforts without putting contributors on notice that they would be contributing to a federal political committee. The ad asked individuals to spend money to further distribute the committee's election message without providing them with any indication that such distribution would constitute an independent expenditure or an illegal in-kind contribution to the Carter reelection effort.

Under the law, any group spending over \$1,000 to influence a federal election must register with the FEC within ten days of its creation, listing bank accounts and a treasurer. The Committee for an Independent Judiciary has not done this. We know The National Law Journal sells such advertising space as the committee bought for \$1,850 per page. We do not know how much other money they have spent in organizing efforts. They operate out of a blind letter drop in New York City.

If the efforts of the committee were funded by the Carter campaign or operated in coordination with the Carter Committee, then another very serious violation of the contribution and disclosure laws is involved.

We are asking the FEC to investigate fully this matter as soon as possible. We are also asking the FEC to enjoin this group from further violations of the election law, and to remind them that as a group solely made up of lawyers, they have a special obligation to obey the law. As lawyers who seek to influence our legal system, they cannot claim ignorance of the law while purporting to instruct others in judicial policy. We feel the FEC should prosecute this complaint fully and immediately.

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EXHIBIT A, REAGAN BUSH COMMITTEE COMPLAINT

Monday, October 13, 1980

THE NATIONAL LAW JOURNAL

To Those Concerned **About A Possible Reagan Supreme Court:**

ILL YOU join us in the Committee for an Independent Judiciary?

The Committee for an Independent Judiciary

supports Jimmy Carter for President be-cause the next President may appoint a majority of the Justices of the Supreme Court.

Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a butwark of liberty, decency and reason. We fear that a Reagan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well. The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of

Leaders of the bar who practice across the spectrum of life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper . . . very dangerous and out of order. I would think there would be a lot of Republicans, Including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. The National Law Journal reports that "[I]n California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking . " His staff fed judicial selection panels a diet of blue chip. right of His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees.

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Our Supreme Court decides act collections.

Our Supreme Court decides not only disputes between adversaries, but sets rules of law and a moral tone for the country. Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan majority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next

four years.

The Committee will: 1) Send this letter to other lawyers and urge them to join. 2) Solicit contributions to pay for mailings, advertisements and related activity. 3) Urge its members to hold press conferences, write articles and letters to the editor, and appear on radio and television to express their views on this issue. 4) Urge undertaking related activity and formation of similar groups throughout the country. 5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement.

The Committee will not take any position on other issues in the election.

the election.

We hope you will complete the coupon and return it to us with your contribution.

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION ONLY)
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Haven); Rebeart L. Begemenley, Dean, Cleveland, Assarbing Professor, Yale Univ. Law School (New
Haven); Robert L. Begemenley, Dean, Cleveland, Sterling Professor, Yale Univ. Law School (New
Haven); Robert L. Begemenley, Dean, Cleveland, Exserting Professor, Yale Univ. Law School (New
Haven); Robert L. Begemenley, Dean, Chembert, Stein, Ferguson & Becton (Charlotte); WilIllam K. Coblentz, Partner, Jacobs, Sills & Coblentz (San Francisco); La Doric Cordell, Asst. Dean, Stanford Univ. Law School (Stanford); Lindeay Cowen, Dean, Thomas Backus School of Law Wastern
Resarve Univ. (Gleveland); Bart-Amn Determen, Partner, Hogan & Hartson (Wash. D.C.); Mariem Wright
Edelman, Pres., Children's Defense Fund (Wash. D.C.); Bernard D. Fischman, Partner, Shea & Gould
(NYC); Marvin E. Frankle, Former U.S. Dist. Judge, Southern Dist. NY. (NYC), Challenser, Shea & Gould
(NYC); Marvin E. Frankle, Former U.S. Dist. Judge, Southern Dist. NY. (NYC), Challenser, Shea & Gould
(NYC); Berter Cleveland (Cleveland); Remard L. Gans, Partner, Proes, Goote & Mendelohn(NYC); Berter Cleveland (Cleveland); Neward L. Gans, Partner, Proes, Bert Pres., The Ear Asan. of Grester Cleveland (Cleveland); Neward L. Gans, Partner, Proes, Pres. Californie); Nathern Murphy, Prof. et Law, Colum

You may list my name as a member of the Committee for an Independent Judiciary, 209 E. 58th Street, Suite 1E, New York, New York 10022

NAME

Affiliation (for identification)

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO:

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George Demougeot

FROM:

Dan Blessington

SUBJECT:

Notification Letters - MUR 1308

According to my records, we have yet to receive green cards from John Adams, Conrad Harper, Albert Rosenthal, and Mario Obledo. I don't know what your practice is, but would suggest that you check with the Postal Service to determine if these have been received.

In the case of Obledo, we can be reasonably certain that he received the letter, given the phone call we received from Debra Cabrera on October 23.

Letters to Robert Ringo and Robert Bogomolny were received unclaimed. I checked the latter's address and it appears that it was correct. I would suggest that we send out another letter to that same address by regular mail. Ringo's address was wrong, so we'll send out another one.

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" applies as reverse.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO:

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C 3 0 Elissa Garr

FROM:

Dan Blessington

SUBJECT: Re-Mailing of Notifications in MUR 1308

Please re-mail notification to Harriet Rabb at her law school address.

CERTIFIED Harrier Rabb 9 East 79th Street 946911 New/York, New York SPECIAL DELIVERY CONFIDENTIAL

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 10, 1980

SPECIAL DELIVERY RETURN RECEIPT REQUESTED

Richard I. Beattie Treasurer Committee for an Independent Judiciary 209 East 56th Street Suite 1E New York, New York 10022

Re: MUR 1308

Dear Mr. Beattie:

This letter is to notify you that on October 10, 1980, the Federal Election Commission received a complaint which alleges that you, your committee, and the individuals named in Attachment I violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") and 26 U.S.C. § 9003(b)(3). While this letter serves as notice to all the individuals named in the complaint, the Commission will attempt to notify each person separately. A copy of the complaint is enclosed. We have numbered this matter MUR 1308. Please refer to this number in all future correspondence.

Under the Act, you and the other respondents have the opportunity to demonstrate in writing, that no action should be taken against you or your committee in connection with this matter. Any party named in the complaint may respond to the allegations within 15 days of receipt of this letter. The complaint may be dismissed by the Commission prior to receipt of the response if the alleged violations are not under the jurisdiction of the Commission or if the evidence submitted does not indicate that a violation of the Act has been committed. Should the Commission dismiss the complaint, all parties will be notified by mailgram. If no response is filed within the 15 day statutory requirement, the Commission : may take further action based on available information.

You are encouraged to respond to this notification promptly, In order to facilitate an expeditious response to this notification, we have enclosed a pre-addressed, postage-paid, special delivery envelope. Letter to: Richard I. Beattie
Page Two

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 or the other respondents 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.

If you have any questions, please contact Daniel J. Blessington, the attorney assigned to this matter at (202) 523-4529.

Singerely

Charles N. Steele General Counsel

Enclosures

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Attachment I Complaint Procedures Envelope

Attachment I

Floyd Abrams John H. Adams Terry Adamson Barbara Allen Babcock John Baker Carole Bellows James Bierman Charles L. Black, Jr. Robert L. Bogomolny Ernest Bonyhadi William A. Borders, Jr. Wiley A. Branton James Brosnahan Michael A. Cardozo Julius L. Chambers William K. Coblentz La Doris Cordell Lindsey Cowen Sara-Ann Determan Marian Wright Edelman Bernard D. Fischman Marvin E. Frankel James O. Freedman Samuel T. Gaines Howard L. Ganz Morris P. Glushien Howard N. Golden Jack Greenberg Conrad Harper David R. Hood Seth M. Hufstedler Andrew L. Johnson, Jr. Stephen L. Kass Peter Langrock

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Robert B. McKay Morton M. Maneker Michael Meltsner Ira Millstein Arthur Murphy James M. Nabrit, Jr. Mario Obledo Monrad G. Paulsen Jane Picker Harriett Pilpel Michael H. Posner Llewelyn G. Pritchard Harriett Rabb Robert G. Ringo Albert J. Rosenthal Lynn Hecht Schafran Orville F. Schell, Jr. Jerome J. Shestack Edward Silver Chesterfield Smith William B. Spann, Jr. M.D. Taracido David Tatel Jay Topkis Judith Vladeck Junius Williams

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 10, 1980

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Loren Smith
Chief Counsel
Reagan Bush Committee
901 South Highland Street
Arlington, Virginia 22204

Dear Mr. Smith:

This letter is to acknowledge receipt of your complaint of October 10, 1980, against the Committee for an Independent Judiciary, et al., which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 24 hours 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.

Please be advised that this matter shall remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless the respondents notify the Commission in writing that they wish the matter to be made public.

Sincerel

Charles N. Steel

Enclosure

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

Reagan Bush Committee

901 South Highland Street, Arlington, Virginia 22204 (703) 685-3400

October 9, 1980

The Honorable Max L. Friedersdorf Chairman The Federal Election Commission 1325 K Street, N.W. Washington, D.C. 20463

Dear Mr. Chairman:

On behalf of the Reagan Bush Committee I am filing this complaint, pursuant to 2 U.S.C.\$ 437g against the Committee for an Independent Judiciary located at 209 E. 56th Street, Suite IE, New York, New York 10022, its treasurer, Richard I. Beattie and the following individuals, who are the purported members of the committee: Floyd Abrams, John H. Adams, Terry Adamson, Barbara Allen Babcock, John Baker, Carole Bellows, James Bierman, Charles L. Black, Jr., Robert L. Bogomolny, Ernest Bonyhadi, William A. Borders, Jr., Wiley A. Branton, James Brosnahan, Michael A. Cardozo, Julius L. Chambers, William K. Coblentz, La Doris Corell, Lindsey Cowen, Sara-Ann Determan, Marian Wright Edelman, Bernard D. Fischman, Marvin E. Frankel, James O. Freedman, Samuel T. Gaines, Howard L. Ganz, Morris P. Glushien, Howard N. Golden, Jack Greenberg, Conrad Harper, David R. Hood, Seth M. Hufstedler, Andrew L. Johnson, Jr., Stephen L. Kass, Peter Langrock, Robert B. McKay Morton M. Maneker, Michael Meltsner, Ira Millstein, Arthur Murphy, James M. Nabrit, Jr., Marlo Obledo, Monrad G. Paulsen, Jane Picker, Harriet Pilpel, Michael H. Posner, Llewelyn G. Pritchard, Harriet Rabb, Robert G. Ringo, Albert J. Rosenthal, Lynn Hecht Schafran, Orville H. Schell, Jr., Jerome J. Shestack, Edward Silver, Chesterfield Smith, William B. Spann, Jr., M.D. Taracido, David Tatel, Jay Topkis, Judith Vladeck, and Junius Williams.

This complaint is based upon a serious violation of the Federal Election Campaign Act of 1971, as amended. It involves violations of sections 433(a), 441d, 434(b)(3), of Title 2 of the U.S. Code as well as possible violations of 2 USC § 434 2 USC § 441a and 26 USC § 9003(b)(2).

Page Two October 9, 1980 The basis of this complaint is an illegal independent expenditure made by an unregistered group which may be improperly coordinated with the Carter Reelection campaign. October 13, 1980 issue of The National Law Journal carried an advertisement (see Exhibit A) using out-of-context and untrue statements to attack Governor Reagan's campaign and the Reagan judicial philosophy. The ad indicated that it was produced by The Committee for an Independent Judiciary and the above named persons. The ad also solicited funds for further such ads and for further anti-Reagan pro-Carter electoral activity. The Committee for an Independent Judiciary calls itself a committee. It is a group that has apparently received contributions and it solicits contributions in this ad. National Law Journal informed my office that a full page ad costs \$1850 and that the ad would have to have been placed no later than September 25, 1980. The ad expressly advocates the election of a clearly identified candidate--Jimmy Carter. The Committee for an Independent Judiciary is therefore a "political committee" as defined in 2 USC \$ 431(4). 2 USC § 433(a) requires all political committees to file a statement of organization within 10 days of becoming a political committee. The public records division of the FEC informed my office on October 8, 1980, that the Committee for an Independent Judiciary had not registered with the Commission. 2 USC \$ 441d requires any person who makes an expenditure "expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any ... magazine... " to include a disclaimer stating who paid for the advertisement and whether or not it is authorized by the candidate. The enclosed ad does not carry the required disclaimer. 8 The disclaimer provisions were originally included in the Act to prevent dirty tricks. The disclaimer is also necessary to warn contributors that they are contributing to a federal political committee. In this case contributors are not on notice that their contributions will count against their individual limits, possibly require disclosure and go to federal electoral activity. The solicitation makes no effort to acquire the contributor identification required by 2 USC \$ 434(b)3). Since the ad carries no disclaimer we are unsure whether this is an independent expenditure, an unlawful contribution to the Carter/Mondale Committee, or an improper expenditure by the Carter/Mondale Committee.

Page Three October 9, 1980 Since we do not know who is really behind this committee nor when it really was formed nor how much money it has raised or spent we do not know whether it has violated the disclosure provisions of 2 USC \$ 434, the limitations in 2 USC \$ 441a or the ban on private contributions to the Carter/Mondale Committee in 26 USC \$ 9003(b)(2). We ask the Commission for an immediate action against these violations and a speedy investigation of the other possible violations. We request that the Commission seek to enjoin further illegal actions of this kind by this group. is almost inconceivable that this group of attorneys was totally ignorant of the federal law we must assume that this ad was a knowing and willful violation of the law and should be dealt with as such. Under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code, I swear that the above is true to the best of my knowledge. Yours truly, 9 Loren A. Smith 0 Chief Counsel T LAS/jac Enclosure A Subscribed and sworn to before me this 9th day of October, 1980. C 3 Notary Public in and for Alexandria, VA MY COMMISSION EXPIRES NOVEMBER 5, 1982

ADVESTISEMENT

THE NATIONAL LAW JOURNAL

To Those Concerned **About A Possible Reagan Supreme Court:**

ILL YOU join us in the Committee for an Independent Judiciary?

The Committee for an independent Judiciary supports Jimmy Carter for President because the next President may appoint a majority of the Justices of the Supreme Court.

The possibility of Ronald Reagan's election presents the The possibility of Ronald Reagan's election presents the alarming prospect of a wide swing by the Court towards right wing ideology. On race relations, sex discrimination, freedom of speech and press, the rights of the accused, and on the environment, the Court has been a bulwerk of liberty, decency and reason. We fear that a Reegan appointed majority on the Supreme Court would change the law for the worse in all these areas. And, this concern extends to all levels of the judiciary, as well. The Republican platform pledges to work for the "appointment of Judges at all levels of the judiciary who respect traditional family values and the sensitive of innocent human.

traditional family values and the sanctity of innocent human life." Leaders of the bar who practice across the spectrum of legal issues have deplored the plank as an ideological test for judicial appointment. Former President of the American Bar Association, Leonard Janofsky said that it is "improper very dangerous and out of order. I would think there would be a lot of Republicans, including myself, who would be very much disturbed." The House of Delegates of the ABA has adopted a resolution condemning the plank. As Governor of California, Ronald Reagan made every effort to insure ideological purity in his judicial nominees. The National Law Journal reports that "[i]n California, Mr. Reagan's administration often would quiz potential nominees on the minutiae of their political thinking His staff fed judicial selection panels a diet of blue chip, right of center white and male nominees.

On the other hand, there is near unanimity that Jimmy Carter's judicial appointments deserve high marks. In addition to having selected about 40 women and 50 members of minorities (more than all his predecessors combined) out of over 250 appointments, his choices have virtually all had backgrounds of professional excellence and high intellectual backgrounds of professional excellence and high interlectual achievement. They include law school deans and professors, wall Street type lawyers, sole practitioners, labor lawyers and public interest lawyers. Their performance generally has borne out the promise of their records.

Our Supreme Court decides not only disputes between advances hit sale rules of law and a moral tone for the

adversaries, but sets rules of law and a moral tone for the country Those who object to various Jimmy Carter policies and deeds have to ask not only whether Ronald Reagan would perform better. They must also ask whether a Reagan ma-iority on the Supreme Court will help create the kind of America they want for the next generation, not merely the next four years.

The Committee will: 1) Send this letter to other lawyers and urge them to join 2) Solicit contributions to pay for mailings, advertisements and related activity. 3) Urge its members to hold press conferences, write articles and letters to the editor and appear on radio and television to express their views on this issue 4) Urge undertaking related activity and formation of similar groups throughout the country 5) Urge formation of student and faculty groups on campuses to express the views set forth in the statement

The Committee will not take any position on other issues in the election.

We hope you will complete the coupon and return it to us

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FOR IDENTIFICATION UNLT)

COMMITTEE IN FORMATION (AFFILIATIONS LISTED FUNITHEN TIPILATION UNLT)
Plays Abrama, Lawyer. (NYC). John N. Adams, Executive Director, Natural Resources Defense Council, NYC), Terry Adamsen, Parmer, Hensell, Post, Brandon & Dorsey (Wash, D.C.), Barbera Atlen Bebeeck, Prof. of Law, Stanford Univ. Law School (Stanford), John Beker, Assoc. Deen, Univ. of Indiana Law School (Bioomingtor), Richard I. Beattle, Partner, Simpson, Thecher's Bartter NYC), Tressurer, Carole Bettern, Partner, Simpson, Thecher's Bartter (NYC), Tressurer, Carole Bettern, Partner, Simpson, Thecher's Bartter, NYC), Tressurer, Carole Bettern, Partner, Foley, Lardner, Nollabugh & Jacobs (Wash, D.C.), Charles L. Black, 3r., Sterling Professor, Yale Univ. Law School (New Meven), Rebert L. Begemeiny, Dean, Cleveland, Marshall College of Law Cleveland, Ernest Benyhedt, Partner, Stool, Rives, Boley & Fraser (Portland One, William A. Borders, Jr., Pres., National Bar, Assn. Wash, D.C.), Wiley A. Branten, Deen, Howard Univ. Law School (Wash, D.C.), James Brosnahen, Partner, Morrison and Foerster (San Francisco), Michael A. Cardeste, Partner, Proskauer, Rose, Goett & Mendersohn (NYC), Julius L. Chambers, Partner, Chambers, Stein Ferguson & Becton (Charlotte) William K. Coblents, Partner, Jacobs, Sills & Coblents: San Francisco), La Deris Cordell, Asst. Dean, Steinford Univ. Law School (Stanford), Lindeey Cowen, Dean, Thomas Bachus School of Law Western Reserve Univ. (Cleveland), Bare-Ann Determan, Partner, Hogan & Hartson (Wash, D.C.), Martin Wright Edelman, Pres., Children's Defense Fund (Wash, D.C.), Bernard D. Flechman, Dean, Univ. of Pennsylvania Law School (Phila), Barmed D. Flechman, Penner, Golden, Weinshienk & Mandel (NYC), Jack Greenberg, Director-Counsel, NAACP Legal Defense & Educational Fund (NYC), Vice-Chelman, Cenza Merger, Partner, Simpson, Thacher & Bartlett (NYC), David R. Hood, Lawyer (NYC), Better Counsel, Andrew L. Johnson, Jr., Past Pres., Bar Asan, Orgener Cleveland, Schoolen, California, Bartlett (NYC), David R. Hood, Lawyer (NYC), Vice-Chairmen, Control Marper, Partner, Simpson, Thacher & Bartlett (NYC), David R. Hood, Lawyer, (NYC), Seth M. Multstedler, Past Pres., California Stare Bar Assn. (California) Andrew L. Johnson, Jr., Past Pres., Bar Assn. of Greater Cleveland (Cleveland), Stephen L. Kass, Partner, Berte, Butzel, Kass & Case (NYC), Peter Langreck, Chairmen, Sec. on Individual Rights & Responsibility, ABA (Middleburg, Vermont), Rebert B. McKey, Director, Justice Program, Aspen Inst. for humanistic Studies (NYC), Merten M. Manetter, Partner, Proskauer, Rose, Goetz & Mendelsohn (NYC), Michael Meltaner, Dean, Northeastern Univ School of Law (Boston), Ira Milletein, Partner, Weil, Gotshar & Manges (NYC), Arthur, California (Inu. Law School, WYC), James M. Mehrt, Pres. Francis, Howard Murphy, Prof. of Lew. Columbia Univ. Law School (NYC), James M. Nebrit, Jr., Pres., Emerius, Howard Univ. (Wash. D.C.). Marie Oblade, Secretary. Calif. Dept. of Health & Welfare, Past Pres., Mexican American Legal Defense Fund (Sacramento), Monrad G. Paulson, Dean, Cardozo School of Law (NYC). Jame Pictier, Professor of Law, Cleveland St. Univ. (Cleveland), Narriet Pripat, Partner, Greenboum Wolff & Ernst (NYC): Michael M. Peener, Exec. Sec., Lawyers Committee for intil Numan Rights (NYC), Llawsiyn G. Pritcherd, Partner, Kerr, Tuttle Koch. Campbell. Maver & Morrow (Seattle), Narriet Rabb, Aast. Deen. Columbia Univ. Law School (NYC), Rebert G. Ringe, Past Pres. Oregon Trial Lawyers Assn. (Corvellis. Ore.), Albert J. Resenthal, Deen. Columbia Univ. Law School: NYC), Lynn Necht Schaftan, Vice Chairperson, N.Y.C. Comm. on Status of Women (NYC), Orville M. Scholl, Jr., Past Pres. Assn. of Bar City of N Y (NYC) Jarome J. Shoots th, Partner Schneder Herris Segal & Lewis (Phile). Edward der ung die 1871-1 safeme J. Breetlett, Harriner Schnader Harris Segal & Lews (Phile) Edward Stiwer, Partner, Proskauer Rose Goetz & Mendalschn (NYC), Chesterfleid Ermith, Partner Holland and Knight, Past Pres., American Bar Assn. (Lakeland), William B. Spann, Jr., Past Pres., American Bar Assn. (Atlanta), 18.D. Terestleb, Pres. & Gen. Coursel. Puerto Rican Legal Defense Fund (NYC), David Test, Partner, Hogan & Hartson (Wash. D.C.), Jay Topkis, Partner Paul Weiss Ritkind Wharton & Garrison (NYC), Judith Vladeck, Partner, Viadeck Eves Vladeck & Engelhard. NYC), Jumius Williams, Past. Pres. Nathonal Bar. Assn. (Markner), Viadeck Eves. Vladeck & Engelhard. NYC), Jumius Williams, Past. rison (NYC). Judith Vladeck, Partne Pres. National Bar Asan (Newark)

You may list my name as a member of the Committee for an Independent Judiciary. 209 E. 56th Street, Suite 1E, New York, New York 10022 NAME Affiliation (for identification) **ADDRESS** ENCLOSED 18 CONTRIBUTION OF -(MAKE CHECK PAYABLE TO COMMITTEE FOR AN INDEPENDENT JUDICIARY.)

Paid for by the Committee For An Independent Judiciary



Establishment in the contract of the stable of the stable

FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1308

Date Filmed 6/17/83 Camera No. --- 2

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