



FEDERAL ELECTION COMMISSION

1125 K STREET NW.
WASHINGTON, D.C. 20541

THIS IS THE END OF TMR # 1399

Date Filmed 6/2/82 Camera No. --- 2

Cameraman SPC

3 2 0 4 0 3 2 4 5 0 1

FEDERAL ELECTION COMMISSION

12 Day Report and Comment sheets
Objection Memo
Handling Card
Memo to file (Steve)

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

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

Signed

date

N. Sharon Curry
May 11, 1982



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 7, 1982

Max Putnam
940 Des Moines Building
Des Moines, Iowa 50309

Re: MUR 1399

Dear Mr. Putnam:

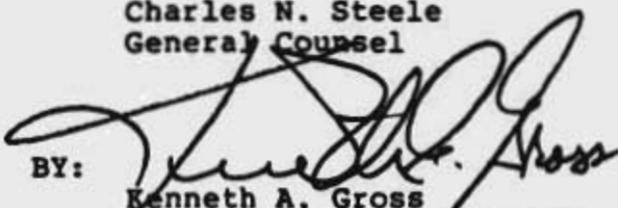
On November 9, 1981, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

32040324303



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 7, 1982

John T. Dolan
Committee for Another
Responsible Senator
P.O. Box 1173
Waterloo, Iowa 50704

Re: MUR 1399

Dear Mr. Dolan:

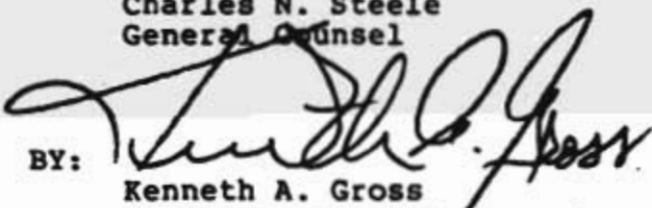
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

32040324501



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1982

People for An Alternative to McGovern
1500 Wilson Blvd., Suite 513
Arlington, Virginia 22209

Re: MUR 1399

Dear Sir:

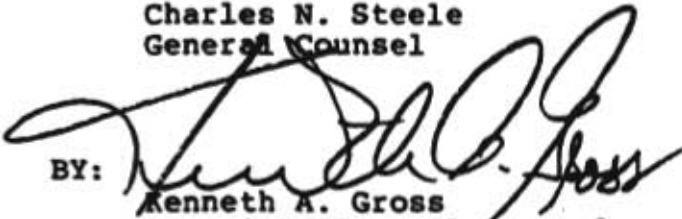
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

320403324505



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1982

Anybody But Church ABC Project
P.O. Box 11551
Boise, Idaho 83707

Re: MUR 1399

Dear Sir:

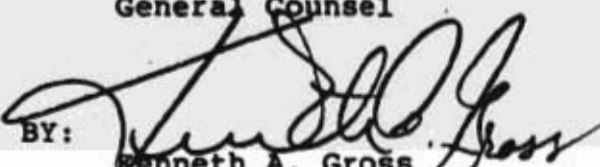
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

32040324506



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 7, 1982

If Bayh Wins, You Lose
P.O. Box 452
Lafayette, Indiana 47903

Re: MUR 1399

Dear Sir:

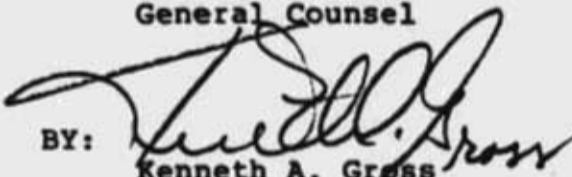
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

32040324507



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1982

Target 80
P.O. Box 452
Lafayette, Indiana 47902

Re: MUR 1399

Dear Sir:

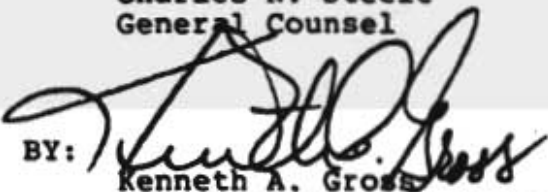
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

82040324508



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 7, 1982

J. Curtis Herge
Sedam & Herge
8300 Greenboro Drive
Suite 1100
McLean, Virginia 22102

Re: MUR 1399

Dear Mr. Herge:

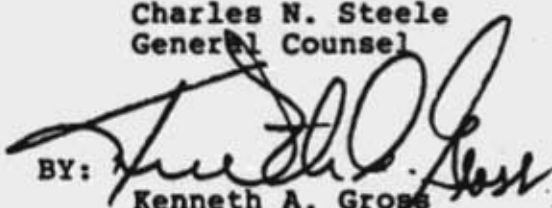
On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

82040324507



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1982

If Cranston Wins, You Lose
P.O. Box 25969
Los Angeles, California 90025

Re: MUR 1399

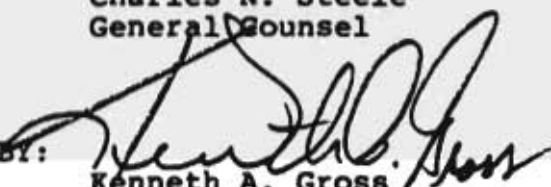
Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

02049324510



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 7, 1982

Robert Blaemire
Committee for American Principles
2000 N Street, N.W., Suite 105
Washington, D.C. 20036

Re: MUR 1399

Dear Mr. Blaemire:

The Federal Election Commission has reviewed the allegations of your complaint dated November 2, 1981 and determined that on the basis of the information provided in your complaint and information provided by the Respondents there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

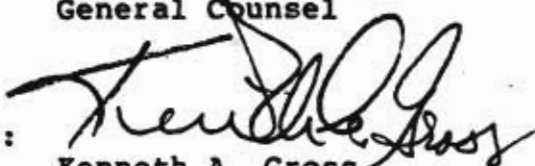
Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

92040324511



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Max Putnam
940 Des Moines Building
Des Moines, Iowa 50309

D.C.

Re: MUR 1399

Dear Mr. Putnam:

On November 9, 1981, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

123456789101112



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

John T. Dolan
Committee for Another
Responsible Senator
P.O. Box 1173
Waterloo, Iowa 50704

J.C.

Re: MUR 1399

Dear Mr. Dolan:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324513



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

People for An Alternative to McGovern
1500 Wilson Blvd., Suite 513
Arlington, Virginia 22209

D.C.

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

1152040324514



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Anybody But Church ABC Project
P.O. Box 11551
Boise, Idaho 83707

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324515



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

If Bayh Wins, You Lose
P.O. Box 452
Lafayette, Indiana 47903

J.C.

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324515



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Target 80
P.O. Box 452
Lafayette, Indiana 47902

J.C.

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

82040324517



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Curtis Herge
Sedam & Herge
8300 Greenboro Drive
Suite 1100
McLean, Virginia 22102

D.C.

Re: MUR 1399

Dear Mr. Herge:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

8 1 3 4 2 3 0 4 0 3 2 4 5 1 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

If Cranston Wins, You Lose
P.O. Box 25969
Los Angeles, California 90025

J.C.

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on May 4, 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324519



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert Blaemire
Committee for American Principles
2000 N Street, N.W., Suite 105
Washington, D.C. 20036

DL.

Re: MUR 1399

Dear Mr. Blaemire:

The Federal Election Commission has reviewed the allegations of your complaint dated November 2, 1981 and determined that on the basis of the information provided in your complaint and information provided by the Respondents there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

92040324520

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
National Conservative Political) MUR 1399
Action Committee, et al.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on May 4, 1982, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MUR 1399:

1. Find no reason to believe that People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, Committee for Another Responsible Senator, If Cranston Wins You Lose, and Target 80 violated 2 U.S.C. §§433 and 434 of the Federal Election Campaign Act of 1971, as amended, by failure to register and file reports.
2. Find no reason to believe that National Conservative Political Action Committee violated 2 U.S.C. §432(e)(4) of the Federal Election Campaign Act of 1971, as amended, by using the candidate's name in the name of the committee.
3. Find no reason to believe that People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, and If Cranston Wins You Lose violated 2 U.S.C. §432(e)(4) of the Federal Election Campaign Act of 1971, as amended, inasmuch as they are projects and not in themselves political committees.
4. Find no reason to believe that the National Conservative Political Action Committee violated 2 U.S.C. §433(b)(2) by failing to include the name of its connected organization.

(Continued)

9 2 0 4 0 3 2 4 5 2 1

5. Approve the letters attached to the General Counsel's April 23, 1982 report in this matter.

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

Attest:

5-5-82

Date

Marjorie W. Emons

Marjorie W. Emons
Secretary of the Commission

32040324522

April 26, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1399

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

Attachment

cc: Curry

3 2 0 4 0 3 2 4 5 2 3

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

• SENSITIVE •

BEFORE THE FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

82 APR 26 AIO: 24 FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION: 4-26-82

MUR 1399
DATE COMPLAINT RECEIVED
BY OGC: 11/02/81
DATE OF NOTIFICATION TO
RESPONDENTS: 11/09/81
STAFF MEMBER:
Deborah Curry

COMPLAINANT'S NAME: Committee for American Principles

RESPONDENTS' NAME: People for an Alternative to McGovern,
If Bayh Wins You Lose, Anybody But
Church, Anybody But Culver, Committee
for Another Responsible Senator, If
Cranston Wins You Lose, Target 80,
National Conservative Political Action
Committee

RELEVANT STATUTE: 2 U.S.C. §§ 432(e)(4), 433, 434

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On November 2, 1981, the Office of General Counsel received a notarized complaint from the Committee for American Principles (hereinafter "CFAP") (Attachment 1). Complainant names the following as respondents in this matter: People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, Committee For Another Responsible Senator, If Cranston Wins You Lose, and Target 80. The National

82040324524

Conservative Political Action Committee (hereinafter "NCPAC") was not specifically cited as a respondent by complainant. However, a review of the complaint and the accompanying exhibits necessitated the naming of NCPAC as a respondent also.

CFAP alleges that the above-mentioned respondents:

1) violated the registration and reporting requirements of 2 U.S.C. §§ 433 and 434; 2) violated 2 U.S.C. § 432(e)(4) by using the candidates' name in the name of the committee and 3) violated 2 U.S.C. § 433(b)(2) because they were not identified as connected organizations or affiliated committees. 1/ In addition, complainant expresses concern that NCPAC's use of the term "project" misrepresents the purpose and hides the activities of these entities from the public (see Attachment 1 page 5 of attachments).

The respondents were notified by certified mail on November 9, 1981. NCPAC was granted an extension of time to answer until December 4, 1981 pursuant to its written request. On November 24, 1981 the Office of General Counsel received a Motion to Dismiss the complaint from an attorney representing Donna Leporte, who was project director of Anybody But Culver. 2/

1/ CFAP, in its complaint, cites specifically to Commission regulations in making its allegations. Where these regulations duplicate the statute the statute is cited instead.

2/ Attached to this Motion to Dismiss were an affidavit from Donna Leporte (project director), an Independent Expenditures Memo from the attorneys of NCPAC, and bumper stickers. (See Attachment 3 pages 42-57 of attachments).

On December 2, 1981, the Office of General Counsel received a response from NCPAC. No other responses were received from the rest of the respondents in this matter.

FACTUAL AND LEGAL ANALYSIS

Allegation 1 - Registration and Reporting

CFAP states that the "Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for United States Senate." (Copies of these Exhibits were attached to the complaint. See Attachment 1 pages 6-37).

CFAP alleges that the respondents in this matter made expenditures in excess of \$1,000 within a calendar year on these activities. To support this allegation CFAP submits a budget that shows the "planned expenditures for both the [sic] mailings as well as the radio advertisements." (See Exhibit 3 page 15-18 of attachments). Therefore, CFAP concludes that respondents are political committees and that because of these expenditures they have violated the Federal Election Campaign Act of 1971, as amended (hereinafter the "Act") and Commission regulations by not filing registration statements or reports.

2 U.S.C. § 433 and § 434 require that political committees file registration statements and periodic reports with the Commission (see 11 C.F.R. § 102.1 and § 104.1). The pivotal

62040324526

issue in this matter is whether or not respondents are political committees with in the meaning of the Act. 2 U.S.C. § 431(4)(A) defines the term political committee to mean "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 ..." (See 11 C.F.R. § 100.5).

The response of NCPAC as well as the budget submitted by complainant in support of this allegation demonstrate that the initial respondents named in the CFAP complaint are not political committees within the meaning of the Act.

NCPAC in its response states that it "is a multicandidate political committee ... which has registered with, and which reports to, the Commission as required by the Act." NCPAC states that the respondents named in the complaint "were independent expenditure programs or projects administered by NCPAC in opposition to the election of certain clearly identified federal candidates." (See Attachment 2 page 40 of attachments). NCPAC maintains that the projects were authorized by the chairman and treasurer which accounted for and reported all the programs' depositories, receipts and expenditures as required by law." ^{3/} (See Attachment 2 page 40 of attachments).

^{3/} The affidavit of Donna Leporte also corroborates this. (See Attachment 3 pages 44 and 45 of attachments). The Independent Expenditure Memo by the NCPAC lawyer also supports this. (See Attachment 3 pages 52 and 53).

As noted by NCPAC the fact that these were projects was stated on the various communications. The language usually used was "Paid for by [respondents name] a project of the National Conservative Political Action Committee, and not authorized by any candidate." 4/ NCPAC also states that "[t]hese sponsorship statements satisfy the requirements of 2 U.S.C. § 441d(a)(3).

Additionally, the budget submitted by CPAP to support its allegation that the initial respondents were political committees really indicates that they are not. There is clear indicia of NCPAC sponsorship. The Budget is outlined in the context of a stated NCPAC proposal. NCPAC specifically discusses its strategy with respect to its 1980 programs to defeat top liberal Senators and the name NCPAC is stated on its cover.

NCPAC lists the depository for each of these projects on its Statement Organization or Amendments thereto. In addition, all of the expenditures and contributions associated with the projects were reported by NCPAC.

The weight of the evidence indicates that the initial respondents named in the complaint were projects of NCPAC and not political committees. Therefore, no registration or reporting

4/ Three exhibits do not contain this paid for non-authorized language. Two were short scripts for radio spots (one on NCPAC letterhead, the other on paper bearing the NCPAC address). It is not known whether the above mentioned language was used in the actual broadcast. The other exhibit was a flyer. It is not known whether this flyer was part of a package containing the language mentioned. (See Exhibits 8, 10 and 16 Attachment 1 pages 26, 28 and 37 of attachments).

8
2
5
4
2
3
9
0
4
2
0
3

requirement arises as to them. 5/ Consequently, the Office of General Counsel recommends that the Commission find no reason to believe the respondents violated 2 U.S.C. § 433 and § 434 of the Act.

Allegation 2 - Candidates' Name

CFAP alleges: 1) that most of the respondents violated 2 U.S.C. § 432(e)(4) by including the name of the candidate in its name or in the alternative 2) that if respondents are not political committees, "then NCPAC violated [sic] 2 U.S.C. § 432(e)(4) by including the names of candidates in the names it used to communicate with the public." (See Attachment 1 page 2 of attachments).

2 U.S.C. § 432(e)(4) states that "any political committee which is not an authorized committee, such political committee shall not include the name of any candidate in its name." emphasis added. (See 11 C.F.R. § 102.14). NCPAC asserts that these were projects not committees and that the names of the projects constituted political slogans that are protected by the first amendment. 6/ However, since the initial respondents are not political committees they are not subject to 2 U.S.C. § 432(e)(4).

On the other hand, NCPAC, a political committee, falls under the proscription of 2 U.S.C. § 432(e)(4). However, as noted by

5/ NCPAC, of course, is required to register and file reports.

6/ The affidavit of Donna Leporte supports this assertion. (See Attachment 3 page 44 of attachments).

NCPAC its name does not contain the name of any candidate. Accordingly, NCPAC has not violated 2 U.S.C. § 432(e)(4).

The Office of General Counsel recommends that the Commission find no reason to believe that the respondents violated 2 U.S.C. § 432(e)(4).

Allegation 3 - Connected Organization

CFAP alleges that if the initial respondents are "not political committees ... then they are 'connected organizations' with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf." ^{7/} (See Attachment 1 page 3 of attachments). CFAP also notes that respondents are not considered affiliated organizations. Therefore, CFAP's conclusion is that respondents violated 2 U.S.C. § 433(b)(2) by not being stated as connected organizations on the registration statement of NCPAC.

2 U.S.C. § 433(b)(2) requires the names of connected organizations and affiliated committees ^{8/} on the statement of organization of the committee (see 11 C.F.R. § 102.2).

2 U.S.C. § 431(7) states that the term "connected

^{7/} Complainant notes that attachments to the complaint include return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

^{8/} CFAP notes that respondents are not listed as "affiliated organizations." However, the affiliation issue can only be reached if the entity in question is a political committee. Since the initial respondents are not political committees they cannot be affiliated committees.

82049324530

organization" means "any organization which is not a political committee which directly or indirectly establishes, or financially supports a political committee." (See 11 C.F.R. § 100.6(a)).

CFAP asserts that while Commission regulations state that such organizations may be a labor organization, a membership organization, a cooperative, or a trade association, it does not require that they be any of the above. (See 11 C.F.R.

§ 100.6(a)). However, it is clear that the respondents are not connected organizations since they did not establish, administer and financially support NCPAC. Instead, it is clear from the discussion, supra, that NCPAC established and administered the respondents' programs as activities of NCPAC. Additionally, 11 C.R.R. § 100.6(c) states that "the term 'financially supports' does not include contributions to the political committee" Moreover, CFAP admits that the funds collected were deposited to NCPAC.

In conclusion, the Office of General Counsel recommends that the Commission find no reason to believe that the respondents violated 2 U.S.C. § 433(b)(2).

RECOMMENDATIONS

1. Find no reason to believe that People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, Committee for Another Responsible Senator, If Cranston Wins You Lose, and Target 80 violated 2 U.S.. §§ 433 and

3
2
0
4
0
3
2
4
5
3
1

434 of the Federal Election Campaign Act of 1971, as amended by failure to register and file reports.

2. Find no reason to believe that People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, If Cranston Wins You Lose, National Conservative Political Action Committee, violated 2 U.S.C. § 432(e)(4) of the Federal Election Campaign Act of 1971, as amended by using the candidates name in the name of the committee.

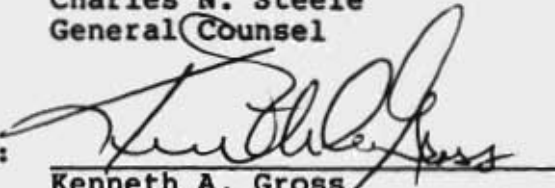
3. Find no reason to believe that the National Conservative Political Action Committee violated 2 U.S.C. § 433(b)(2) by failing to include the name of its connected organizations.

4. Approve attached letters.

3 2 0 4 0 3 2 4 5 3 2
Date April 23, 1982

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint and Exhibits (pages 1-37)
2. Response from NCPAC (pages 38-41)
3. Response from Anybody But Culver (pages 42-57)
4. Letter to Complainant (page 58)
5. Letters to Respondents (pages 59-66)

COMMITTEE
FOR
AMERICAN
PRINCIPLES

2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

Attachment 1

General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

November 2, 1981

Dear Sirs:

Before The Federal Election Commission

In The Matter Of:

- People For An Alternative To McGovern
- If Bayh Wins You Lose
- Anybody But Church
- Anybody But Culver
- Committee For Another Responsible Senator
- If Cranston Wins You Lose
- Target 80

MUR No. _____

COMPLAINT

1. During the 1980 General Election the above-named Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for the United States Senate. Copies of campaign literature and transcripts of radio advertisements are attached hereto as Exhibit A.

2. The Federal Election Commission's regulations define the term 'political committee' to mean "...any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1000 or which makes expenditures aggregating in excess of \$1000 during a calendar year..." Political committees are required by the Federal Election Campaign Act of 1971, as amended, to file registration statements and periodic reports with

the Commission. (2 USC Sec. 433, 434; 11 CFR Parts 102, 104).

3. On information and belief, based on Complainant's knowledge of the cost of such activities, Complainant alleges that the above-named Respondents made expenditures in excess of \$1000 during a calendar year. Attached as part of Exhibit A is a budget that reveals overall planned expenditures for both the attached mailings as well as the radio advertisements.

4. The above-named Respondents are thus political committees. They have violated the Act and the Commission's regulations by not filing registration statements or reports.

5. The Commission's regulations provide that "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11 CFR Sec. 102.14(a)).

6. Most of the above-named Respondents violated 11 CFR Sec. 102.14(a) by including the name of the candidate in its name.

7. In the event the Commission concludes that the above-named Respondents are not separate political committees because they are "projects of a political committee (National Conservative Political Action Committee "NCPAC"), then NCPAC violated 11 CFR Sec. 102.14(a) by including the names of candidates in the names it used to communicate with the public.

8. The Commission's regulations define the term "connected organization" to mean "any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee." (11 CFR Sec. 100.6(a)). Commission regulations allow that a "connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade

association." (11 CFR Sec. 100.6(a)) but does not require that a "connected organization" be any of the above. Complainant notes that the above-named Respondents are not considered "affiliated organizations" either in the statements of the parent organization, NCPAC.

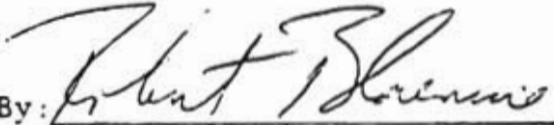
9. If the Commission concludes that the above named Respondents are not political committees (either because they in fact did not receive contributions or make expenditures in excess of \$1000 or because they are "projects" of NCPAC), then they are "connected organizations" with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf. Complainant notes material in Exhibit A that includes return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

10. If the above-named Respondents are "connected organizations" with NCPAC, then NCPAC violated 11 CFR Sec. 102.2 by not identifying them on its registration statement.

Wherefore, I hereby request that the Commission initiate a compliance matter on this Complaint pursuant to 2 USC Sec. 437g and 11 CFR Part III.

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: 

Robert Blaemire
President

Date 10/30/81

3
2
0
4
0
3
2
4
5
3
5

Subscribed and sworn to me this 30th day of October,
1981.

Janet G. Meyers
Notary Public

(SEAL)

My Commission Expires February 17, 1984
My Commission expires: _____

82040324536

Addendum to Complaint in the matter of People for an Alternative to McGovern et al:

Complainant hopes to impress upon the Commission the inherent problems caused by the use of "projects" by political committees, subject of this complaint. Federal Election Commission regulations prohibit the use of conduits for the raising of funds in federal campaigns. The spirit of those regulations is clearly violated, if not the letter, by the use of "projects", when the only indication of the real source of expenditure or recipient of contribution is NCPAC.

Secondly, Complainant is concerned that this use of "projects" is an invitation to misrepresent the intent of parent organization. Example; there is no record of what the South Dakota raised. That money could have been, conceivably spent in another target race when the solicitation clearly implied that the funds would be used in South Dakota. The purpose of the Federal Election Reforms was to open up the political process, yet this is an invitation to hide particular activities and misrepresentation of purpose. Complainant fears that this practice could lead to candidates using "projects" to raise funds from individuals in opposition to their own campaigns, when the real source of solicitation, whatever the mailed solicitation may say, is revealed only in a small disclaimer at the bottom of the letter mailed. The purposes of the solicitation, sponsors of the solicitation and recipients of funds received must be clearly identified. Complainant feels the intent of the law and regulations demands no less.

32040324537

82040324538



BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 1106 LAFAYETTE, IND

POSTAGE WILL BE PAID BY ADDRESSEE

TARGET 80
If Bayh Wins, You Lose!
P.O. Box 452
Lafayette Ind. 47902

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



6

(7)

TARGET 80

P.O. BOX 452
LAFAYETTE, IN 47902

E 1

Dear Friend,

I'm willing to bet that you oppose Birch Bayh and his record of big-spending liberalism.

And I'll bet you probably never knew how radically liberal he has voted in Congress.

***Birch Bayh supports busing.

***Birch Bayh voted for inflation-causing deficits by supporting billions in excess government spending.

***Birch Bayh opposed a 33% tax cut last year -- a cut that would have meant thousands more in spendable income for taxpayers like you and me.

And there's lots more I'll bet you didn't know about Birch Bayh and his record.

The strange thing is that few people in Indiana know how little Birch Bayh's voting record represents their views in Washington. You see, Birch Bayh uses his staff and Senate expenses to get good publicity for him here in Indiana. For example, he sends out a newsletter regularly where he tells us how conservative he is. But he doesn't tell us about his liberal voting record.

Birch Bayh never tells us that he is one of the most liberal members of the U.S. Senate.

Well, I'm sick of politicians like Birch Bayh who tell us one thing when they're here in the state, and then vote any way they please when they go back to Washington.

I'm hoping that you'll help me tell thousands of voters in Indiana... IF BAYH WINS, YOU LOSE.

You see, unlike Birch Bayh, I would not use our tax dollars to tell everyone how liberal he is. But I do have the help of the National Conservative Political Action Committee. The National Conservative PAC agreed to help me spread the truth about Birch Bayh.

more...

32040324539

I hope you and I and the National Conservative PAC will be able to convince enough people that if Birch Bayh is re-elected in 1980, we all lose.

Now let me tell you exactly what the Target 80 Committee will do.

We want to set up an independent advertising campaign funded by ordinary taxpayers like you and me to expose Birch Bayh and his record. We want to send thousands of letters like this to other voters in Indiana.

Finally, Target 80 will organize a radio, television and newspaper advertising blitz unprecedented in our state's history. Nothing will be a more dramatic demonstration of exactly how strongly you and I feel about Bayh.

And, if we succeed, at last we'd be telling the politicians they can't tell us one thing and then vote differently when we aren't looking.

Of course, all of this is going to require your help. So let me tell you what you can do:

First, fill out the enclosed victory card.

Second, send Target 80 your largest check possible. None of our activities can be carried out without your financial support.

If you can send \$100 or \$250, that would be tremendous. If you can send \$50, \$25, or only \$15, that will be fine, too. Just remember that no contribution will be too small.

I'm absolutely convinced that with your help, you and I can expose Birch Bayh and his record of liberalism. But without your largest check possible to Target 80, we all lose.

Sincerely,

Joan Gubbins
Joan Gubbins
State Senator

P.S. Perhaps you may have read about Target 80 in your local newspaper or Time magazine. We are already seeing the effect of our campaign, but we need more help. Please let me hear from you today.

32040324540

VICTORY CARD
.....

Dear Senator Gubbins:

Yes, I want to be a part of Target 80.

_____ I'll donate at least one hour of my time.

_____ I've listed five friends and their addresses on the back. (If I can't think of five, I've listed as many as I can.) Please write to them about Target 80.

_____ Please use my name in newspaper ads with other prominent citizens of Indiana.

_____ I'll contribute. I'm enclosing:

_____ \$500 _____ \$250 _____ \$100 _____ \$50

_____ \$25 _____ \$15 _____ Other \$ _____

My check is made out to Target 80.

Please print:

Mr., Mrs., Miss _____

Address _____

City _____ State _____ Zip _____

Telephone () _____

Target 80
P.O. Box 452
Lafayette, Indiana 47902

Federal law requires that we ask the following:

Occupation:

Place employed:

32040324541

10

Target 80
Box 452
Lafayette, IN 47902

It's Time... To Do Something About Birch Bayh

Bulk Mail
Postage Paid
Permit No 274
Lafayette, IN

2 4 5 4 2 2 3 0 4 0 2 8

IF BAYH WINS, YOU LOSE!

P.O. Box 452
Lafayette, Ind. 47902

copy to

DAB

E2

11

Dear Friend,

I'm willing to bet that you oppose Birch Bayh and his record of big-spending liberalism.

And I'll bet you probably never knew how radically liberal he has voted in Congress.

***Birch Bayh supports busing.

***Birch Bayh voted for inflation-causing deficits by supporting billions in excess government spending

***Birch Bayh opposed a 33% tax cut last year -- a cut that would have meant thousands more in spendable income for taxpayers like you and me.

And there's lots more I'll bet you didn't know about Birch Bayh and his record.

The strange thing is that few people in Indiana know what a terrible job Birch Bayh is doing in Washington. You see, Birch Bayh uses his staff and Senate expenses to get good publicity for him here in Indiana. For example, he sends out a newsletter regularly where he tells us how conservative he is. But he doesn't tell us about his radical voting record.

Birch Bayh never tells us that he is one of the most liberal members of the U.S. Senate.

Well, I'm sick of politicians like Birch Bayh who tell us one thing when they're here in the state, and then vote like radicals when they go back to Washington.

That's why I decided to write you today, and to send you this penny I've attached to the envelope.

I'm hoping that if you agree with what I have to say

12

about Birch Bayh that you'll keep the penny as a reminder and help me spread the message about his record.

I'm hoping that you'll help me tell thousands of voters in Indiana...

IF BAYH WINS, YOU LOSE.

You see, unlike Birch Bayh, I would not use our tax dollars to tell everyone how liberal he is. But I do have the help of the National Conservative Political Action Committee. The National Conservative PAC agreed to help me spread the truth about Birch Bayh.

I hope you and I and the National Conservative PAC will be able to convince enough people that if Birch Bayh is re-elected in 1980, we all lose.

I've agreed to set up an unprecedented campaign to expose Birch Bayh and his record of radicalism, beginning right now.

I've enclosed a newspaper ad which spells out only a few of his liberal votes. I hope you'll read it, then join me in this campaign to expose Birch Bayh for the radical he is.

Before I tell you what the IF BAYH WINS, YOU LOSE Committee (IBWYL) is going to do, and how you can help, let me answer a question I bet you are asking yourself: "Why start so early; the election is more than a year away?"

Well, the answer is quite simple.

The power of an incumbent Senator is so great, that unless we begin immediately, we'll be sure to lose. You see, incumbents use our tax money to get free publicity. They use their staff, their free newsletters, their fancy computers, their mailing privileges and many other goodies that only members of Congress have.

Unfortunately, many people are impressed by mailings they get from Birch Bayh, even though much of the information they contain does not tell the true story of how he represents us in Congress. They are impressed by the stories they read about him in the newspapers, even though many of these stories are just reprints of canned news releases his professional public relations experts print and send out at taxpayer expense.

Unfortunately, the fact is that most polls show the majority of the people decide who they will vote for

more...

3 2 0 4 0 3 2 4 5 4 1

months and months ahead of the election.

You remember that Jimmy Carter started running for President two and one-half years before the election.

So, you can see that your help today is very, very important.

In fact, I believe so strongly in IBWYL, that I'm going to come right out and ask you to help us in many different ways, and help as many ways as possible.

Now let me tell you exactly what the IF BAYH WINS, YOU LOSE! Committee will do.

We want to set up an independent advertising campaign funded by ordinary taxpayers like you and me to expose Birch Bayh and his record of radicalism. We want to send thousands of letters like this to other voters in Indiana. We want IBWYL to distribute thousands of the newspaper ad I've enclosed for you which tells how Birch Bayh actually votes.

Finally, IBWYL will help organize a radio, television and newspaper advertising blitz unprecedented in our state's history. Nothing will be a more dramatic demonstration of exactly how strongly you and I feel about Bayh.

And, if we succeed, at last we'd be telling the politicians they can't tell us one thing and then vote differently when we aren't looking.

Of course, all of this is going to require your help. So let me tell you what you can do:

- First, fill out the enclosed Victory Card and let IBWYL use your name in a series of newspaper ads we hope to place all over the state. It would be a true honor for me to know that yours will be on a list with a number of other distinguished citizens.
- Second, pass on the ad exposing Birch Bayh's record to a friend who is interested in politics. The more people who know about what Birch Bayh is going, the better off we are.
- Third, if possible check the box on the Victory Card which says you'll be willing to work for IBWYL to defeat Bayh. I promise, I won't ask you to do more than you have time for.
- Fourth, send IBWYL your largest check possible. None of our activities can be carried

more...

3 2 0 4 0 3 2 4 5 4 5

14

out without your financial support.

If you can send \$100 or \$250, that would be tremendous. If you can send \$50, \$25, or only \$15, that will be fine, too. Just remember that no contribution will be too small.

I'm absolutely convinced that with your help, you and I can expose Birch Bayh and his record of radicalism. But without your largest check possible to IF BAYH WINS, YOU LOSE!, we all lose.

Sincerely,

State Sen. Jean Gubbins my

Jean Gubbins-
State Senator

P.S. If you send a contribution of at least \$15, I'll send you a bumper sticker for your car which says, IF BAYH WINS, YOU LOSE! It's a perfect way of showing people how you feel. Please let me hear from you today.

32040324546

copy to
DAB

(15)

E3

To verify receipt of your report, please peel off the top half of this label and affix it in the area provided on the enclosed reply memo.

CONFIDENTIAL
(FOR NCPAC SUPPORTERS ONLY)

DETAILED STRATEGY
FOR DEFEAT OF
5 TOP LIBERAL
SENATORS IN
THE 1980 ELECTION

National Conservative Political Action Committee

1500 wilson blvd. suite 513 arlington, va. 22209

A copy of our report is being made available for purchase from the Federal Election Commission, Washington, D.C.

32049324547

Through August 1979

(16)

CALIFORNIA -- Alan Cranston

Letters to Voters--1,300,00 @\$.26	\$338,000
Television & Radio Production & Placement	40,000
Newspaper Ads	15,000
Voter Survey	<u>10,000</u>
	403,000

INDIANA -- Birch Bayh

Letters to Voters--392,000 @\$.26	101,920
Television & Radio Production & Placement	25,000
Newspaper Ads	10,000
Voter Survey	<u>10,000</u>
	146,920

IOWA -- John Culver

Letters to Voters--184,000@\$.26	47,840
Television & Radio Production & Placement	-10,000
Newspaper Ads	10,000
Voter Survey	<u>9,000</u>
	76,846

IDAHO -- Frank Church

Letters to Voters--68,000 @\$.26	17,680
Television & Radio Production & Placement	10,000
Newspaper Ads	10,000
Voter Survey--	<u>8,000</u>
	45,680

SOUTH DAKOTA -- George McGovern

Letters to Voters--56,000 @\$.26	14,560
Television & Radio Production & Placement	15,000
Newspaper Ads	10,000
Voter Survey	<u>8,000</u>
	<u>47,560</u>

TOTAL

\$719,960

82040324548

OVERVIEW

There are two key elements to our strategy:

1. Exposing the voting records of 5 key liberal Senators in their own home states
2. Starting this program early enough to weaken the liberal so a conservative can defeat him in 1980.

Almost all incumbent liberal politicians begin with huge popularity ratings through their clever expenditure of tax payers money.

They are permitted to use hundreds of thousands of dollars to pay for "educational" newsletters, staff members who devote their time to creating a favorable public impression for the incumbent, a sophisticated computer and mailing service that permits many Senators to mail millions of pieces of "personalized" letters to constituents every year and many other benefits. All of this is paid for by taxpayers money.

3 4 9 In many cases an incumbent has been so popular, numerous creditable conservative candidates have simply decided not to run against them.

3 4 5 A good example of this occurred in 1978 in the states of Iowa and New Hampshire. It took NCPAC a great deal of effort to convince conservatives like Gordon Humphrey and Roger Jepsen to make the race against liberal Senators Thomas McIntyre and Dick Clark. As a matter of fact, Roger Jepsen filed only a few days before the filing deadline. In both cases, Senators Clark and McIntyre had 70% popularity ratings and neither Senators Jepsen nor Humphrey were interested in running against such popular leaders.

3 2 0 4 That is why the NCPAC proposal is so important. It is too early for many conservative candidates to emerge. On the other hand, in many cases it is already too late to begin the long process of attacking an incumbent liberal's radical voting record. The NCPAC proposal can be broken down into five basic steps:

STEP ONE - VOTER SURVEYS

We must immediately take a series of sophisticated computerized voter surveys to establish the strengths and weaknesses of each of the 5 target liberal Senators we have chosen.

This same type of discriminatory issue selection was critical in choosing areas of issue concentration for Senators Humphrey and Jepsen in 1978. It is far more profitable for us to attack the liberals on those issues that particularly will annoy their constituents.

STEP TWO - FIELD REPRESENTATIVES

We will hire a full-time field representative in each of the states to undertake a number of activities. First, he will begin marshalling all the forces who are opposing the incumbent Senators such as the pro-life

18
groups, taxpayers organizations, gun owners organizations, and a host of others.

Second, he will begin dramatic research about the incumbent's record and begin distributing it to the tens of thousands of conservatives we hope to identify in each state. Third, he will be coordinating the concentrated free media program against each of these incumbents.

STEP THREE - LETTERS TO VOTERS

As a result of the computerized voter survey, and activities of each field staffer, NCPAC proposes to mail to every single registered voter in each of the states we have targeted. The letter to each voter will expose each liberal Senator's "Record of Radicalism." It will give a vote by vote analysis of some of his most liberal positions.

The letter will also seek to get each person personally involved in the campaign to defeat the incumbent, not only by asking for a financial contribution and their vote against the incumbent on election day, but also by requesting their personal volunteered involvement in this independent campaign. This can include a number of small but important tasks such as writing letters to editors, walking a precinct, sending postcards and other letters to their friends, consenting to list their name on newspaper advertisements opposing the incumbent Senator, and a host of other activities.

STEP FOUR - ADVERTISING CAMPAIGN

NCPAC will then begin an immediate and extensive television, radio and newspaper ad campaign to exploit the weaknesses of each incumbent.

Of course, before any issues were finally selected, a very careful analysis of the computerized voter survey must be made. But at this point, we anticipate emphasizing such important issues as national defense, and inflation. A sample of one of these proposed advertisements is attached.

STEP FIVE - FINAL CANDIDATE RECRUITMENT

NCPAC will assemble its political experts from all over the country and do a step-by-step analysis of the whole independent expenditure campaign in the next few months to completely evaluate its strong and weak points, and what alterations should be made.

After the program is fine-tuned to be as effective as possible, NCPAC will expand the initial list of ten targeted liberals to include as many other liberals as funding will permit. Finally, all resources developed during this independent campaign will, at some point, be turned over to the candidate we decide is the best able to represent the conservative viewpoint.

● TARGET 80 ●

P.O. BOX 452
LAFAYETTE, IN 47902

E 4

19

Dear Doctor:

Are you aware that Congress is actually becoming more conservative?

Yes, it's a fact that the 96th Congress is more conservative than the 95th, according to Interim Ratings of Congress released by the American Conservative Union. Conservative ratings in 1979 are two percentage points higher than the 1978 average; and more than four points higher than in 1976. The Senate in particular averaged higher than the House. Most encouraging is the fact that freshman members of both the Senate and House averaged much higher conservative scores than other members of Congress.

In sharp contrast to the conservative trend in Congress is the startling fact that Birch Bayh's voting record has become more and more liberal each year.

No matter what your political stance is--independant, Republican, or Democratic--you are already convinced that our congressional policy of deficit spending has been the main cause of our spiraling taxes and inflation. The reason it is getting increasingly difficult to pay your bills today is that our national bill is going up each year--thanks to the liberal spending of our taxpayers' money by Congress. At present the taxpayer's liability in this country has escalated to \$9 trillion. That's more than \$100,000 in-debtedness for each taxpayer--including you. (Figures are based on official Treasury Department statistics.)

Please note the following facts:

Birch Bayh has consistently supported inflationary spending when:

*He voted to give away the Panama Canal.

(cost to the taxpayer, \$4 Billion)

*He voted to bail out New York City.

(cost to the taxpayer, 7 Billion)

*He voted to hike his own salary by \$13,000.

(cost to the taxpayer, \$7 Million)

*He voted against the Kemp-Roth tax reduction act.

(cost to the taxpayer, \$67 Billion)

Birch Bayh has voted 14 out of 15 times to raise the National Debt Ceiling, in fact he has voted to raise it over \$268 Billion in his 17 years in the Senate.

You read everywhere that the overwhelming mood of our country today is one of fiscal responsibility. Citizens everywhere are up in arms and refuse to stand for any more deficit spending by Congress.

We invite you to join our "Target 80" campaign. It is Indiana's part in the National Conservative Political Action Committee--NCPAC. Professional people, educators, corporations, trade associations, and thinking people in all walks of life are all supporting "Target 80".

Here is what "Target 80" is doing to keep Indiana in step with the national trend to make Congress fiscally conservative:

- ***"Target 80" is telling Indiana people the truth about Birch Bayh's voting record.
- ***"Target 80" sponsors prominent people on radio and television, like Senator Roger Jessup, who gives the truth about Bayh's voting record.
- ***"Target 80" conducts a direct mail, radio, television, and newspaper campaign unprecedented in our state's history.

We need your help so that all of the people of Indiana can be made aware of Birch Bayh's record of runaway spending.

Remember:

This is a cause that has already made great strides forward. We need to keep Indiana abreast with the conservative trend in both parties. Your generous support will be a sound investment in the future of our country.

We ask you to please do the following without delay:

- First: Read the enclosed detailed record of Birch Bayh's votes.
- Second: Fill out the enclosed Victory Card.
- Third: Send "Target 80" your most generous contribution.

Your contribution will be spent entirely in Indiana on the "Target 80" project.

Please help,
Sincerely,

Robert W. McKinley, Jr.

3 2 0 4 0 3 2 4 5 5 2

Doh (21) ES

National Conservative Political Action Committee

500 W. 50th St. Suite 513 Arlington, Va. 22209 (703) 522-2800

Dear Friend:

If you act today, you and I can put the last nails in Birch Bayh's political coffin.

We just received survey data showing Bayh's lead over conservative Congressman Dan Quayle dropping to eight percent.

What this means is simple: we are successfully making Birch Bayh's liberal record the issue in this campaign. Hoosiers are fed up with:

- 1 ** Bayh's support of the Panama Canal giveaway.
- 1 ** Bayh's opposition to important defense programs.
- 1 ** Bayh's votes against a balanced budget almost every single time it's been brought up in the U.S. Senate.
- 1 ** Bayh's support of forced busing, federal funds for abortion, and stopping our schoolchildren from praying.

That's Bayh's record, and now he has to live with it.

In the next three weeks, I want to organize a huge statewide television and radio blitz talking about these issues and others that will open the eyes of many Hoosiers. I'm convinced that if we are successful in raising the money for this media campaign, we will be very close to our goal of defeating Birch Bayh in November.

I've enclosed a confidential budget for this media campaign. Please don't pass it on to anyone, unless you are sure you can trust them, and they are willing to contribute to this important campaign.

AMERICA

Int'l. Center Office Plaza 5
1800 N. Beauregard Street, Suite 12
Alexandria, VA 22311
Phone 703 995 0334

22

E6

SCRIPT OF 60-SECOND RADIO COMMERCIAL

ANNOUNCER: Birch Bayh says he lets the people on Main Street tell him how to vote in Congress. Well, here we are on Main Street, Indiana. Sir, did you tell Birch Bayh to vote to give away our Panama Canal?

JOE: NO! I asked Birch Bayh to vote against the giveaway. But I guess he's not listening to the people of Indiana.

ANNOUNCER: Ma'am, did you tell Birch Bayh to vote against a 10% cut in income tax rates?

MARY: Heavens, no! We need tax relief. But it looks like Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: How about you? Did you tell Birch Bayh to vote to cut spending for national defense 2 billion dollars?

JOHN: Hell, no! We need to strengthen our national defense, not cripple it. Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: Did you tell Birch Bayh to vote 15 times to increase our national debt?

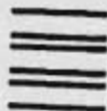
HARRY: Are you kidding? Big deficit spending causes inflation and costs us jobs. Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: Who is telling Birch Bayh how to vote? Maybe people in New York or Massachusetts. But he's not listening to the people of Indiana.

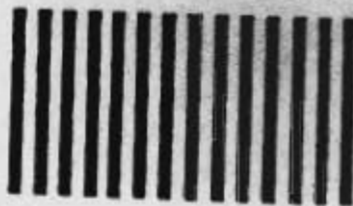
Paid for by If Bayh Wins, You Lose - a project of the National Conservative Political Action Committee - and not authorized by any candidate or candidate committee

32040324551

8 2 0 4 0 3 2 4 5 5 5



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 1106 LAFAYETTE, IN

POSTAGE WILL BE PAID BY ADDRESSEE

TARGET 80

If Bayh Wins, You Lose!

P.O. Box 452

Lafayette Ind. 47902

23

Birch Bayh's Voting Record

24

E1

ECONOMY

From 1965-1978

- 29 votes out of 42 were considered bad for the economy.
- 7 were good for the economy, and 6 no votes.

KEY VOTES

- 1975—Voted against amendment to delete automatic pay increases to congressmen.
- 1975—Voted against the amendment to reduce Labor-HEW Appropriations.
- 1975—Voted against amendment to reduce by almost \$1 billion in assistance to ConRail.
- 1976—Voted for amendment to increase outlay by \$3.2 billion for public services.
- 1978—Voted against amendment to cut \$810 million from appropriations for HUD, EPA, NASA, and NSF.

FISCAL

1978

- 9 votes out of 16 were considered bad for the taxpayer.
- 3 were considered good, and 4 no votes.

KEY VOTES

- Voted for \$3.05 billion for foreign military assistance.
- Voted for \$135 million to produce swine flu immunization.
- Voted against amendment requiring students receiving food stamps to meet work registration requirements.
- Voted for increased funding for federal housing programs.
- Voted to delete \$1 billion for B-1 Bomber program.

NATIONAL SECURITY

From 1969-1978

- 24 votes out of 33 were bad for national security.
- 1 was good for national security, and 8 no votes.

KEY VOTES

- 1970—Voted to cut all funds for deployment of the Safeguard anti-ballistic missiles from any site.
- 1970—Voted to cut all funds for the Subversive Activities Control Board.
- 1974—Voted to reduce funds for the B-1 Bomber.
- 1974—Voted to limit defense spending to \$81 billion.
- 1975—Voted to cut defense budget.
- 1975—Voted to eliminate research programs for missiles.
- 1975—Voted to eliminate \$850.5 million for research on B-1 Bomber.
- 1975—Voted to delay testing of cruise missile.
- 1975—Voted to dismantle Safeguard ABM.
- 1977—Voted to delete \$1,466 billion from B-1 Bomber.
- 1978—Voted against amendment to unilaterally lift U.S. sanctions against Rhodesia from Oct. 1 to Dec. 31, 1978.
- 1978—Voted for the ratification of the Panama Canal Treaty on April 18.
- 1979—Voted against a 5% increase in defense spending.

ABORTION

25

From 1974-1978

- 15 votes out of 16 were pro-abortion, and 1 no vote.

KEY VOTES

- 1976—Voted against a move that the Senate not delete the Hyde amendment which would bar use of funds to pay for, encourage, or promote abortions.
- 1976—Voted for a move that the Senate insist on their amendment to delete the Hyde amendment from the House's bill.
- 1977—Voted for amendment to allow use of federal funds for abortion-on-demand.
- 1977—Voted for move to kill amendment giving employers the right to exclude abortions from their health plans for employees if it were against their conscience to include abortion in their health coverage.

GUN CONTROL

From 1968-1978

- 6 votes out of 17 were pro-gun control.
- 9 were against gun control, and 2 no votes.

KEY VOTES

- 1968—Voted for passage of the 1968 Gun Control Act, HB 17735.
- 1972—Voted for a ban on "Saturday Night Specials".
- 1978—Voted for motion to table amendment which would delete \$4.2 million from BATF appropriations.

NUCLEAR DEVELOPMENT

From 1974-1978

- 4 votes out of 10 were anti-nuclear development.
- 3 were pro-nuclear development, and 3 no votes.

KEY VOTES

- 1978—Voted for Glenn motion to table Senator Domenici's amendment to require full-scale review of nuclear export request by regular customers only every 5 years.

NATIONAL DEBT

- Since May of 1963 Bayh has voted to raise the National Debt Ceiling on 14 out of 15 roll calls. His votes represent an additional \$286 billion in debts. An additional \$123 billion was passed by voice vote in 1975 and 1976, therefore no record of Bayh's actions on those votes is available.

ADDITIONAL KEY VOTES

- March 26, 1979—Voted to reject amendment to prevent debt limits increase after 1980 unless the budget is balanced.
- April 2, 1979—Voted against the Wage and Price Councils study of the inflationary impact of federal programs only 6 days later.

Frank Church's Record of Shame



Frank Church Opposes A Strong National Defense

FACT—CHURCH WEAKENS AMERICAN INTELLIGENCE SERVICES

In 1974 Frank Church personally supervised the anti-CIA witch-hunt which critically weakened America's intelligence services.

FACT—CHURCH OPPOSES TRIDENT SUBMARINE

In 1974 Church voted against funds for the Trident submarine delaying by two years the development of this essential weapon.

FACT—CHURCH OPPOSES B-1 BOMBER

On July 18, 1977 Church voted against funds to build the B-1 bomber. The B-1 is necessary to replace our aging B-52 bomber force and to strengthen our deterrent against Soviet attack.

FACT—CHURCH OPPOSES INCREASED AMERICAN DEFENSE

On April 26, 1978 Church voted against amendment to increase American defense spending. Soviet military spending in all areas is now far ahead of U.S.

FACT—CHURCH FAVORS GIVEAWAY OF PANAMA CANAL

On April 18, 1978 Church voted against the will of a majority of Americans to give the Panama Canal to marxist dictator Omar Torrijos.

*This ad is part
of our "Target 80"
Project -*

E9

(27)

WADIANERICA

200 Wilson Boulevard, Suite 515, Arlington, Virginia 22209, 703/263-154

MC/FAC/Church 60 sec. spot

VIDEO

AUDIO

Representative Golder
standing in front of missile
site.

(Super: Representative James
Golder, Republican, Boise)

5

10

15

Different shots of missile
silos.

20

25

30

35

40

Representative Jim Golder:

I'm standing in front of these missile
silos to dramatize one of the effects
of Senator Church's power in Washington.

These silos aren't filled with missiles
any more. They are empty.
Because of that they won't be of much
help in defense of your family or mine.

You see Senator Church has almost always
opposed a strong national defense.

He led the fight to give away our Panama
Canal. He voted to slash national
defense procurement: *WV*

Now Senator Church is one of those who
wants to push the SALT II treaty through
the Senate, which I believe would seriously
weaken America.

A copy of our report is on the web and available for purchase from the Federal Election Commission, Washington, D.C.

Arlington, VA 22209

1500 Wilson Blvd.

Committee

National Conservative Political Action

Occupation

State

Zip

City

Address

Name

Federal Law requires that we ask:

Please make your check payable to MC/FAC

\$

I want to spread the message about
Frank Church's record of radicalism.
Enclosed is my contribution of:

ADRIAN RICK

28

100 Wilson Boulevard, Suite 515, Arlington, Virginia 22209, 703/243-154

NCFAC/Church 60 sec. spot

VIDEO

AUDIO

E40

Representative Golder
standing in front of missile
site.
(Super: Representative James
Golder, Republican, Boise)

Representative Jim Golder:

I'm standing in front of these missile
silos to dramatize one of the effects
of Senator Church's power in Washington.

These silos aren't filled with missiles
any more. They are empty.
Because of that they won't be of much
help in defense of your family or mine.

Different shots of missile
sites.

You see Senator Church has almost always
opposed a strong national defense.

He led the fight to give away our Panama
Canal. He voted to slash national
defense procurement: AM

Now Senator Church is one of those who
wants to push the SALT II treaty through
the Senate, which I believe would serious-
ly weaken America.

In Idaho we're going to have to do our
part to keep America strong. First we
need to defeat the SALT treaty. And
then work to replace Church with an
advocate of an America second to none
in military strength.

If you agree write to us:
ABC project, Boise, Idaho. 577-1

Dissolve to logo:
ABC Project, Box 1551,
Boise, ID 83707

Dissolve to Logo:
If Church wins, you lose.

~~Adrian Rick~~
~~Committee~~
~~At Home~~
~~Mike~~
~~St. John~~
577-1574-7612
52-2-5

JOHN T. DOLAN
Committee for Another Responsible Senator
Post Office Box 1173
Waterloo, Iowa 50704

Santer, B. (circled)
FYI

Tom Ell

The Fool of Things
To Come



Dear Conservative Friend:

Of all the ultra-liberal Senators campaigning for re-election in 1980, only one is defiantly proclaiming his liberalism.

He's Iowa Senator John Culver, and he's been called "the most liberal man in the Senate." That's quite a label considering competition like George McGovern, Howard Metzenbaum and Teddy Kennedy!

The people of Iowa are not radicals. They aren't even liberal. In 1978 they elected conservative Senator Roger Jepsen over John Culver's fellow left-wing extremist, Dick Clark.

In 1980, Iowans will continue their responsible tradition if they are fully informed of John Culver's radical voting record in the Senate.

Consider these votes and stated positions which clearly show Culver's total liberalism:

- *Panama Canal Giveaway - FOR
- *Build Neutron Bomb - AGAINST
- *Build B-1 Bomber - AGAINST
- *SALT II Treaty - FOR
- *Tax Cuts for Middle Income Persons - AGAINST
- *Congressional Pay Raise - FOR
- *Raise National Debt Limits - FOR
- *New York City Bailouts - FOR
- *Taxpayer Financed Federal Elections - FOR
- *Union boss grab for power over unionization elections - FOR
- *Exempt Small Business from OSHA - AGAINST
- *Humphrey-Hawkins Act - FOR
- *Forced Busing of School Children - FOR
- *Taxpayer Financed Abortion on Demand - FOR
- *School Prayer - AGAINST

As you can see Culver votes AGAINST a strong national defense, AGAINST free enterprise and FOR union boss demands, AGAINST fiscally responsible government spending, and AGAINST issues for strong national moral stands.

John Culver is out of step with the people of Iowa and the nation, but he couldn't care less. He believes he can be re-elected by continuing

to play to the outrageous demands of special interest groups.

His record with the AFL-CIO's giant political COPE machine is one of the highest in the Senate.

John Culver knows the big union bosses will shower his re-election campaign with not only money, but also with such valuable and vital services as were recently cited in the prestigious CONGRESSIONAL QUARTERLY:

"When a labor union decides to endorse a candidate, it brings to the campaign not only money, but a well-developed apparatus aimed at registering workers to vote and getting them to the polls."

As a COPE spokesman told CONGRESSIONAL QUARTERLY:

"An endorsement doesn't mean a damn thing. What follows is an enormous propaganda and get-out-the-vote effort."

Iowa unions have already shown in 1980 that they can flex their political muscles effectively. The national teacher's union, the NEA, provided their presidential candidate, Jimmy Carter, his big win there as part of their repayment for his support for their "Department of Education."

John Culver backed the NEA's new massive bureaucracy as well, and he is confident the teachers union will give him the same strong support.

But John Culver has other reasons to expect his extremist record will pay off as well...

He is one of Teddy Kennedy's closest friends. Their relationship dates back to their college days at Harvard.

But, the ties are even deeper than Culver would like Iowa voters to know.

WHEN TEDDY KENNEDY HURRIED BACK TO THE KENNEDY COMPOUND AT HYANNIS PORT AFTER THE DEATH OF MARY JO KOEPECHNE, HE CALLED TOGETHER A GROUP OF KENNEDY "CAMELOT" BACKERS TO HELP HIM CONCOCT HIS FALLACY-RIDDEN STORY OF THE EVENTS OF THAT FATEFUL NIGHT.

Among those called to Hyannis was an obscure Iowa Congressman named John Culver, now Senator Culver.

The Kennedys haven't forgotten their pal, and in his battle for re-election this year, they are doing their very best to help him win. The money has flowed to Culver from Kennedy fund-raising events on his behalf.

** Kennedy in-laws, Mr. & Mrs. Steven Smith hosted a fund-raiser for John Culver which raked in a cool \$21,000.

** Mrs. Robert F. Kennedy threw a big party for Iowa's Senator which gave Culver another \$17,765.

more...

** Mrs. Patricia Kennedy Lawford gave yet another party for friend Culver which enriched his campaign by \$7,075.

John Culver's liberalism may not reflect the views of the citizens of Iowa, but it sure does give him the big money needed to sell himself to the unsuspecting voter.

Kennedy support didn't end Culver's fund-raising from among the elite of the eastern liberal establishment...

NEW YORKERS HAVE DONATED A STARTLING \$84,653 TO
HELP RE-ELECT IOWA'S SENATOR JOHN CULVER!

From outside the Kennedy crowd has come another \$2,500 from members of the Rockefeller family, perhaps as a reward for Mr. Culver's support for and membership in the Trilateral Commission.

For a fellow picturing himself as a little guy from Iowa, he is receiving plenty of support from those far removed from Iowa's mid-America cornfields.

John Culver knows that his huge campaign warchest, his liberal friends in the Iowa media and the many IOU's from the big union bosses will assure liberals and free lunch takers will get out and vote for him.

The only way John Culver can be defeated in 1980 is for the working people of Iowa to learn just how radical he votes in Washington.

With John Culver being far out of step with most Iowans, the GOP nominee is thankfully in step with them. He has a record in Congress as well, a record the very opposite of Culver's.

He is Congressman Chuck Grassley, a conservative with a nearly perfect voting record FOR a strong defense, AGAINST big government, AGAINST inflationary big spending policies and FOR the solid moral values of our American heritage.

That's why I agreed to help defeat John Culver's bid for a disastrous second term. As Chairman of the National Conservative Political Action Committee (NCPAC), I have helped form the Committee for Another Responsible Senator (CARS).

CARS is an Iowa-based group headed by conservative Leroy Corey, and is actively working to provide Iowa voters full information on John Culver's record and the curious nature of his eastern establishment backing.

Among CARS' accomplishments already are:

CARS has mailed thousands of letters to Iowa voters to help stir pro-Grassley and anti-Culver sentiment.

CARS has purchased space in Iowa newspapers to advertise the differences between the voting records of Culver and Grassley.

CARS has televised ads and programs to show Iowa voters

more...

Culver's radical record as Senator.

CARS has aired radio ads to inform Iowans of Mr. Culver's Washington record and his liberal ties.

CARS has a much longer record of accomplishment, but the proof of its effective work is Culver's drastic drop in the polls since NCPAC began its efforts like CARS. They show Grassley is well-positioned to oust Culver in November.

I've enclosed a sheet with two of the ads CARS is running in Iowa already so you can see examples of their vital work.

One is a stark contrast between the votes of Congressman Grassley and Senator Culver. The other is an expose of the New York money machine operating for John Culver's campaign.

CARS can and wants to do much more. CARS wants to help rid America of Culver's brand of ultra-liberalism, and replace him with another responsible Senator like conservative Roger Jepsen.

But to do so, CARS needs your help.

Culver has real friends with powerful clout like the Kennedys, such New York liberals as the Rockefellers and even the influential Iowa newspaper, The Des Moines Register. And, don't forget the union bosses.

Therefore you can easily understand why your contribution of \$250, \$100, \$50 or \$25 is so vitally necessary for our work. If your own limit is \$20, \$15 or even less, please know that your support is urgently needed.

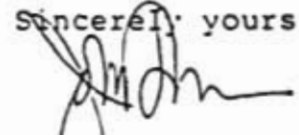
I hope you'll complete the enclosed yellow DEFEAT CULVER card, and return it along with your check to CARS in the special envelope I've enclosed as well.

Please help CARS today so we can continue our vital work for the end of the liberal stranglehold on our U.S. Senate, and begin the re-building of our nation's defenses and free enterprise system.

Together we can end the long period of neglect of the real values of our people, and stop the power of the Kennedy-McGovern wing of the Democratic Party.

Thank you for your help.

Sincerely yours,


John T. Dolan,
Chairman, NCPAC

P.S. Let's end the Democrat liberals' drive to keep Americans under the foot of government, and help make our nation great again. Please help defeat Culver today. The future of our freedom is at stake.

Why Have the Kennedys Raised \$45,840 to Re-Elect John Culver to the U.S. Senate?

The Kennedy clan has been very active in helping John Culver's re-election campaign by raising him the astounding sum of \$45,840

- Mrs. Ethel Kennedy threw a fund-raiser for John Culver which netted him \$17,765.
- Mr. & Mrs. Stephen Smith (she is Ted Kennedy's sister and he is campaign manager for the Kennedy presidential campaign) held a money raising event for John Culver which raked in \$21,000.
- Mrs. Pat Kennedy Lawford conducted another bash for Mr. Culver which added yet another \$7,075 to the Iowa Senator's campaign coffers.

WHY?

Could it be for Mr. Culver's old friendship (dating back to their days at Harvard) with Teddy Kennedy?

Could it be because Mr. Culver was one of the Kennedy intimates hurriedly called to their Hyannis compound to help concoct Teddy's fallacy-ridden story of the fateful events on the night Mary Jo Koepechne was killed?

Could it be because John Culver's ultra-liberal Senate voting record is almost a carbon copy of that of his Massachusetts pal?

Or could it be because Culver once worked for Teddy Kennedy as a legislative aide in Washington?

Regardless of why John Culver has been so lavishly rewarded by the Kennedys, Iowa citizens need to know that this eastern liberal establishment family has already raised \$45,840 for a Senator from a state more than 1,000 miles away.

\$45,840 is a substantial sum of money! The Kennedys had to have good reasons to raise such an amount for a Senator who is supposed to represent Iowa, but what they are...

ONLY JOHN CULVER KNOWS FOR SURE!

The Committee for Another Responsible Senator is an Iowa citizens' group which brings you this message because we feel Iowa voters need to know why so much money has been poured into Mr. Culver's campaign war chest by the Kennedy family.

CARS welcomes your help in our drive to inform other citizens in our state about John Culver's far-left voting record, and about such vital facts as this \$45,840 mystery.

If you'd like to become part of CARS, please take a moment to complete the coupon below, and send it to us today

----- (fill along this line) -----
Committee for Another Responsible Senator (CARS)
Post Office Box 1173
Waverly, Iowa 50704

1. Please send me more information on "CARS"

2. I'll help CARS inform Iowans of John Culver's record. Enclosed is my contribution of the amount of \$

Name _____

Occupation _____

Home _____

Home Address _____

City _____

State _____ Zip _____

Make checks payable to COMMITTEE FOR ANOTHER RESPONSIBLE SENATOR.



5 6 5 4 2 4 5 6 5



Why Have New Yorkers Donated \$84,613 to John Culver's Re-Election Campaign?

Could it be in return for Mr. Culver's 1975 and 1978 support for the massive taxpayer bailout of New York City, the bankrupt bastion of the Eastern Liberal Establishment?

Could it be in return for Mr. Culver's critical vote to give away our Panama Canal, and to pay your tax dollars to Panama to take it? (Culver's vote helped bail out New York's big banks from their shaky loans to Marxist Panamanian dictator, Omar Torrijos.)

Could it be to keep Mr. Culver in the Senate because when the chips are down, New Yorkers know his vote can always be counted for big-spending, budget-busting programs?

Could it be because of the puff piece written about him in the trendy liberal NEW YORKER magazine?

Could it even be due to John Culver's membership in the New York based TRILATERAL COMMISSION formed by New York banking magnate David Rockefeller? (Rockefeller family numbers chipped in \$2,500 to Mr. Culver's campaign as well.)

Or could it be that New Yorkers know that they need John Culver in the U.S. Senate to keep their subsidies from Iowa taxpayers flowing?

Regardless of why John Culver has been lavishly rewarded by New Yorkers, Iowa citizens need to know that Mr. Culver has already taken \$84,613 from people who live more than 1,000 miles away from Iowa.

\$84,613 is an awful lot of money! New Yorkers had to have reasons to give such a sum to a Senator who is supposed to represent Iowa, but what they are...

ONLY JOHN CULVER KNOWS FOR SURE!

The Committee for Another Responsible Senator (CARS) is an Iowa citizens' group which brings you this message because we believe Iowa voters need to know why such money has been poured into Mr. Culver's campaign coffers from New York.

CARS welcomes your help in our drive to inform other citizens in our state about John Culver's record in Washington, and about such important facts as this \$84,613 MYSTERY.

If you would like to be part of CARS, please take a moment to complete the coupon below, and send it to us today.

 I am interested in more information on CARS.
 Please send me more information on CARS.
 I support CARS and will contribute \$_____ to its efforts.
 My contribution of \$_____

Please send me more information on CARS.
 I support CARS and will contribute \$_____ to its efforts.
 My contribution of \$_____

Name _____

Address _____

City _____

State _____

Zip _____

Send this coupon to: COMMITTEE FOR ANOTHER RESPONSIBLE SENATOR,

1000 North 1st Street, Des Moines, Iowa 50319



National Conservative Political Action Committee

35

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

E14

Culver 30 sec. spot (radio)

Organ music playing
"School Days"

ANNOUNCER:

After five years we thought you would like a report card on the performance of Senator John Culver. The Americans for Constitutional Action found John Culver to be one of the biggest recipients of big labor's special interest money - over \$110,000. The National Taxpayers Union grades Senators on their stands against high taxes. Culver's score - a failing 32%. Conservative Union rated John Culver at 3% ranking him as one of the most radical members of the U.S. Senate.

Three failing grades out of three-- a miserable rating for any Senator, especially one who is supposed to be representing Iowans. If you'd like to know more about how Senator Culver isn't representing you, write to the Anybody but Culver, 342 S.E. Broad St. Des Moines, Iowa 50315, that's Anybody but Culver, 342 SE Broad St., Des Moines Iowa 50315

Paid for by the ABC Project of the National Conservative Political Action Committee and not by any candidate.

3 2 0 4 0 3 2 4 5 6 7

National Conservative Political Action Committee

(36)

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

McGovern 30 sec. Radio AD

E15

GLOBETROTTER IS A GREAT NAME FOR A
BASKETBALL TEAM.

BUT IT'S A TERRIBLE NAME FOR A SENATOR.

ONLY ONE SENATOR DID MORE GLOBETROTTING
LAST YEAR THAN GEORGE MCGOVERN.

WHILE THE ENERGY CRISIS WAS BREWING,
GEORGE MCGOVERN WAS TOURING CUBA WITH
FIDEL CASTRO. HE ALSO TOOK A ONE MONTH
JUNKET TO AFRICA. ALL AT TAXPAYER'S
EXPENSE.

NO WONDER HE'S LOST TOUCH WITH SOUTH
DAKOTA.

WITH SO MA
SENATOR AND NOT A GLOBETROTTER.

PAID FOR BY PEOPLE FOR AN ALTERNATIVE TO
MCGOVERN OF THE NATIONAL CONSERVATIVE
POLITICAL ACTION COMMITTEE AND NOT BY ANY
CANDIDATES.

8 2 0 4 0 3 2 4 5 6 9

National Conservative
Political Action Committee

37

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

E16

CRANSTON 60 sec. Radio spot

"Rating Game"

Announcer: It's time to play "The Rating Game." Now Mrs. Verna Smith of Sacramento, the National Taxpayer's Union rates Senator's on how well they protect your tax money. What was Alan Cranston's rating?

Mrs. Smith: One hundred per-cent!?

Announcer: I'm sorry, you lose. He received a failing 8%. The American Farm Bureau rates Senator's on farming interests. What was Senator Cranston's rating?

Mrs. Smith: One hundred per-cent!?

Announcer: I'm sorry, you lose again! the farmers rated the Senator a miserable 21%. Finally, The American Security Council rates Senators on their support of a strong national defense. What was Senator Cranston's rating?

Mrs. Smith: One hundred per-cent?

Announcer: Gee, I'm sorry, you lose again! Senator Cranston received a frightening low 20%.

Mrs. Smith: That's three failing grades out of three. I never knew Alan Cranston voted like that.

Serious Announcer: Alot of people are losing because they don't know about Cranston's record. If you would like to know more about how he isn't representing you, write, If Cranston wins, you lose, P.O. Box 25969, Los Angeles, CA 90025 and remember,

Mrs. Smith: If Alan Cranston wins, we all lose.

3 2 0 4 0 3 2 4 5 6 9

6664 5881
Curry (38)

SEDAM & HERGE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 1100
8300 GREENSBORO DRIVE
MCLEAN, VIRGINIA 22102

Attachment 2

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN

(703) 821-1000

SUITE 270
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(703) 821-1000
TELEX: 710-831-0886
CABLE: SEDAMHERGE

December 2, 1981

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Deborah Curry

Re: MUR 1399

Dear Mr. Gross:

This letter is written in substantive reply to your letter to National Conservative Political Action Committee, 1500 Wilson Boulevard, Arlington, Virginia 22209, dated November 9, 1981, in which you reported that Committee for American Principles had filed a complaint with the Federal Election Commission (hereinafter referred to as "the Commission"), alleging that National Conservative Political Action Committee, together with certain other named respondents, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (hereinafter referred to as "the Act").* This matter has been numbered MUR 1399.

In its complaint, Committee for American Principles alleges that certain "respondents" solicited contributions and

*By letter dated November 18, 1981, we entered our appearance on behalf of National Conservative Political Action Committee and requested an extension to December 4, 1981 to respond to the subject complaint.

32040324570

DEC 2 11:59

Kenneth A. Gross, Esq.
Page Two
December 2, 1981

made expenditures for communications expressly advocating the defeat of clearly identified candidates for the United States Senate. Complainant further alleges that these respondents, which do not include National Conservative Political Action Committee, violated certain provisions of the Act by failing to register with, and report to, the Commission; and, by including the names of candidates in their names. Complainant also alleges, as an alternative, that if the various respondents were not separate political committees but were projects of National Conservative Political Action Committee, then National Conservative Political Action Committee violated certain provisions of the Act by including the names of candidates in its name; and, by failing to list the named respondents as connected organizations in its Statement of Organization. National Conservative Political Action Committee appreciates having this opportunity, pursuant to 2 U.S.C. 437g(a)(1), to demonstrate that no action should be taken on the basis of the complaint and that this matter should be dismissed.

National Conservative Political Action Committee is a multicandidate political committee as defined in 2 U.S.C. 431(4)(A) and 2 U.S.C. 441a(a)(4), which has registered with, and which reports to, the Commission as required by the Act. As a committee which is not authorized by any candidate, National Conservative Political Action Committee does not include the name of any candidate in its name. 2 U.S.C. 432(e)(4).

As part of its programs and activities, National Conservative Political Action Committee made independent expenditures expressly advocating the defeat of clearly identified candidates for nomination or election to the United States Senate. Several of these independent expenditure activities were administered as specific projects of National Conservative Political Action Committee. None of these projects had any separate identity under the law, however, all contributions being collected, expended and reported by National Conservative Political Action Committee.

82040324571

Kenneth A. Gross, Esq.
Page Three
December 2, 1981

Each of the so-called respondents named in the subject complaint, People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody but Culver, Committee for Another Responsible Senator, If Cranston Wins You Lose and Target 80, were independent expenditure programs or projects administered by National Conservative Political Action Committee in opposition to the election of certain clearly identified Federal candidates. Those projects were authorized and directed by the Chairman and the Treasurer of National Conservative Political Action Committee, which accounted for and reported all the programs' depositories, receipts and expenditures as required by law. The fact that these were projects of National Conservative Political Action Committee was stated clearly on the various communications. It will be noted, for example, that the communications attached as exhibits to the complaint state that the activities were "a project of National Conservative Political Action Committee" and that they were "not authorized by any candidate." These sponsorship statements satisfy the requirements of 2 U.S.C. 441d(a)(3). See, also, AO 1980-145.

The names of several of the projects included the names of candidates. That was lawful for two reasons. First, the projects were not political committees, but were programs administered by a political committee named National Conservative Political Action Committee. As a result, there was no violation of the provisions of 2 U.S.C. 432(e)(4). Second, the names of the projects were used as, or constitute, political slogans in communications published as independent expenditures. As such, their use is accorded the highest protection under the First Amendment to the Constitution as interpreted by the United States Supreme Court. The Commission has no statutory authority to limit or restrict the content of political speech.

Finally, because the various projects were part and parcel of National Conservative Political Action Committee and had no separate identity, there was no need to register them as connected organizations or affiliated committees on the Statement of Organization of National Conservative Political Action Committee.

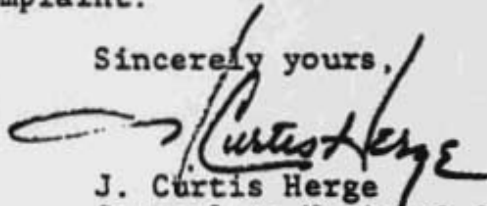
32040324572

(41)

Kenneth A. Gross, Esq.
Page Four
December 2, 1981

In conclusion, for the reasons stated, Committee for American Principles has failed to demonstrate that National Conservative Political Action Committee may have violated the Act. For that reason, the Commission should find no reason to believe that a violation has been committed and should dismiss the complaint.

Sincerely yours,



J. Curtis Herge
Counsel to National Conservative
Political Action Committee

82040324573

102710
Corny 42
BCH# 5850
NOV 24 1981
00

FEDERAL ELECTION COMMISSION
UNITED STATES OF AMERICA
Washington, D.C. 20463

In The Matter Of:

November 19, 1981

-People For An Alternative To McGovern
-If Bayh Wins You Lose
-Anybody But Church
-Anybody But Culver
-Committee For Another Responsible Senator
-If Cranston Wins You Lose
-Target 80

Re: MUR No. 1399

Attachment 3

MOTION TO DISMISS COMPLAINT

3 2 9 4 0 3 2 4 5 7 4

Comes now Max Putnam, as a member of the Iowa Bar, admitted to practice law in the United States District Court, at 1 E & Walnut, Des Moines, Iowa, and in all District Courts of Iowa, since 1931, herein appears as attorney for Donna Leporte, who is a citizen of the United States and State of Iowa, residing at 342 S.E. Broad Street, Des Moines, Iowa 50315. The undersigned counsel respectfully moves the Commission in its judicial capacity to dismiss the purported Complaint against "Anybody But Culver" named as Respondent in the above matter.

I. The purported Complainant has not shown or alleged that it is a real party in interest with standing to bring a complaint against any legal entity or person for the criminal acts alleged.

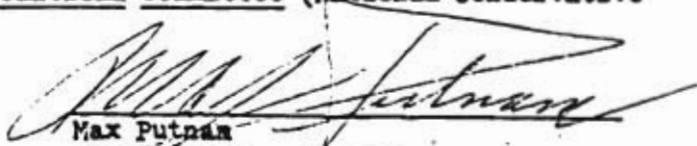
II. The alleged Respondent "Anybody But Culver" is a slogan, not a legal entity. It cannot be convicted, fined, or imprisoned for any violation of any section of the Federal Election Campaign Act of 1971, as amended, or Chapters 95 and 96 of Title 26 U.S. Code. Neither can "Anybody But Culver" demonstrate in writing anything, and a judgment against it, criminal or civil, is an impossibility.

III. Donna Leporte is a person who is subject to the laws of the United States, whether civil or criminal, but she has not been made a Respondent in this matter nor otherwise properly charged with any crime whatever in said complaint.

IV. Crimes for violation of the Act are charged against the slogan "Anybody But Culver", 342 S.E. Broad Street, inferentially charging said crimes against Donna Leporte who lives at that address, without making her a Respondent. The Complainant thereby subjects her to sanctions and penal consequences of the Federal Election Campaign Act of 1971 as amended, without specifically charging her with the same. If the Complainant has resorted to such stratagem and deception practiced upon the Commission, as well as Mrs. Leporte, because they seek to evade thereby the last paragraph of Section 2 of Article III of the Constitution of the United States, then Complainant is in contempt of this Commission and the matter should be dismissed for that reason alone.

V. That the Complainant has a concealed purpose in not incorporating Donna Leporte among the Respondents is confirmed by paragraph 7 of its Complaint, where Complainant asserts that NCPAC violated 11 CFR Sec. 102.14(a), they excluded NCPAC from the Respondents' list; while in paragraph 6 preceding said Complainant asserts that "Most of the above-named Respondents violated the same 11 CFR Sec. 102.14(a)." Nevertheless the list of Respondents is minus Donna Leporte and the NCPAC.

VI. The Affidavit of Donna Leporte is hereto attached in support of this Motion To Dismiss to demonstrate and to confirm by Exhibits that Complainant had knowledge in advance that its Paragraph 3 was so certainly false that it better hedge its bet by expressly anticipating in Paragraph 7 the event that the Commission would conclude that the above-named Respondents are not separate political committees because they are projects of a political committee (National Conservative Political Action Committee "NCPAC").


Max Putnam
940 Des Moines Building
Des Moines, Iowa 50309
Attorney for Donna Leporte

(44)

AFFIDAVIT

State of Iowa }
County of Polk } SS

The undersigned, Donna Leporte, being first duly sworn, deposes and states:

1. I live at 342 S.E. Broad Street, Des Moines, Iowa, which has been my residence for years before, during, and since my activities for NCPAC.

2. Long before serving NCPAC, I had actively obtained and circulated quantities of printed material exposing the voting record of Senator Dick Clark. Its effectiveness quickly appeared and more of such material was obtained by friends of mine and circulated by them.

3. Because of such experience of the effectiveness of circulating the voting record of such as Dick Clark, I was charmed when Mr. John T. Dolan contacted me to help NCPAC do the same thing to oust Culver by prompt and wide circulation of his record under the banner of "Anyone But Culver" at the expense of NCPAC.

4. That banner "Anyone But Culver" is not a corporation, group, business, or a person. It is a slogan, a call to arms, like "Make The World Safe For Democracy". I distributed in large quantities the voting record of Culver with a summons to action that the public understood, "Anyone But Culver". That is why it was created and adopted as the name of the Iowa project of the National Conservative Political Action Committee whose orders I obeyed. I had a title that I seldom used of "project director". One time I used it was when, on order from NCPAC, I arranged for a P.O. Box 5263, Des Moines, Iowa 50306, to which it could mail pre-addressed, for me to gather up and disseminate quickly, from time to time.

5. I had enough previous experience in costliness of expense and in losing time keeping records, to prompt me at the onset to express to Mr. Dolan my

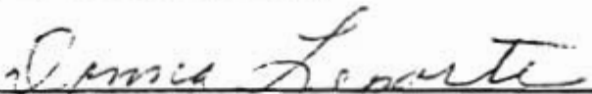
3
2
0
4
0
3
2
4
5
7
6

conditions: (a) I would not advance any money in any amount, (b) I would not solicit money or handle NCPAC money in any amount, (c) I would not keep any accounts of money for reports to either the State of Iowa's Commission or to the Federal Commission or to the NCPAC, (d) so I wanted written proof that none of that was my responsibility. Mr. Dolan responded that he wanted it that way himself, and that he would send me a copy of a letter on the federal laws from NCPAC's lawyers. He did so, and I gave it to my lawyer for reference and safe-keeping. It is now marked Exhibit 1 and attached.

6. NCPAC did what the letter required them to do themselves which included (a) telling me what they wanted me to do, (b) with the title of "project director" which I seldom used unless asked, because I relied on directions from them. Exhibit 2 is a copy of a newspaper ad which is attached and shows NCPAC followed their lawyers advice in Exhibit 1. I refer to the bottom lines on Exhibit 2 "Anyone But Culver Committee, P.O. Box 5263, Des Moines, Iowa 50306". "Paid for by Anyone But Culver Committee", "A project of the National Conservative Political Action Committee not authorized by any candidate." A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

7. Another example of what I distributed in quantity was bumper stickers they sent me. Exhibit 3 is one of them which is identical with all of them, and says: "Paid for and authorized by the 'Anyone But Culver' project of the National Conservative Political Action Committee." "A copy of our Report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C."

8. My Statement of Designation Of Counsel is attached.


Donna Leporte

Subscribed and sworn to by Donna Leporte to me personally known, at Des Moines, Iowa, this 26th day of November, 1981.


Notary Public In and For the State of Iowa

SEDAM & HERGE

ATTORNEYS AT LAW
7600 OLD SPRINGHOUSE ROAD
MCLEAN, VIRGINIA 22102

(703) 821-1000

May 9, 1979

GLENN J. SEDAM, JR.
J. CURTIS HERGE

THOMAS M. DAVIS, III
MICHAEL D. HUGHES
ROBERT R. SPARKS, JR.
CHRISTOPHER M. WAS

1500 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20008
(202) 821-1000

Exhibit 1

MEMORANDUM

TO: John T. Dolan
FROM: J. Curtis Herge
SUBJECT: Independent Expenditures

This memorandum is written in response to your request for guidance on the method of organizing the independent expenditure program known as Target '80 and for a summary of the law relative to independent expenditures made in connection with a Federal election.

In general an independent expenditure is defined as a disbursement for a communication made expressly to advocate the election or defeat of a clearly identified candidate which is not made with the cooperation or consent of, or in consultation with or at the request or suggestion of, any candidate or his agent or authorized committees. 11 C.F.R. §109.1(a). We will proceed to describe the historical precedent for this definition; examine the component parts of the definition; describe the compliance procedures; and, summarize some of the relevant experiences with independent expenditures.

Historical Precedent

The Federal Election Campaign Act of 1971, as amended in 1974, limited contributions by individuals to \$1,000 per election per candidate and to a total of \$25,000 for a calendar year for any one individual. The Act also limited the amount an individual could spend "relative to a clearly identified candidate" to \$1,000 per candidate, even if there were no coordination between the expeditor and the candidate, and such expenditures counted toward the \$25,000 total that the expeditor could lawfully spend in the federal election process during that calendar year.

32040324579

22040324579

In Buckley vs. Valeo, 424 U.S. 1 (1976), the constitutionality of each of the above provisions, along with many other provisions, was seriously contested, and several important provisions were declared unconstitutional by the Supreme Court. In testing the validity of limitations on contributions and expenditures, the Court held that contributions are "conduct" while expenditures are "pure speech." Labeling contributions "conduct" does not mean that there are no First Amendment considerations associated with the regulation of campaign contributions. The Court recognized that, "The Act's contributions and expenditure limitations operate in an area of the most fundamental First Amendment activities." Political contributions are conduct, but they have a substantial communicative content. In Buckley, the Court observed that conduct with communicative content may be regulated only if there is a sufficiently important governmental interest in regulating the nonspeech element that is unrelated to the suppression of free expression and had an incidental restriction on alleged First Amendment freedoms no greater than was essential to the furtherance of that interest. The Court then applied that test to the limitations on campaign contributions (\$1,000 by an individual to any one federal candidate for any one election, and \$25,000 by any one individual in the federal process for one calendar year) and upheld the limitation on the ground that they furthered a compelling governmental interest in preventing the actuality or the appearance of fraudulent quid-pro-quo arrangements between office-holders and large contributors.

On the other hand, Buckley went on to hold that campaign expenditures (such as the purchase of newspaper advertisements or television spots or the printing and distribution of campaign literature) are "pure speech," specifically rejecting the argument that the monetary element is sufficient to make an expenditure conduct rather than speech. Since an expenditure was held to be speech rather than conduct, the "exacting scrutiny applicable to limitations on core First Amendment rights of political expression" was held to be applicable. The court did not make clear exactly what test is to be applied as part of the "exacting scrutiny," but it struck down the limitations on expenditures made by individuals not in coordination with candidates or their committees.

After Buckley, Congress attempted to reconstruct as much restriction on political activity as possible. With regard to independent expenditures and contributions, section 431(p) of Title 2 of the United States Code was enacted in 1976, as an amendment to the Federal Election Campaign Act. That section contained the definition of independent expenditures which is contained above.

Component Parts of the Definition

Independent expenditures may be made by "a person." Under the regulations of the Federal Election Commission, a person includes an individual, a group of persons and a committee. Therefore, it is evident that the National Conservative Political Action Committee may make independent expenditures. (Note: Labor organizations, corporations and national banks are excluded from the definition and are not permitted to make independent expenditures.)

The expenditure is one made "expressly to advocate" the election or defeat of a clearly identified candidate. Expressly advocating means any communication containing a message advocating election or defeat, including, but not limited to, the name of the candidate, or expressions such as "vote for," "elect," "support," "cast your ballot for" and "Smith for Congress" or "vote against," "defeat" or "reject." (Note should be made of the fact that the cost of a direct mail program to raise funds for target '80 is, in and of itself, an independent expenditure.)

The communication must be one which advocates the election or defeat of a "clearly identified candidate." This means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

The expenditure, to be independent, must be made without "the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate." This means that if there is any arrangement, coordination or direction by the candidate or his agents prior to the publication of the communication, the expenditure will not qualify as being independent. In fact, the regulations create certain presumptions that coordination has taken place. One is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is made by or through any person who is or has been authorized to raise or expend funds for the candidate or his authorized committee; or who

32040324587

49

is or has been an officer of an authorized committee of the candidate; or who is or has been receiving any form of reimbursement or compensation from the candidate, the candidate's committee or agent. The other is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is based on information about the candidate's plans, projects or needs provided to the expending person by the candidate or his agents with a view toward having the expenditure made. As a result, one must be very careful to avoid communications with a candidate or his agents before making an independent expenditure. One must also examine his or her prior association, if any, with a candidate to determine whether one of these presumptions is applicable. In making the expenditure, it is also advisable to determine whether your suppliers are agents of a candidate, e.g. a mail house which is doing the direct mail fundraising for a candidate should not be used by a committee that wants to make independent expenditures for that candidate; TV spots should not be written, filmed or produced by the same company or person, etc. Any reference made to a candidate in this paragraph would include a candidate who is an opponent of the candidate you are attempting to defeat.

Another prohibition is that the expeditor may not republish the candidate's authorized campaign material. If money is used to finance the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees, or their authorized agents, such expenditures shall not be deemed to be an independent expenditure but rather shall be deemed to be a contribution from the expeditor to the candidate, even if the expeditor did not consult in any manner with the candidate or any authorized committee or agent of the candidate.

In the event that a person makes independent expenditures in connection with a candidate, that person may also make a contribution directly to that candidate, but that contribution would be limited to the \$1,000 ceiling per election.

It has further been held that contributions to a committee formed to make independent expenditures for only one candidate are subject to the \$1,000 limit that an individual can contribute to a federal candidate in any one election.

82040324581

Compliance Procedures

3 2 0 4 0 3 2 4 5 8 2
A person spending more than \$100 in a calendar year on independent expenditures must report such expenditures to the Federal Election Commission on a form designed for this purpose. Such reports must be filed on the same dates that reports by political committees are required to be filed, and they must contain the same information that is required in reports by political committees. In addition, such reports must contain the name of the candidate about whom the independent expenditures relate, and whether the expenditures were in support of or in opposition to such candidate. NCPAC would submit this information on Schedule E with its FEC Form 3 which is filed with the Commission. In addition, any independent expenditure of more than \$1,000 which is made after the fifteenth day, but more than 24 hours, before an election must be reported within 24 hours of the making of such independent expenditure. All reports of independent expenditures must state, under oath, that such expenditures were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of any candidate.

Any communication financed as an independent expenditure through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising must carry a special disclaimer. The disclaimer may take any of the following forms:

"Paid for by National Conservative Political Action Committee and not authorized by any candidate."

"Sponsored by National Conservative Political Action Committee and not authorized by any candidate."

"Furnished by National Conservative Political Action Committee and not authorized by any candidate."

In addition, if the communication solicits contributions, one must include the additional statement: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D. C."

As in the case of all disclaimers, the notice must appear on the face or front page of printed matter and at the beginning or end of a broadcast or telecast.

Experiences in 1976

During the 1976 primary and general elections a total of \$454,128 in independent expenditures were reported to the Federal Election Commission. Of that total, \$267,686 (73%) was for presidential candidates, \$52,752 (14%) was for House candidates, and \$44,385 (13%) was for Senate candidates. Of the independent expenditures for presidential candidates, \$115,957 (43%) was for Reagan, \$108,214 (42%) was for Ford (primary and general), \$24,212 (9%) was for Church, \$17,091 (6%) was for Carter (primary and general), and \$2,212 (1%) was for other candidates.

The highest-spending single independent expeditor was Henry C. Grover of Houston, Texas, who spent \$63,000 for Ronald Reagan. On April 16, 1976, Mr. Grover paid \$28,000 to the Drake Agency of Houston for newspaper advertisements relating to the Texas primary (May 1, 1976); and on May 14, 1976, Mr. Grover paid the Drake Agency \$35,000 for newspaper advertisements for the Michigan primary (May 18, 1976). Another large independent expeditor was Joseph Coors, who spent \$34,000, primarily for Ronald Reagan.

Some of the specific experiences provide guidance in considering making independent expenditures. For example:

1. American Conservative Union/Conservative Victory Fund - In September, 1976, the Federal Election Commission initiated an investigation into the legality of \$150,000 of independent expenditures made for Reagan by the American Conservative Union and the Conservative Victory Fund. The FEC's interest was piqued by the fact that a comparison of the reports filed by the ACU and CVF and Reagan's own authorized campaign committee indicated that several ACU staff members worked for the Reagan committee at the same time the ACU was making its independent expenditures on behalf of Reagan. On December 1, 1977, the Commission voted to close the investigation.

2. Peter Secchia - Peter Secchia was fined for making illegal expenditures on behalf of Gerald Ford, which the Commission found were not independent. Until May 10, 1976, Secchia worked as a fund-raiser and campaigner for the President Ford Committee, leading groups of volunteers into

3 2 0 4 0 3 2 4 5 8 3

(52)

Florida and Wisconsin to work for Ford. Some of his expenses were paid for and coordinated with the President Ford Committee. On May 10 Secchia resigned from the President Ford Committee, and on the very next day he spent \$1,752 for newspaper advertisements supporting Ford. On June 1, Secchia formed and became chairman of the "Friends of the First Family Committee" and registered the committee with the Commission. The committee spent an additional \$20,962 on President Ford's behalf.

3. Loren A. Wittner - The Commission held that persons who attend private parties, where a presidential candidate's staff discuss campaign plans and projects, may be precluded from making independent expenditures.

4. Ralph H. Goettler - It was decided that where a commercial vendor acquires a special relationship with a candidate, as a result of prior employment of one of the vendor's employees by the candidate, the vendor may be precluded from contracting to make independent expenditures.

5. Barnett Cooperman - Mr. Cooperman, in the process of preparing a campaign brochure for a candidate, got in touch with an agent of the candidate for some material. It was held that, from the point of that communication forward, the expenditures were no longer independent.

6. William E. Casselman - Mr. Casselman was prohibited from making independent expenditures for Ford in the general election because he was a volunteer for Ford during the primary campaign.

The consequence of a ruling that an expenditure was not independent is that the expenditure would be an in-kind contribution to the candidate. As a result, it would be subject to the statutory contribution limitations or, in the case of a general election for President where the candidate has accepted public funds, illegal.

Conclusion

Because of the complexity of the law relative to independent expenditures, it is suggested that we establish a close working relationship in developing and implementing any program which involves such expenditures. Based upon our preliminary understanding of the project being contemplated, we suggest the following:

82040324584

1. The Target '80 program should be administered by NCPAC. Any specific aspect of the program in opposition to an identified candidate could be described as a "project" of NCPAC. ✓ (Separate committees should not be established in each state.)
2. If an individual from each state is selected to assist with a particular aspect of the project, he might be described as a "project director," but not as a "chairman".
3. Any project coordinator must be made familiar with the law and, particularly, must not be associated with any candidate who is or may be the opponent of your target candidate. The project coordinator must also be made aware of the fact that he or she may not communicate with any candidate (or agent of a candidate) who is or may be the opponent of your target candidate.

8 2 0 4 0 3 2 4 5 8 3

3 2 0 4 0 3 2 4 5 8 6

IF CULVER WINS, YOU LOSE!

Exhibit 3
Paid for and authorized by the "Anyone But Culver" Project of the National Conservative Political Action Committee.
A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C.

(54)

JOHN CULVER COSTS YOU MONEY. . .

**Money none of us can afford in
these inflationary times.**

**When John Culver votes from his Senate seat in Washington, D.C., you lose. Here are a few of
the most outrageous things John Culver has spent your tax money on:**

John Culver VOTED AGAINST YOU when he voted
to give away our Panama Canal, not a vote most Iowans
wanted.

—————COST to taxpayer: \$4 Billion

John Culver VOTED AGAINST YOU when he voted

3
John Culver VOTED AGAINST YOU when he voted to give away our Panama Canal, not a vote most Iowans wanted.

_____ COST to taxpayer: \$4 Bil

John Culver VOTED AGAINST YOU when he voted to bail out New York City and its labor unions, bureaucrats and crooked politicians and cost Iowa more inflation.

_____ COST to taxpayer: \$7 Billion

John Culver VOTED AGAINST YOU when he voted to hike his own salary a whopping \$13,000 in one shot.

_____ COST to taxpayer: \$7 Million

John Culver VOTED AGAINST YOU when he voted "NO" on the Kemp-Roth tax reduction act. You lost a 30% tax cut, thanks to our Senator John Culver. A "YES" vote could have helped us catch up with the inflation created by big spending.

_____ COST to taxpayer: \$67 Billion

On just these four votes, John Culver cost you, the taxpayer, \$78,007,000,000.

Four of John Culver's votes cost you this much. But he has really voted for thousands more federal spending and tax schemes since he became a Senator.

How much has John Culver really cost you? How much can you afford if he is

5
On just these four votes, John Culver cost you, the taxpayer, \$78,007,000,000.

Four of John Culver's votes cost you this much. But he has really voted for thousands more federal spending and tax schemes since he became a Senator.

Think about it: How much has John Culver really cost you? How much can you afford if he is re-elected?

John Culver isn't your friend. He's a Liberal, who wants to spend your money. Don't give him another six years in the Senate.

Join the **Anyone But Culver Committee!** Help us educate the voters on the real John Culver.

Exhibit 2

Anyone But Culver Committee
P.O. Box 5263
Des Moines, IA 50306

Paid for by Anyone But Culver Committee, a project of the National Conservative Political Action Committee, and not authorized by any candidate. A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

8 2 0 4 0 3 2 4 5 8 9



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment

58

Robert Blaemire
Committee for American Principles
2000 N Street, N.W., Suite 105
Washington, D.C. 20036

Re: MUR 1399

Dear Mr. Blaemire:

The Federal Election Commission has reviewed the allegations of your complaint dated November 2, 1981 and determined that on the basis of the information provided in your complaint and information provided by the Respondents there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed.

Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324590



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 5

People for An Alternative to McGovern
1500 Wilson Blvd., Suite 513
Arlington, Virginia 22209

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324591



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

60

If Bayh Wins, You Lose
P.O. Box 452
Lafayette, Indiana 47903

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

820403224592



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

61

Anybody But Church ABC Project
P.O. Box 11551
Boise, Idaho 83707

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

3 2 0 4 0 3 2 4 5 9 3



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Max Putnam
940 Des Moines Building
Des Moines, Iowa 50309

Re: MUR 1399

Dear Mr. Putnam:

On November 9, 1981, the Commission notified you of a complaint alleging that your client had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

3 2 0 4 0 3 2 4 5 9 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John T. Dolan
Committee for Another
Responsible Senator
P.O. Box 1173
Waterloo, Iowa 50704

Re: MUR 1399

Dear Mr. Dolan:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

3204032455



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

64

If Cranston Wins, You Lose
P.O. Box 25969
Los Angeles, California 90025

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

3 2 0 4 0 3 2 4 5 9 6



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

65

Target 80
P.O. Box 452
Lafayette, Indiana 47902

Re: MUR 1399

Dear Sir:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324597



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

66

J. Curtis Herge
Sedam & Herge
8300 Greenboro Drive
Suite 1100
McLean, Virginia 22102

Re: MUR 1399

Dear Mr. Herge:

On November 9, 1981, the Commission notified you of a complaint alleging that your organization had violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on March , 1982, determined that on the basis of the information in the complaint and information provided by the respondents that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

32040324398

55

204032459

JOHN CULVER COSTS YOU MONEY. . .

**Money none of us can afford in
these inflationary times.**

When John Culver votes from his Senate seat in Washington, D.C., you lose. Here are a few of the most outrageous things John Culver has spent your tax money on:

John Culver VOTED AGAINST YOU when he voted to give away our Panama Canal, not a vote most Iowans wanted.

—————**COST to taxpayer: \$4 Billion**

John Culver VOTED AGAINST YOU when he voted

578
John Culver **VOTED AGAINST YOU** when he voted to give away our Panama Canal, not a vote most Iowans wanted.

_____ **COST to taxpayer: \$4 Bi/**

John Culver **VOTED AGAINST YOU** when he voted to bail out New York City and its labor unions, bureaucrats and crooked politicians and cost Iowa more inflation.

_____ **COST to taxpayer: \$7 Billion**

John Culver **VOTED AGAINST YOU** when he voted to hike his own salary a whopping \$13,000 in one shot.

_____ **COST to taxpayer: \$7 Million**

John Culver **VOTED AGAINST YOU** when he voted "NO" on the Kemp-Roth tax reduction act. You lost a 30% tax cut, thanks to our Senator John Culver. A "YES" vote could have helped us catch up with the inflation created by big spending.

_____ **COST to taxpayer: \$67 Billion**

On just these four votes, John Culver cost **you**, the taxpayer, **\$78,007,000,000.**

Four of John Culver's votes cost you this much. But he has really voted for thousands more federal spending and tax schemes since he became a Senator.

What do you think? How much has John Culver really cost you? How much can you afford if he is

57
On just these four votes, John Culver cost **you**, the taxpayer, **\$78,007,000,000**.

Four of John Culver's votes cost you this much. But he has really voted for **thousands more** federal spending and tax schemes since he became a Senator.

Think about it: How much has John Culver **really** cost you? How much can you afford if he is re-elected?

John Culver isn't your friend. He's a Liberal, who wants to spend your money. Don't give him another six years in the Senate.

Join the **Anyone But Culver Committee!** Help us educate the voters on the **real John Culver**.

2040324604
Exhibit 2

Anyone But Culver Committee
P.O. Box 5263
Des Moines, IA 50306

Paid for by Anyone But Culver Committee, a project of the National Conservative Political Action Committee, and not authorized by any candidate. A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN

SUITE 270
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(703) 821-1000
TELEX: 710-831-0896
CABLE: SEDAMHERGE

December 2, 1981

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Deborah Curry

Re: MUR 1399

Dear Mr. Gross:

This letter is written in substantive reply to your letter to National Conservative Political Action Committee, 1500 Wilson Boulevard, Arlington, Virginia 22209, dated November 9, 1981, in which you reported that Committee for American Principles had filed a complaint with the Federal Election Commission (hereinafter referred to as "the Commission"), alleging that National Conservative Political Action Committee, together with certain other named respondents, may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (hereinafter referred to as "the Act").* This matter has been numbered MUR 1399.

In its complaint, Committee for American Principles alleges that certain "respondents" solicited contributions and

*By letter dated November 18, 1981, we entered our appearance on behalf of National Conservative Political Action Committee and requested an extension to December 4, 1981 to respond to the subject complaint.

32040324602

DEC 2 P1:59

Kenneth A. Gross, Esq.
Page Two
December 2, 1981

made expenditures for communications expressly advocating the defeat of clearly identified candidates for the United States Senate. Complainant further alleges that these respondents, which do not include National Conservative Political Action Committee, violated certain provisions of the Act by failing to register with, and report to, the Commission; and, by including the names of candidates in their names. Complainant also alleges, as an alternative, that if the various respondents were not separate political committees but were projects of National Conservative Political Action Committee, then National Conservative Political Action Committee violated certain provisions of the Act by including the names of candidates in its name; and, by failing to list the named respondents as connected organizations in its Statement of Organization. National Conservative Political Action Committee appreciates having this opportunity, pursuant to 2 U.S.C. 437g(a)(1), to demonstrate that no action should be taken on the basis of the complaint and that this matter should be dismissed.

National Conservative Political Action Committee is a multicandidate political committee as defined in 2 U.S.C. 431(4)(A) and 2 U.S.C. 441a(a)(4), which has registered with, and which reports to, the Commission as required by the Act. As a committee which is not authorized by any candidate, National Conservative Political Action Committee does not include the name of any candidate in its name. 2 U.S.C. 432(e)(4).

As part of its programs and activities, National Conservative Political Action Committee made independent expenditures expressly advocating the defeat of clearly identified candidates for nomination or election to the United States Senate. Several of these independent expenditure activities were administered as specific projects of National Conservative Political Action Committee. None of these projects had any separate identity under the law, however, all contributions being collected, expended and reported by National Conservative Political Action Committee.

Kenneth A. Gross, Esq.
Page Three
December 2, 1981

3 2 0 4 0 3 2 4 6 0 1

Each of the so-called respondents named in the subject complaint, People for an Alternative to McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody but Culver, Committee for Another Responsible Senator, If Cranston Wins You Lose and Target 80, were independent expenditure programs or projects administered by National Conservative Political Action Committee in opposition to the election of certain clearly identified Federal candidates. Those projects were authorized and directed by the Chairman and the Treasurer of National Conservative Political Action Committee, which accounted for and reported all the programs' depositories, receipts and expenditures as required by law. The fact that these were projects of National Conservative Political Action Committee was stated clearly on the various communications. It will be noted, for example, that the communications attached as exhibits to the complaint state that the activities were "a project of National Conservative Political Action Committee" and that they were "not authorized by any candidate." These sponsorship statements satisfy the requirements of 2 U.S.C. 441d(a)(3). See, also, AO 1980-145.

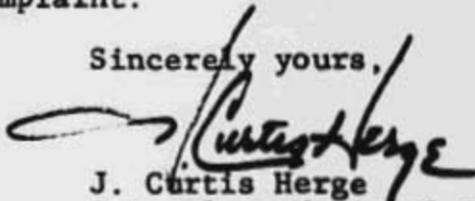
The names of several of the projects included the names of candidates. That was lawful for two reasons. First, the projects were not political committees, but were programs administered by a political committee named National Conservative Political Action Committee. As a result, there was no violation of the provisions of 2 U.S.C. 432(e)(4). Second, the names of the projects were used as, or constitute, political slogans in communications published as independent expenditures. As such, their use is accorded the highest protection under the First Amendment to the Constitution as interpreted by the United States Supreme Court. The Commission has no statutory authority to limit or restrict the content of political speech.

Finally, because the various projects were part and parcel of National Conservative Political Action Committee and had no separate identity, there was no need to register them as connected organizations or affiliated committees on the Statement of Organization of National Conservative Political Action Committee.

Kenneth A. Gross, Esq.
Page Four
December 2, 1981

In conclusion, for the reasons stated, Committee for American Principles has failed to demonstrate that National Conservative Political Action Committee may have violated the Act. For that reason, the Commission should find no reason to believe that a violation has been committed and should dismiss the complaint.

Sincerely yours,



J. Curtis Herge
Counsel to National Conservative
Political Action Committee

32040324605

3 2 0 4 0 3 2 5 0 5

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Deborah Curry

SEDAM & HERGE

ATTORNEYS AT LAW
7800 OLD SPRINGHOUSE ROAD
MCLEAN, VIRGINIA 22102

(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE

THOMAS M. DAVIS, III
MICHAEL D. HUGHES
ROBERT R. SPARKS, JR.
CHRISTOPHER M. WAS

May 9, 1979

300 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20005
(202) 821-1000

Exhibit 1

MEMORANDUM

TO: John T. Dolan
FROM: J. Curtis Herge
SUBJECT: Independent Expenditures

This memorandum is written in response to your request for guidance on the method of organizing the independent expenditure program known as Target '80 and for a summary of the law relative to independent expenditures made in connection with a Federal election.

In general an independent expenditure is defined as a disbursement for a communication made expressly to advocate the election or defeat of a clearly identified candidate which is not made with the cooperation or consent of, or in consultation with or at the request or suggestion of, any candidate or his agent or authorized committees. 11 C.F.R. §109.1(a). We will proceed to describe the historical precedent for this definition; examine the component parts of the definition; describe the compliance procedures; and, summarize some of the relevant experiences with independent expenditures.

Historical Precedent

The Federal Election Campaign Act of 1971, as amended in 1974, limited contributions by individuals to \$1,000 per election per candidate and to a total of \$25,000 for a calendar year for any one individual. The Act also limited the amount an individual could spend "relative to a clearly identified candidate" to \$1,000 per candidate, even if there were no coordination between the expeditor and the candidate, and such expenditures counted toward the \$25,000 total that the expeditor could lawfully spend in the federal election process during that calendar year.

32040324607

3 2 0 4 0 3 2 4 6 0 8

In Buckley vs. Valeo, 424 U.S. 1 (1976), the constitutionality of each of the above provisions, along with many other provisions, was seriously contested, and several important provisions were declared unconstitutional by the Supreme Court. In testing the validity of limitations on contributions and expenditures, the Court held that contributions are "conduct" while expenditures are "pure speech." Labeling contributions "conduct" does not mean that there are no First Amendment considerations associated with the regulation of campaign contributions. The Court recognized that, "The Act's contributions and expenditure limitations operate in an area of the most fundamental First Amendment activities." Political contributions are conduct, but they have a substantial communicative content. In Buckley, the Court observed that conduct with communicative content may be regulated only if there is a sufficiently important governmental interest in regulating the nonspeech element that is unrelated to the suppression of free expression and had an incidental restriction on alleged First Amendment freedoms no greater than was essential to the furtherance of that interest. The Court then applied that test to the limitations on campaign contributions (\$1,000 by an individual to any one federal candidate for any one election, and \$25,000 by any one individual in the federal process for one calendar year) and upheld the limitation on the ground that they furthered a compelling governmental interest in preventing the actuality or the appearance of fraudulent quid-pro-quo arrangements between office-holders and large contributors.

On the other hand, Buckley went on to hold that campaign expenditures (such as the purchase of newspaper advertisements or television spots or the printing and distribution of campaign literature) are "pure speech," specifically rejecting the argument that the monetary element is sufficient to make an expenditure conduct rather than speech. Since an expenditure was held to be speech rather than conduct, the "exacting scrutiny applicable to limitations on core First Amendment rights of political expression" was held to be applicable. The court did not make clear exactly what test is to be applied as part of the "exacting scrutiny," but it struck down the limitations on expenditures made by individuals not in coordination with candidates or their committees.

After Buckley, Congress attempted to reconstruct as much restriction on political activity as possible. With regard to independent expenditures and contributions, section 431(p) of Title 2 of the United States Code was enacted in 1976, as an amendment to the Federal Election Campaign Act. That section contained the definition of independent expenditures which is contained above.

Component Parts of the Definition

Independent expenditures may be made by "a person." Under the regulations of the Federal Election Commission, a person includes an individual, a group of persons and a committee. Therefore, it is evident that the National Conservative Political Action Committee may make independent expenditures. (Note: Labor organizations, corporations and national banks are excluded from the definition and are not permitted to make independent expenditures.)

The expenditure is one made "expressly to advocate" the election or defeat of a clearly identified candidate. Expressly advocating means any communication containing a message advocating election or defeat, including, but not limited to, the name of the candidate, or expressions such as "vote for," "elect," "support," "cast your ballot for" and "Smith for Congress" or "vote against," "defeat" or "reject." (Note should be made of the fact that the cost of a direct mail program to raise funds for target '80 is, in and of itself, an independent expenditure.)

The communication must be one which advocates the election or defeat of a "clearly identified candidate." This means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

The expenditure, to be independent, must be made without "the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate." This means that if there is any arrangement, coordination or direction by the candidate or his agents prior to the publication of the communication, the expenditure will not qualify as being independent. In fact, the regulations create certain presumptions that coordination has taken place. One is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is made by or through any person who is or has been authorized to raise or expend funds for the candidate or his authorized committee; or who

82040324609

is or has been an officer of an authorized committee of the candidate; or who is or has been receiving any form of reimbursement or compensation from the candidate, the candidate's committee or agent. The other is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is based on information about the candidate's plans, projects or needs provided to the expending person by the candidate or his agents with a view toward having the expenditure made. As a result, one must be very careful to avoid communications with a candidate or his agents before making an independent expenditure. One must also examine his or her prior association, if any, with a candidate to determine whether one of these presumptions is applicable. In making the expenditure, it is also advisable to determine whether your suppliers are agents of a candidate, e.g. a mail house which is doing the direct mail fundraising for a candidate should not be used by a committee that wants to make independent expenditures for that candidate; TV spots should not be written, filmed or produced by the same company or person, etc. Any reference made to a candidate in this paragraph would include a candidate who is an opponent of the candidate you are attempting to defeat.

Another prohibition is that the expeditor may not republish the candidate's authorized campaign material. If money is used to finance the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees, or their authorized agents, such expenditures shall not be deemed to be an independent expenditure but rather shall be deemed to be a contribution from the expeditor to the candidate, even if the expeditor did not consult in any manner with the candidate or any authorized committee or agent of the candidate.

In the event that a person makes independent expenditures in connection with a candidate, that person may also make a contribution directly to that candidate, but that contribution would be limited to the \$1,000 ceiling per election.

It has further been held that contributions to a committee formed to make independent expenditures for only one candidate are subject to the \$1,000 limit that an individual can contribute to a federal candidate in any one election.

82040324610

Compliance Procedures

3 2 0 4 0 3 2 4 6 1 1

A person spending more than \$100 in a calendar year on independent expenditures must report such expenditures to the Federal Election Commission on a form designed for this purpose. Such reports must be filed on the same dates that reports by political committees are required to be filed, and they must contain the same information that is required in reports by political committees. In addition, such reports must contain the name of the candidate about whom the independent expenditures relate, and whether the expenditures were in support of or in opposition to such candidate. NCPAC would submit this information on Schedule E with its FEC Form 3 which is filed with the Commission. In addition, any independent expenditure of more than \$1,000 which is made after the fifteenth day, but more than 24 hours, before an election must be reported within 24 hours of the making of such independent expenditure. All reports of independent expenditures must state, under oath, that such expenditures were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of any candidate.

Any communication financed as an independent expenditure through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising must carry a special disclaimer. The disclaimer may take any of the following forms:

"Paid for by National Conservative Political Action Committee and not authorized by any candidate."

"Sponsored by National Conservative Political Action Committee and not authorized by any candidate."

"Furnished by National Conservative Political Action Committee and not authorized by any candidate."

In addition, if the communication solicits contributions, one must include the additional statement: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D. C."

As in the case of all disclaimers, the notice must appear on the face or front page of printed matter and at the beginning or end of a broadcast or telecast.

Experiences in 1976

During the 1976 primary and general elections a total of \$454,128 in independent expenditures were reported to the Federal Election Commission. Of that total, \$267,686 (73%) was for presidential candidates, \$52,752 (14%) was for House candidates, and \$44,385 (13%) was for Senate candidates. Of the independent expenditures for presidential candidates, \$115,957 (43%) was for Reagan, \$108,214 (42%) was for Ford (primary and general), \$24,212 (9%) was for Church, \$17,091 (6%) was for Carter (primary and general), and \$2,212 (1%) was for other candidates.

The highest-spending single independent expeditor was Henry C. Grover of Houston, Texas, who spent \$63,000 for Ronald Reagan. On April 16, 1976, Mr. Grover paid \$28,000 to the Drake Agency of Houston for newspaper advertisements relating to the Texas primary (May 1, 1976); and on May 14, 1976, Mr. Grover paid the Drake Agency \$35,000 for newspaper advertisements for the Michigan primary (May 18, 1976). Another large independent expeditor was Joseph Coors, who spent \$34,000, primarily for Ronald Reagan.

Some of the specific experiences provide guidance in considering making independent expenditures. For example:

1. American Conservative Union/Conservative Victory Fund - In September, 1976, the Federal Election Commission initiated an investigation into the legality of \$150,000 of independent expenditures made for Reagan by the American Conservative Union and the Conservative Victory Fund. The FEC's interest was piqued by the fact that a comparison of the reports filed by the ACU and CVF and Reagan's own authorized campaign committee indicated that several ACU staff members worked for the Reagan committee at the same time the ACU was making its independent expenditures on behalf of Reagan. On December 1, 1977, the Commission voted to close the investigation.

2. Peter Secchia - Peter Secchia was fined for making illegal expenditures on behalf of Gerald Ford, which the Commission found were not independent. Until May 10, 1976, Secchia worked as a fund-raiser and campaigner for the President Ford Committee, leading groups of volunteers into

3 2 0 4 0 3 2 4 6 1 2

Florida and Wisconsin to work for Ford. Some of his expenses were paid for and coordinated with the President Ford Committee. On May 10 Secchia resigned from the President Ford Committee, and on the very next day he spent \$1,752 for newspaper advertisements supporting Ford. On June 1, Secchia formed and became chairman of the "Friends of the First Family Committee" and registered the committee with the Commission. The committee spent an additional \$20,962 on President Ford's behalf.

3. Loren A. Wittner - The Commission held that persons who attend private parties, where a presidential candidate's staff discuss campaign plans and projects, may be precluded from making independent expenditures.

4. Ralph H. Goettler - It was decided that where a commercial vendor acquires a special relationship with a candidate, as a result of prior employment of one of the vendor's employees by the candidate, the vendor may be precluded from contracting to make independent expenditures.

5. Barnett Cooperman - Mr. Cooperman, in the process of preparing a campaign brochure for a candidate, got in touch with an agent of the candidate for some material. It was held that, from the point of that communication forward, the expenditures were no longer independent.

6. William E. Casselman - Mr. Casselman was prohibited from making independent expenditures for Ford in the general election because he was a volunteer for Ford during the primary campaign.

The consequence of a ruling that an expenditure was not independent is that the expenditure would be an in-kind contribution to the candidate. As a result, it would be subject to the statutory contribution limitations or, in the case of a general election for President where the candidate has accepted public funds, illegal.

Conclusion

Because of the complexity of the law relative to independent expenditures, it is suggested that we establish a close working relationship in developing and implementing any program which involves such expenditures. Based upon our preliminary understanding of the project being contemplated, we suggest the following:

32040324613

1. The Target '80 program should be administered by NCPAC. Any specific aspect of the program in opposition to an identified candidate could be described as a "project" of NCPAC. (Separate committees should not be established in each state.)
2. If an individual from each state is selected to assist with a particular aspect of the project, he might be described as a "project director," but not as a "chairman".
3. Any project coordinator must be made familiar with the law and, particularly, must not be associated with any candidate who is or may be the opponent of your target candidate. The project coordinator must also be made aware of the fact that he or she may not communicate with any candidate (or agent of a candidate) who is or may be the opponent of your target candidate.

8 2 0 4 0 3 2 4 6 1 4

2040324615

IF CULVER WINS, YOU LOSE!

Exhibit 3

Paid for and authorized by the "Anyone But Culver" Project of the National Conservative Political Action Committee. ●
A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C.

JOHN CULVER COSTS YOU MONEY. . .

**Money none of us can afford in
these inflationary times.**

**When John Culver votes from his Senate seat in Washington, D.C., you lose. Here are a few of
the most outrageous things John Culver has spent your tax money on:**

John Culver VOTED AGAINST YOU when he voted

Forwarding Office
If Cranston Wins, You Lose
P.O. Box 25969
Los Angeles, California 90025

Handwritten signature

11-9-81

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

1. The following service is requested (check one.)

- ☐ Show to whom and date delivered.....¢
☐ Show to whom, date and address of delivery.....¢
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery \$_____

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

If Cranston Wins, You Lose
 P.O. Box 25969
 Los Angeles, California 90025

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	695546	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

POSTMARK

5.

ADDRESS (Complete only if requested)

6.

UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

GPO : 1979-300-488

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: MAX PUTNAM
ADDRESS: 940 DES MOINES BUILDING
DES MOINES, IOWA 50309
TELEPHONE: 319-244-7126 or 515-274-0788

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission, or in court.

Nov. 20, 1981
Date

Donna Lepore
Signature

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

Return if not delivered to
Max Putnam
940 Des Moines Bldg
Des Moines, Iowa
50309

First Class

Federal Election Commission
Washington D.C. 20463

COMMITTEE
FOR
AMERICAN
PRINCIPLES

102211

RECEIVED

81 NOV 24 11:51

2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

November 2, 1981

Dear Sirs:

Before The Federal Election Commission

In The Matter Of:

- People For An Alternative To McGovern)
- If Bayh Wins You Lose)
- Anybody But Church)
- Anybody But Culver)
- Committee For Another Responsible Senator)
- If Cranston Wins You Lose)
- Target 80)

MUR No. _____

COMPLAINT

1. During the 1980 General Election the above-named Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for the United States Senate. Copies of campaign literature and transcripts of radio advertisements are attached hereto as Exhibit A.

2. The Federal Election Commission's regulations define the term 'political committee' to mean "...any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1000 or which makes expenditures aggregating in excess of \$1000 during a calendar year..." Political committees are required by the Federal Election Campaign Act of 1971, as amended, to file registration statements and periodic reports with

32040324621

the Commission. (2 USC Sec. 433, 434; 11 CFR Parts 102, 104).

3. On information and belief, based on Complainant's knowledge of the cost of such activities, Complainant alleges that the above-named Respondents made expenditures in excess of \$1000 during a calendar year. Attached as part of Exhibit A is a budget that reveals overall planned expenditures for both the attached mailings as well as the radio advertisements.

4. The above-named Respondents are thus political committees. They have violated the Act and the Commission's regulations by not filing registration statements or reports.

5. The Commission's regulations provide that "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11 CFR Sec. 102.14(a)).

6. Most of the above-named Respondents violated 11 CFR Sec. 102.14(a) by including the name of the candidate in its name.

7. In the event the Commission concludes that the above-named Respondents are not separate political committees because they are "projects of a political committee (National Conservative Political Action Committee "NCPAC"), then NCPAC violated 11 CFR Sec. 102.14(a) by including the names of candidates in the names it used to communicate with the public.

8. The Commission's regulations define the term "connected organization" to mean "any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee." (11 CFR Sec. 100.6(a)). Commission regulations allow that a "connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade

2
2
6
4
2
3
0
4
2
3
8

association.." (11 CFR Sec. 100.6(a)) but does not require that a "connected organization" be any of the above. Complainant notes that the above-named Respondents are not considered "affiliated organizations" either in the statements of the parent organization, NCPAC.

9. If the Commission concludes that the above named Respondents are not political committees (either because they in fact did not receive contributions or make expenditures in excess of \$1000 or because they are "projects" of NCPAC), then they are "connected organizations" with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf. Complainant notes material in Exhibit A that includes return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

10. If the above-named Respondents are "connected organizations" with NCPAC, then NCPAC violated 11 CFR Sec. 102.2 by not identifying them on its registration statement.

Wherefore, I hereby request that the Commission initiate a compliance matter on this Complaint pursuant to 2 USC Sec. 437g and 11 CFR Part III.

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: _____
Robert Blaemire
President

Date _____

82040324623



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RECEIVED

81 NOV 24 AM 11:51

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anybody But Culver
342 S.E. Broad Street
Des Moines, Iowa 50315

November 9, 1981

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

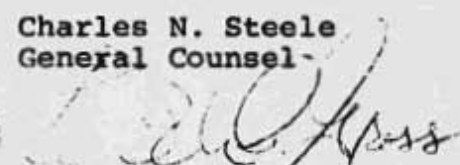
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

82040324624

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Council Statement

8 2 0 4 0 3 2 4 6 2 5

81 NOV 24 11: 51

FEDERAL ELECTION COMMISSION
UNITED STATES OF AMERICA
Washington, D.C. 20463

In The Matter Of:

November 19, 1981

- People For An Alternative To McGovern
- If Bayh Wins You Lose
- Anybody But Church
- Anybody But Culver
- Committee For Another Responsible Senator
- If Cranston Wins You Lose
- Target 80

Re: MUR No. 1399

MOTION TO DISMISS COMPLAINT

Comes now Max Putnam, as a member of the Iowa Bar, admitted to practice law in the United States District Court, at 1 E & Walnut, Des Moines, Iowa, and in all District Courts of Iowa, since 1931, herein appears as attorney for Donna Lepore, who is a citizen of the United States and State of Iowa, residing at 342 S.E. Broad Street, Des Moines, Iowa 50315. The undersigned counsel respectfully moves the Commission in its judicial capacity to dismiss the purported Complaint against "Anybody But Culver" named as Respondent in the above matter.

I. The purported Complainant has not shown or alleged that it is a real party in interest with standing to bring a complaint against any legal entity or person for the criminal acts alleged.

II. The alleged Respondent "Anybody But Culver" is a slogan, not a legal entity. It cannot be convicted, fined, or imprisoned for any violation of any section of the Federal Election Campaign Act of 1971, as amended, or Chapters 95 and 96 of Title 26 U.S. Code. Neither can "Anybody But Culver" demonstrate in writing anything, and a judgment against it, criminal or civil, is an impossibility.

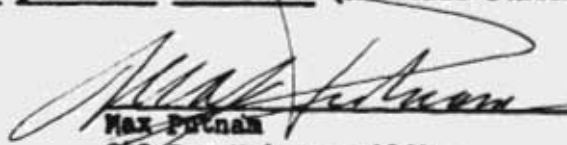
3 2 0 4 0 3 2 4 6 2 6

III. Donna Leporte is a person who is subject to the laws of the United States, whether civil or criminal, but she has not been made a Respondent in this matter nor otherwise properly charged with any crime whatever in said complaint.

IV. Crimes for violation of the Act are charged against the alleged "Anybody But Culver", 342 S.E. Broad Street, inferentially charging said crimes against Donna Leporte who lives at that address, without making her a Respondent. The Complainant thereby subjects her to sanctions and penal consequences of the Federal Election Campaign Act of 1971 as amended, without specifically charging her with the same. If the Complainant has resorted to such stratagem and deception practiced upon the Commission, as well as Mrs. Leporte, because they seek to evade thereby the last paragraph of Section 2 of Article III of the Constitution of the United States, then Complainant is in contempt of this Commission and the matter should be dismissed for that reason alone.

V. That the Complainant has a concealed purpose in not incorporating Donna Leporte among the Respondents is confirmed by paragraph 7 of its Complaint, where Complainant asserts that NCPAC violated 11 CFR Sec. 102.14(a), they excluded NCPAC from the Respondents' list; while in paragraph 6 preceding said Complainant asserts that "Most of the above-named Respondents violated the same 11 CFR Sec. 102.14(a)." Nevertheless the list of Respondents is minus Donna Leporte and the NCPAC.

VI. The Affidavit of Donna Leporte is hereto attached in support of this Motion To Dismiss to demonstrate and to confirm by Exhibits that Complainant had knowledge in advance that its Paragraph 3 was so certainly false that it better hedge its bet by expressly anticipating in Paragraph 7 the event that the Commission would conclude that the above-named Respondents are not separate political committees because they are projects of a political committee (National Conservative Political Action Committee "NCPAC").


Max Pichan
940 Des Moines Building
Des Moines, Iowa 50309
Attorney for Donna Leporte

82040324627

AFFIDAVIT

State of Iowa }
County of Polk } SS

The undersigned, Donna Leporte, being first duly sworn, deposes and states:

1. I live at 342 S.E. Broad Street, Des Moines, Iowa, which has been my residence for years before, during, and since my activities for NCPAC.

2. Long before serving NCPAC, I had actively obtained and circulated quantities of printed material exposing the voting record of Senator Dick Clark. Its effectiveness quickly appeared and more of such material was obtained by friends of mine and circulated by them.

3. Because of such experience of the effectiveness of circulating the voting record of such as Dick Clark, I was charmed when Mr. John T. Dolan contacted me to help NCPAC do the same thing to oust Culver by prompt and wide circulation of his record under the banner of "Anyone But Culver" at the expense of NCPAC.

4. That banner "Anyone But Culver" is not a corporation, group, business, or a person. It is a slogan, a call to arms, like "Make The World Safe For Democracy". I distributed in large quantities the voting record of Culver with a summons to action that the public understood, "Anyone But Culver". That is why it was created and adopted as the name of the Iowa project of the National Conservative Political Action Committee whose orders I obeyed. I had a title that I seldom used of "project director". One time I used it was when, on order from NCPAC, I arranged for a P.O. Box 5263, Des Moines, Iowa 50306, to which it could mail pre-addressed, for me to gather up and disseminate quickly, from time to time.

5. I had enough previous experience in costliness of expense and in losing time keeping records, to prompt me at the onset to express to Mr. Dolan my

8
2
6
4
3
2
4
0
3
2
4
0
2
8

conditions: (a) I would not advance any money in any amount, (b) I would not solicit money or handle NCPAC money in any amount, (c) I would not keep any accounts of money for reports to either the State of Iowa's Commission or to the Federal Commission or to the NCPAC, (d) so I wanted written proof that none of that was my responsibility. Mr. Dolan responded that he wanted it that way himself, and that he would send me a copy of a letter on the federal laws from NCPAC's lawyers. He did so, and I gave it to my lawyer for reference and safe-keeping. It is now marked Exhibit 1 and attached.

6. NCPAC did what the letter required them to do themselves which included (a) telling me what they wanted me to do, (b) with the title of "project director" which I seldom used unless asked, because I relied on directions from them. Exhibit 2 is a copy of a newspaper ad which is attached and shows NCPAC followed their lawyers advice in Exhibit 1. I refer to the bottom lines on Exhibit 2 "Anyone But Culver Committee, P.O. Box 5263, Des Moines, Iowa 50306". "Paid for by Anyone But Culver Committee", "A project of the National Conservative Political Action Committee not authorized by any candidate." A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

7. Another example of what I distributed in quantity was bumper stickers they sent me. Exhibit 3 is one of them which is identical with all of them, and says: "Paid for and authorized by the 'Anyone But Culver' project of the National Conservative Political Action Committee." "A copy of our Report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C."

8. My Statement of Designation Of Counsel is attached.

Donna Leporte
Donna Leporte

Subscribed and sworn to by Donna Leporte to me personally known, at Des Moines, Iowa, this 20th day of November, 1981.

Mildred L. Cummins
Notary Public In and For the State of Iowa

82040324629

SEDAM & HERGE

ATTORNEYS AT LAW
7600 OLD SPRINGHOUSE ROAD
MCLEAN, VIRGINIA 22102

(703) 821-1000

May 9, 1979

GLENN J. SEDAM, JR.
J. CURTIS HERGE

THOMAS M. DAVIS, III
MICHAEL D. HUGHES
ROBERT R. SPARKS, JR.
CHRISTOPHER M. WAS

1400 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20005
(202) 821-1000

RECEIVED
81 NOV 24 AM: 52

MEMORANDUM

Exhibit 1

TO: John T. Dolan
FROM: J. Curtis Herge
SUBJECT: Independent Expenditures

This memorandum is written in response to your request for guidance on the method of organizing the independent expenditure program known as Target '80 and for a summary of the law relative to independent expenditures made in connection with a Federal election.

In general an independent expenditure is defined as a disbursement for a communication made expressly to advocate the election or defeat of a clearly identified candidate which is not made with the cooperation or consent of, or in consultation with or at the request or suggestion of, any candidate or his agent or authorized committees. 11 C.F.R. §109.1(a). We will proceed to describe the historical precedent for this definition; examine the component parts of the definition; describe the compliance procedures; and, summarize some of the relevant experiences with independent expenditures.

Historical Precedent

The Federal Election Campaign Act of 1971, as amended in 1974, limited contributions by individuals to \$1,000 per election per candidate and to a total of \$25,000 for a calendar year for any one individual. The Act also limited the amount an individual could spend "relative to a clearly identified candidate" to \$1,000 per candidate, even if there were no coordination between the expeditor and the candidate, and such expenditures counted toward the \$25,000 total that the expeditor could lawfully spend in the federal election process during that calendar year.

82040324630

8 2 0 4 0 3 2 4 6 3 1

In Buckley vs. Valeo, 424 U.S. 1 (1976), the constitutionality of each of the above provisions, along with many other provisions, was seriously contested, and several important provisions were declared unconstitutional by the Supreme Court. In testing the validity of limitations on contributions and expenditures, the Court held that contributions are "conduct" while expenditures are "pure speech." Labeling contributions "conduct" does not mean that there are no First Amendment considerations associated with the regulation of campaign contributions. The Court recognized that, "The Act's contributions and expenditure limitations operate in an area of the most fundamental First Amendment activities." Political contributions are conduct, but they have a substantial communicative content. In Buckley, the Court observed that conduct with communicative content may be regulated only if there is a sufficiently important governmental interest in regulating the nonspeech element that is unrelated to the suppression of free expression and had an incidental restriction on alleged First Amendment freedoms no greater than was essential to the furtherance of that interest. The Court then applied that test to the limitations on campaign contributions (\$1,000 by an individual to any one federal candidate for any one election, and \$25,000 by any one individual in the federal process for one calendar year) and upheld the limitation on the ground that they furthered a compelling governmental interest in preventing the actuality or the appearance of fraudulent quid-pro-quo arrangements between office-holders and large contributors.

On the other hand, Buckley went on to hold that campaign expenditures (such as the purchase of newspaper advertisements or television spots or the printing and distribution of campaign literature) are "pure speech," specifically rejecting the argument that the monetary element is sufficient to make an expenditure conduct rather than speech. Since an expenditure was held to be speech rather than conduct, the "exacting scrutiny applicable to limitations on core First Amendment rights of political expression" was held to be applicable. The court did not make clear exactly what test is to be applied as part of the "exacting scrutiny," but it struck down the limitations on expenditures made by individuals not in coordination with candidates or their committees.

After Buckley, Congress attempted to reconstruct as much restriction on political activity as possible. With regard to independent expenditures and contributions, section 431(p) of Title 2 of the United States Code was enacted in 1976, as an amendment to the Federal Election Campaign Act. That section contained the definition of independent expenditures which is contained above.

Component Parts of the Definition

Independent expenditures may be made by "a person." Under the regulations of the Federal Election Commission, a person includes an individual, a group of persons and a committee. Therefore, it is evident that the National Conservative Political Action Committee may make independent expenditures. (Note: Labor organizations, corporations and national banks are excluded from the definition and are not permitted to make independent expenditures.)

The expenditure is one made "expressly to advocate" the election or defeat of a clearly identified candidate. Expressly advocating means any communication containing a message advocating election or defeat, including, but not limited to, the name of the candidate, or expressions such as "vote for," "elect," "support," "cast your ballot for" and "Smith for Congress" or "vote against," "defeat" or "reject." (Note should be made of the fact that the cost of a direct mail program to raise funds for target '80 is, in and of itself, an independent expenditure.)

The communication must be one which advocates the election or defeat of a "clearly identified candidate." This means that the name of the candidate appears, a photograph or drawing of the candidate appears, or the identity of the candidate is otherwise apparent by unambiguous reference.

The expenditure, to be independent, must be made without "the cooperation or prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate." This means that if there is any arrangement, coordination or direction by the candidate or his agents prior to the publication of the communication, the expenditure will not qualify as being independent. In fact, the regulations create certain presumptions that coordination has taken place. One is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is made by or through any person who is or has been authorized to raise or expend funds for the candidate or his authorized committee; or who

9 2 0 4 0 3 2 4 6 3 2

3 2 0 4 0 3 2 4 6 3 3

is or has been an officer of an authorized committee of the candidate; or who is or has been receiving any form of reimbursement or compensation from the candidate, the candidate's committee or agent. The other is that an expenditure will be presumed to be in coordination with a candidate or his committee if it is based on information about the candidate's plans, projects or needs provided to the expending person by the candidate or his agents with a view toward having the expenditure made. As a result, one must be very careful to avoid communications with a candidate or his agents before making an independent expenditure. One must also examine his or her prior association, if any, with a candidate to determine whether one of these presumptions is applicable. In making the expenditure, it is also advisable to determine whether your suppliers are agents of a candidate, e.g. a mail house which is doing the direct mail fundraising for a candidate should not be used by a committee that wants to make independent expenditures for that candidate; TV spots should not be written, filmed or produced by the same company or person, etc. Any reference made to a candidate in this paragraph would include a candidate who is an opponent of the candidate you are attempting to defeat.

Another prohibition is that the expeditor may not republish the candidate's authorized campaign material. If money is used to finance the dissemination, distribution, or republication, in whole or in part, of any broadcast or any written, graphic, or other form of campaign materials prepared by the candidate, his campaign committees, or their authorized agents, such expenditures shall not be deemed to be an independent expenditure but rather shall be deemed to be a contribution from the expeditor to the candidate, even if the expeditor did not consult in any manner with the candidate or any authorized committee or agent of the candidate.

In the event that a person makes independent expenditures in connection with a candidate, that person may also make a contribution directly to that candidate, but that contribution would be limited to the \$1,000 ceiling per election.

It has further been held that contributions to a committee formed to make independent expenditures for only one candidate are subject to the \$1,000 limit that an individual can contribute to a federal candidate in any one election.

Compliance Procedures

8 2 0 4 0 3 2 4 6 3 4

A person spending more than \$100 in a calendar year on independent expenditures must report such expenditures to the Federal Election Commission on a form designed for this purpose. Such reports must be filed on the same dates that reports by political committees are required to be filed, and they must contain the same information that is required in reports by political committees. In addition, such reports must contain the name of the candidate about whom the independent expenditures relate, and whether the expenditures were in support of or in opposition to such candidate. NCPAC would submit this information on Schedule E with its FEC Form 3 which is filed with the Commission. In addition, any independent expenditure of more than \$1,000 which is made after the fifteenth day, but more than 24 hours, before an election must be reported within 24 hours of the making of such independent expenditure. All reports of independent expenditures must state, under oath, that such expenditures were not made in cooperation, consultation, or concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of any candidate.

Any communication financed as an independent expenditure through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing or any other type of general public political advertising must carry a special disclaimer. The disclaimer may take any of the following forms:

"Paid for by National Conservative Political Action Committee and not authorized by any candidate."

"Sponsored by National Conservative Political Action Committee and not authorized by any candidate."

"Furnished by National Conservative Political Action Committee and not authorized by any candidate."

In addition, if the communication solicits contributions, one must include the additional statement: "A copy of our report is filed with the Federal Election Commission and is available for purchase from the Federal Election Commission, Washington, D. C."

As in the case of all disclaimers, the notice must appear on the face or front page of printed matter and at the beginning or end of a broadcast or telecast.

Experiences in 1976

During the 1976 primary and general elections a total of \$454,128 in independent expenditures were reported to the Federal Election Commission. Of that total, \$267,686 (73%) was for presidential candidates, \$52,752 (14%) was for House candidates, and \$44,385 (13%) was for Senate candidates. Of the independent expenditures for presidential candidates, \$115,957 (43%) was for Reagan, \$108,214 (42%) was for Ford (primary and general), \$24,212 (9%) was for Church, \$17,091 (6%) was for Carter (primary and general), and \$2,212 (1%) was for other candidates.

The highest-spending single independent expeditor was Henry C. Grover of Houston, Texas, who spent \$63,000 for Ronald Reagan. On April 16, 1976, Mr. Grover paid \$28,000 to the Drake Agency of Houston for newspaper advertisements relating to the Texas primary (May 1, 1976); and on May 14, 1976, Mr. Grover paid the Drake Agency \$35,000 for newspaper advertisements for the Michigan primary (May 18, 1976). Another large independent expeditor was Joseph Coors, who spent \$34,000, primarily for Ronald Reagan.

Some of the specific experiences provide guidance in considering making independent expenditures. For example:

1. American Conservative Union/Conservative Victory Fund - In September, 1976, the Federal Election Commission initiated an investigation into the legality of \$150,000 of independent expenditures made for Reagan by the American Conservative Union and the Conservative Victory Fund. The FEC's interest was piqued by the fact that a comparison of the reports filed by the ACU and CVF and Reagan's own authorized campaign committee indicated that several ACU staff members worked for the Reagan committee at the same time the ACU was making its independent expenditures on behalf of Reagan. On December 1, 1977, the Commission voted to close the investigation.

2. Peter Secchia - Peter Secchia was fined for making illegal expenditures on behalf of Gerald Ford, which the Commission found were not independent. Until May 10, 1976, Secchia worked as a fund-raiser and campaigner for the President Ford Committee, leading groups of volunteers into

82040324635

Florida and Wisconsin to work for Ford. Some of his expenses were paid for and coordinated with the President Ford Committee. On May 10 Secchia resigned from the President Ford Committee, and on the very next day he spent \$1,752 for newspaper advertisements supporting Ford. On June 1, Secchia formed and became chairman of the "Friends of the First Family Committee" and registered the committee with the Commission. The committee spent an additional \$20,962 on President Ford's behalf.

3. Loren A. Wittner - The Commission held that persons who attend private parties, where a presidential candidate's staff discuss campaign plans and projects, may be precluded from making independent expenditures.

4. Ralph H. Goettler - It was decided that where a commercial vendor acquires a special relationship with a candidate, as a result of prior employment of one of the vendor's employees by the candidate, the vendor may be precluded from contracting to make independent expenditures.

5. Barnett Cooperman - Mr. Cooperman, in the process of preparing a campaign brochure for a candidate, got in touch with an agent of the candidate for some material. It was held that, from the point of that communication forward, the expenditures were no longer independent.

6. William E. Casselman - Mr. Casselman was prohibited from making independent expenditures for Ford in the general election because he was a volunteer for Ford during the primary campaign.

The consequence of a ruling that an expenditure was not independent is that the expenditure would be an in-kind contribution to the candidate. As a result, it would be subject to the statutory contribution limitations or, in the case of a general election for President where the candidate has accepted public funds, illegal.

Conclusion

Because of the complexity of the law relative to independent expenditures, it is suggested that we establish a close working relationship in developing and implementing any program which involves such expenditures. Based upon our preliminary understanding of the project being contemplated, we suggest the following:

8 2 0 4 0 3 2 4 6 3 6

1. The Target '80 program should be administered by NCPAC. Any specific aspect of the program in opposition to an identified candidate could be described as a "project" of NCPAC. (Separate committees should not be established in each state.)
2. If an individual from each state is selected to assist with a particular aspect of the project, he might be described as a "project director," but not as a "chairman".
3. Any project coordinator must be made familiar with the law and, particularly, must not be associated with any candidate who is or may be the opponent of your target candidate. The project coordinator must also be made aware of the fact that he or she may not communicate with any candidate (or agent of a candidate) who is or may be the opponent of your target candidate.

3 2 0 4 0 3 2 4 6 3 7

On just these four votes, John Culver cost you, the taxpayer, \$78,007,000,000.

Four of John Culver's votes cost you this much.^{3 2 3 4 3 2 4 3 8} But he has really voted for thousands in federal spending and tax schemes since he became a Senator.

Think about it: How much has John Culver really cost you? How much can you afford if re-elected?

John Culver isn't your friend. He's a Liberal, who wants to spend your money. Don't re-elect him another six years in the Senate.

Join the **Anyone But Culver Committee!** Help us educate the voters on the real John Culver.

Exhibit 2

Anyone But Culver Committee
P.O. Box 5263
Des Moines, IA 50306

Paid for by Anyone But Culver Committee, a project of the National Conservative Political Action Committee, and not authorized by any candidate. A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

John Culver VOTED AGAINST YOU when he voted

8 2 0 4 0 3 2 4 6 3 9

IF CULVER WINS, YOU LOSE!

Exhibit 3

Paid for and authorized by the "Anyone But Culver" Project of the National Conservative Political Action Committee.
A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C.

RECEIVED

81 NOV 24 AM: 52

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: **MAX PUTNAM**
ADDRESS: **940 DES MOINES BUILDING**
DES MOINES, IOWA 50309
TELEPHONE: **515-244-7126 or 515-274-0788**

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission, *or in court.*

Nov. 20, 1981
Date

Donna Leparte
Signature

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

82040324640

Return if not delivered to
Map Fitman
940 Des Moines Bldg.
Des Moines, Iowa
50309

General Counsel, Attention: Kenneth A. Gross
Federal Election Commission and for
Deborah Curry
1325 K St. NW
Washington, D.C. 20463

102-10
81 NOV 24 1981
600# 5850
NOV 24 4 00 PM '81
GENERAL COUNSEL

FEDERAL ELECTION COMMISSION
UNITED STATES OF AMERICA
Washington, D.C. 20463

In The Matter Of:

November 19, 1981

-People For An Alternative To
McGovern
-If Bayh Wins You Lose
-Anybody But Church
-Anybody But Culver
-Committee For Another Responsible
Senator
-If Cranston Wins You Lose
-Target 80

Re: NUR No. 1999

3 2 0 4 0 3 2 4 6 4 2

MOTION TO DISMISS COMPLAINT

Comes now Max Putnam, as a member of the Iowa Bar, admitted to practice law in the United States District Court, at 1 E & Walnut, Des Moines, Iowa, and in all District Courts of Iowa, since 1931, herein appears as attorney for Donna Leporte, who is a citizen of the United States and State of Iowa, residing at 342 S.E. Broad Street, Des Moines, Iowa 50315. The undersigned counsel respectfully moves the Commission in its judicial capacity to dismiss the purported Complaint against "Anybody But Culver" named as Respondent in the above matter.

I. The purported Complainant has not shown or alleged that it is a real party in interest with standing to bring a complaint against any legal entity or person for the criminal acts alleged.

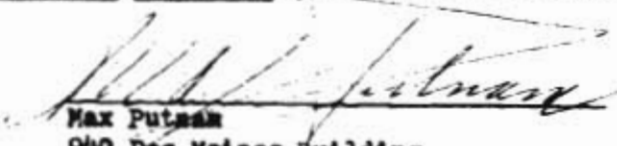
II. The alleged Respondent "Anybody But Culver" is a slogan, not a legal entity. It cannot be convicted, fined, or imprisoned for any violation of any section of the Federal Election Campaign Act of 1971, as amended, or Chapters 95 and 96 of Title 26 U.S. Code. Neither can "Anybody But Culver" demonstrate in writing anything, and a judgment against it, criminal or civil, is an impossibility.

III. Donna Leporte is a person who is subject to the laws of the United States, whether civil or criminal, but she has not been made a Respondent in this matter nor otherwise properly charged with any crime whatever in said complaint.

IV. Crimes for violation of the Act are charged against the slogan "Anybody But Culver", 342 S.E. Broad Street, inferentially charging said crimes against Donna Leporte who lives at that address, without making her a Respondent. The Complainant thereby subjects her to sanctions and penal consequences of the Federal Election Campaign Act of 1971 as amended, without specifically charging her with the same. If the Complainant has resorted to such stratagem and deception practiced upon the Commission, as well as Mrs. Leporte, because they seek to evade thereby the last paragraph of Section 2 of Article III of the Constitution of the United States, then Complainant is in contempt of this Commission and the matter should be dismissed for that reason alone.

V. That the Complainant has a concealed purpose in not incorporating Donna Leporte among the Respondents is confirmed by paragraph 7 of its Complaint, where Complainant asserts that NCPAC violated 11 CFR Sec. 102.14(a), they excluded NCPAC from the Respondents' list; while in paragraph 6 preceding said Complainant asserts that "Most of the above-named Respondents violated the same 11 CFR Sec 102.14(a)." Nevertheless the list of Respondents is minus Donna Leporte and the NCPAC.

VI. The Affidavit of Donna Leporte is hereto attached in support of this Motion To Dismiss to demonstrate and to confirm by Exhibits that Complainant had knowledge in advance that its Paragraph 3 was so certainly false that it better hedge its bet by expressly anticipating in Paragraph 7 the event that the Commission would conclude that the above-named Respondents are not separate political committees because they are projects of a political committee (National Conservative Political Action Committee "NCPAC").


Max Putnam
940 Des Moines Building
Des Moines, Iowa 50309
Attorney for Donna Leporte

AFFIDAVIT

State of Iowa }
County of Polk } SS

The undersigned, Donna Leporte, being first duly sworn, deposes and states:

1. I live at 342 S.E. Broad Street, Des Moines, Iowa, which has been my residence for years before, during, and since my activities for NCPAC.

2. Long before serving NCPAC, I had actively obtained and circulated quantities of printed material exposing the voting record of Senator Dick Clark. Its effectiveness quickly appeared and more of such material was obtained by friends of mine and circulated by them.

3. Because of such experience of the effectiveness of circulating the voting record of such as Dick Clark, I was charmed when Mr. John T. Dolan contacted me to help NCPAC do the same thing to oust Culver by prompt and wide circulation of his record under the banner of "Anyone But Culver" at the expense of NCPAC.

4. That banner "Anyone But Culver" is not a corporation, group, business, or a person. It is a slogan, a call to arms, like "Make The World Safe For Democracy". I distributed in large quantities the voting record of Culver with a summons to action that the public understood, "Anyone But Culver". That is why it was created and adopted as the name of the Iowa project of the National Conservative Political Action Committee whose orders I obeyed. I had a title that I seldom used of "project director". One time I used it was when, on order from NCPAC, I arranged for a P.O. Box 5263, Des Moines, Iowa 50306, to which it could mail pre-addressed, for me to gather up and disseminate quickly, from time to time.

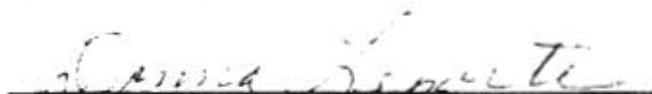
5. I had enough previous experience in costliness of expense and in losing time keeping records, to prompt me at the onset to express to Mr. Dolan my

conditions: (a) I would not advance any money in any amount, (b) I would not solicit money or handle NCPAC money in any amount, (c) I would not keep any accounts of money for reports to either the State of Iowa's Commission or to the Federal Commission or to the NCPAC, (d) so I wanted written proof that none of that was my responsibility. Mr. Delan responded that he wanted it that way himself, and that he would send me a copy of a letter on the federal laws from NCPAC's lawyers. He did so, and I gave it to my lawyer for reference and safe-keeping. It is now marked Exhibit 1 and attached.

6. NCPAC did what the letter required them to do themselves which included (a) telling me what they wanted me to do, (b) with the title of "project director" which I seldom used unless asked, because I relied on directions from them, Exhibit 2 is a copy of a newspaper ad which is attached and shows NCPAC followed their lawyers advice in Exhibit 1. I refer to the bottom lines on Exhibit 2 "Anyone But Culver Committee, P.O. Box 5263, Des Moines, Iowa 50306". "Paid for by Anyone But Culver Committee", "A project of the National Conservative Political Action Committee not authorized by any candidate." A copy of our report is on file and available for purchase from the Federal Election Commission, Washington, D.C.

7. Another example of what I distributed in quantity was bumper stickers they sent me. Exhibit 3 is one of them which is identical with all of them, and says: "Paid for and authorized by the 'Anyone But Culver' project of the National Conservative Political Action Committee." "A copy of our Report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C."

8. My Statement of Designation Of Counsel is attached.


Donna Leporte

Subscribed and sworn to by Donna Leporte to me personally known, at
Des Moines, Iowa, this 20th day of November, 1981.


Notary Public In and For the State of Iowa

32040324645

10795 600#5841
81 NOV 23 P12:26

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

6300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22108

(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

KAREN LUSSEN BLAIR
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN

November 18, 1981

SUITE 270
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(703) 821-7890
TELEX: 710-821-0886
CABLE: SEDAMHERGE
12:07

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

ATTENTION: Ms. Deborah Curry

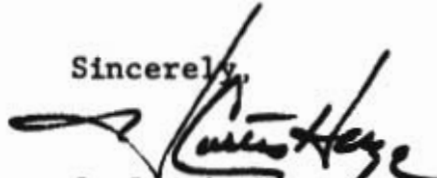
Re: MUR 1399

Dear Mr. Gross:

This letter is written with reference to your letter to Mr. John T. Dolan, Chairman of National Conservative Political Action Committee, dated November 9, 1981, regarding the complaint of Committee for American Principles which has been designated MUR 1399. Enclosed herewith is the statement of National Conservative Political Action Committee, designating the undersigned as its counsel in this matter.

The subject complaint was first brought to my attention on November 17, 1981. My schedule requires me to be away from the office on November 19, 1981, and during the period from and including November 24 through November 29, 1981. Accordingly, I request an extension to Friday, December 4, 1981, within which to respond to the complaint on behalf of my client.

Sincerely,


J. Curtis Herge

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: J. Curtis Herge, Esq.

ADDRESS: SEDAM & HERGE, P.C.
8300 Greensboro Drive, Suite 1100
TELEPHONE: McLean, Virginia 22102
821-1000

Re: MUR 1399

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and
other communications from the Commission and to act on my
behalf before the Commission.

National Conservative Political
Action Committee

Date

11/17/81

By:

Signature

Ray E. Jones

Assistant Treasurer

NAME: National Conservative Political
Action Committee

ADDRESS: 1500 Wilson Boulevard
Arlington, Virginia 22209

HOME PHONE:

BUSINESS PHONE: 522-2800

82040324647

SEDAM & HERGE

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

SUITE 1100

8300 GREENSBORO DRIVE

MCLEAN, VIRGINIA 22102

NOV 23 1981

Kenneth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

3 2 0 4 0 3 2 4 6



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

If Cranston Wins, You Lose
P.O. Box 25969
Los Angeles, California 90025

November 9, 1981

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

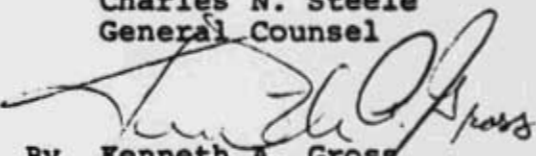
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

8 2 0 4 0 3 2 4 6 4 9

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

3 2 0 4 0 3 2 4 6 5 0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anybody But Culver
342 S.E. Broad Street
Des Moines, Iowa 50315

November 9, 1981

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

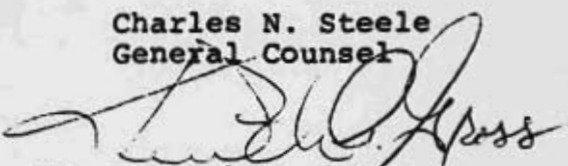
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

3 2 0 4 0 3 2 4 6 5 1

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

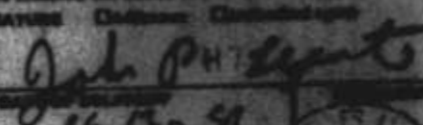

By Kenneth A. Gross
Associate General Counsel

82040324652

Enclosures

1. Complaint
2. Procedures
3. Designation of Council Statement

1-9-81

1. The following information is being furnished to you:		
☐	State to which the complaint is being referred	
☐	State to which the complaint is being referred	
☐	State to which the complaint is being referred	
☐	State to which the complaint is being referred	
☐	State to which the complaint is being referred	
☐	State to which the complaint is being referred	
2. Any other information		
Anybody But Culver		
342 S.E. Grand Ave.		
Des Moines, Iowa 50315		
3. ACTION REQUIRED		
RECEIVED	DATE	INITIALS
	11-13-81	
I have received the article described above.		
SIGNATURE: 		
11-13-81		
4. ADDRESS changes only		
5. UNABLE TO DELIVER		

U.S. MAIL



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John T. Dolan
Committee For Another Responsible Senator
P.O. Box 1173
Waterloo, Iowa 50704

November 9, 1981

Re: MUR 1399

Dear Mr. Dolan:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

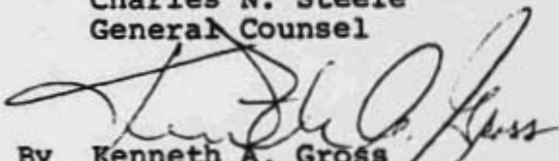
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

3 2 0 4 0 3 2 4 6 5 3

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel



Enclosure

1. Complaint
2. Procedures
3. Designation of Counsel Statement

3 2 0 4 0 3 2 4 6 5 4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 9, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

If Bayh Wins, You Lose
P.O. Box 452
Lafayette, Indiana 47903

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statement should be submitted under oath.

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

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

32040324655

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
By Kenneth A. Gross
Associate General Counsel

32040324656

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

11-9-81

1. The following information is being furnished to you:		
☐	State to which...	
☐	State to which...	
☐	State to which...	
☐	State to which...	
☐	State to which...	
2. ARTICLE DESCRIPTION		
ARTICLE NO.	ARTICLE NO.	ARTICLE NO.
	595565	
I have received the article described above		
Signature: <i>Diane E. Hester</i>		
DATE OF DELIVERY: NOV 13 1981		
3. ADDRESS (Please print clearly)		
IF DEAN WILSON HAS BEEN P.O. Box 482 Lafayette, Indiana 47902		
4. UNABLE TO DELIVER REASON		

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
RECEIVED
NOV 13 1981
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 9, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

People for An Alternative to McGovern
1500 Wilson Blyd., Suite 513
Arlington, VA 22209

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statement should be submitted under oath.

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

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

32040324657

8.2040324038

Charles N. Steele
General Counsel

Charles N. Steele
General Counsel

8.2040324038

1. Complaint
2. Procedures
3. Designation of Counsel Statement

[illegible]



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Anybody But Church
ABC Project
Box 1551
Boise, Idaho 83707

November 9, 1981

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

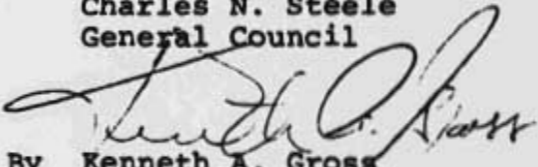
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

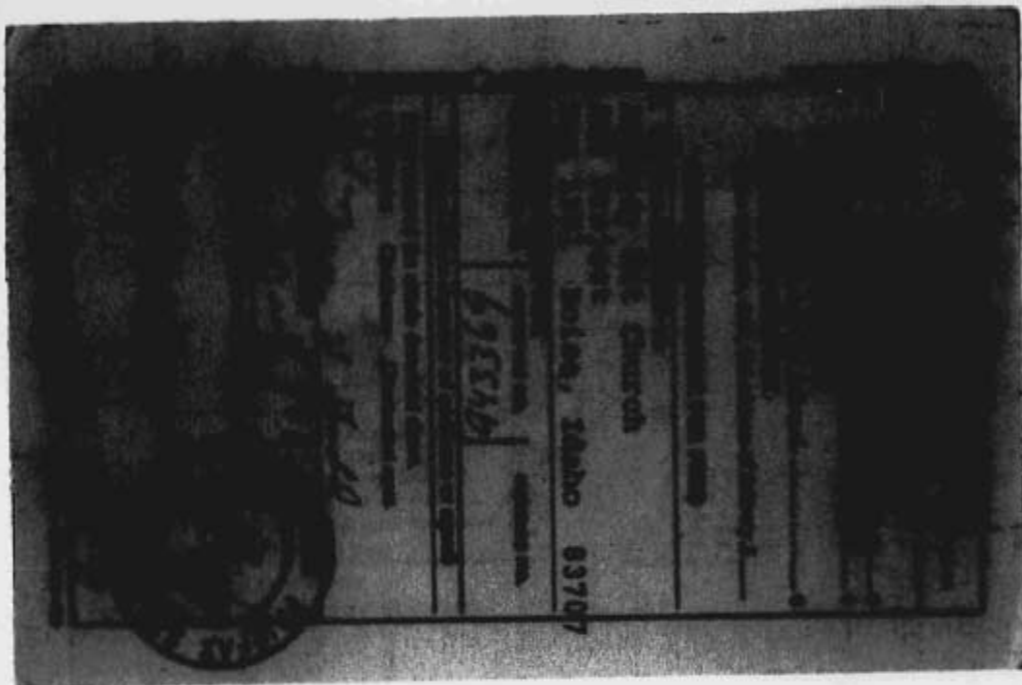
8 2 0 4 0 3 2 1 6 5 9

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Council


By Kenneth A. Gross
Associate General Counsel



Enclosures

1. Complaint
2. Procedures
3. Designation of Council Statement

8 2 0 4 0 3 2 4 5 6 0



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. John T. Dolan
National Conservative Political Action Committee
1500 Wilson Blvd., Suite 513
Arlington, Virginia 22209

November 9, 1981

Re: MUR 1399

Dear Mr. Dolan:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at 202-523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele

[Handwritten signature of Kenneth A. Gross]
By Kenneth A. Gross



Enclosures

1. Complaint
2. Procedures
3. Designation of Council Statement

82040324662



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Target 80
P.O. Box 452
Lafayette, Indiana 47902

November 9, 1981

Re: MUR 1399

Dear Sir:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1399. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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

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

3 2 0 4 0 3 2 4 6 6 3

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

1. Complaint
2. Procedures
3. Designation of Council Statement

[illegible]

MUR # 1399
DATE 11-5-81

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

1. ✓ John T. Dolan
National Conservative Political Action Committee
1500 Wilson Blvd
Suite 513
Arlington, Va. 22209
2. ✓ Target 80
P.O. Box 452
Lafayette, Ind 47902
Target 80
3. If Bayh Wins You Lose
P.O. Box 452
Lafayette Ind. 47902

(over)

MUR #

DATE

1399

11-5-81

PLEASE PROVIDE THE NAMES AND ADDRESSES OF ALL RESPONDENTS WHICH ARE TO BE SENT A COPY OF THE COMPLAINT. IF A PRINCIPAL CAMPAIGN COMMITTEE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE CANDIDATE AND PUT A "CC" BESIDE THE CANDIDATE'S NAME. IF A CANDIDATE IS A RESPONDENT, A CARBON COPY IS TO BE SENT TO THE CANDIDATE'S PRINCIPAL CAMPAIGN COMMITTEE. PLEASE PROVIDE THE NAME AND ADDRESS OF THE PRINCIPAL CAMPAIGN COMMITTEE AND PUT A "CC" BESIDE THE COMMITTEE'S NAME. PLEASE PROVIDE THIS INFORMATION, ON THIS SHEET, WITHIN 24 HOURS OF RECEIPT OF THIS NOTICE. THANK YOU.

- 820 82040324565
1. ✓ John T. Dolan
National Conservative Political Action Committee
1500 Wilson Blvd
Suite 513
Arlington, Va. 22209
 2. ✓ Target 80
P.O. Box 452
Lafayette, Ind 47902
Target 80
 3. If Bagh Wins You Lose
P.O. Box 452
Lafayette Ind. 47902

(over)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Blaemire, President
Committee For American Principles
2000 N Street NW, Suite 105
Washington, D.C. 20036

Dear Mr. Blaemire:

This letter is to acknowledge receipt of your complaint of November 2, 1981, against People For An Alternative To McGovern, If Bayh Wins You Lose, Anybody But Church, Anybody But Culver, Committee For Another Responsible Senator, If Cranston Wins You Lose, and Target 80 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 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Enclos

1371 *unified*

RECEIVED: Complete form 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☐ Show to whom, date and address of delivery.
☐ RESTRICTED DELIVERY.
☐ RESTRICTED DELIVERY.
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery.

2. Addressee's name: *Robert Blaemire*

3. Addressee's address: *2000 N Street NW, Suite 105, Washington, D.C. 20036*

4. Addressee's telephone number: *202-331-1234*

5. Addressee's business title: *President*

6. Addressee's occupation: *Committee For American Principles*

7. Addressee's profession: *None*

8. Addressee's education: *None*

9. Addressee's marital status: *None*

10. Addressee's date of birth: *None*

11. Addressee's date of death: *None*

12. Addressee's date of marriage: *None*

13. Addressee's date of divorce: *None*

14. Addressee's date of remarriage: *None*

15. Addressee's date of separation: *None*

16. Addressee's date of annulment: *None*

17. Addressee's date of adoption: *None*

18. Addressee's date of naturalization: *None*

19. Addressee's date of citizenship: *None*

20. Addressee's date of residency: *None*

21. Addressee's date of domicile: *None*

22. Addressee's date of residence: *None*

23. Addressee's date of habitation: *None*

24. Addressee's date of occupancy: *None*

25. Addressee's date of possession: *None*

26. Addressee's date of ownership: *None*

27. Addressee's date of title: *None*

28. Addressee's date of interest: *None*

29. Addressee's date of claim: *None*

30. Addressee's date of demand: *None*

31. Addressee's date of action: *None*

32. Addressee's date of suit: *None*

33. Addressee's date of judgment: *None*

34. Addressee's date of decree: *None*

35. Addressee's date of order: *None*

36. Addressee's date of award: *None*

37. Addressee's date of settlement: *None*

38. Addressee's date of compromise: *None*

39. Addressee's date of agreement: *None*

40. Addressee's date of consent: *None*

41. Addressee's date of assent: *None*

42. Addressee's date of acquiescence: *None*

43. Addressee's date of concurrence: *None*

44. Addressee's date of concurrence: *None*

45. Addressee's date of concurrence: *None*

46. Addressee's date of concurrence: *None*

47. Addressee's date of concurrence: *None*

48. Addressee's date of concurrence: *None*

49. Addressee's date of concurrence: *None*

50. Addressee's date of concurrence: *None*

51. Addressee's date of concurrence: *None*

52. Addressee's date of concurrence: *None*

53. Addressee's date of concurrence: *None*

54. Addressee's date of concurrence: *None*

55. Addressee's date of concurrence: *None*

56. Addressee's date of concurrence: *None*

57. Addressee's date of concurrence: *None*

58. Addressee's date of concurrence: *None*

59. Addressee's date of concurrence: *None*

60. Addressee's date of concurrence: *None*

61. Addressee's date of concurrence: *None*

62. Addressee's date of concurrence: *None*

63. Addressee's date of concurrence: *None*

64. Addressee's date of concurrence: *None*

65. Addressee's date of concurrence: *None*

66. Addressee's date of concurrence: *None*

67. Addressee's date of concurrence: *None*

68. Addressee's date of concurrence: *None*

69. Addressee's date of concurrence: *None*

70. Addressee's date of concurrence: *None*

71. Addressee's date of concurrence: *None*

72. Addressee's date of concurrence: *None*

73. Addressee's date of concurrence: *None*

74. Addressee's date of concurrence: *None*

75. Addressee's date of concurrence: *None*

76. Addressee's date of concurrence: *None*

77. Addressee's date of concurrence: *None*

78. Addressee's date of concurrence: *None*

79. Addressee's date of concurrence: *None*

80. Addressee's date of concurrence: *None*

81. Addressee's date of concurrence: *None*

82. Addressee's date of concurrence: *None*

83. Addressee's date of concurrence: *None*

84. Addressee's date of concurrence: *None*

85. Addressee's date of concurrence: *None*

86. Addressee's date of concurrence: *None*

87. Addressee's date of concurrence: *None*

88. Addressee's date of concurrence: *None*

89. Addressee's date of concurrence: *None*

90. Addressee's date of concurrence: *None*

91. Addressee's date of concurrence: *None*

92. Addressee's date of concurrence: *None*

93. Addressee's date of concurrence: *None*

94. Addressee's date of concurrence: *None*

95. Addressee's date of concurrence: *None*

96. Addressee's date of concurrence: *None*

97. Addressee's date of concurrence: *None*

98. Addressee's date of concurrence: *None*

99. Addressee's date of concurrence: *None*

100. Addressee's date of concurrence: *None*

COMMITTEE
FOR
AMERICAN
PRINCIPLES

GCC # 5751
2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

November 2, 1981

Dear Sirs:

Before The Federal Election Commission

In The Matter Of:

- People For An Alternative To McGovern)
- If Bayh Wins You Lose)
- Anybody But Church)
- Anybody But Culver)
- Committee For Another Responsible Senator)
- If Cranston Wins You Lose)
- Target 80)

MUR No. _____

COMPLAINT

1. During the 1980 General Election the above-named Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for the United States Senate. Copies of campaign literature and transcripts of radio advertisements are attached hereto as Exhibit A.

2. The Federal Election Commission's regulations define the term 'political committee' to mean "...any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1000 or which makes expenditures aggregating in excess of \$1000 during a calendar year..." Political committees are required by the Federal Election Campaign Act of 1971, as amended, to file registration statements and periodic reports with

the Commission. (2 USC Sec. 433, 434; 11 CFR Parts 102, 104).

3. On information and belief, based on Complainant's knowledge of the cost of such activities, Complainant alleges that the above-named Respondents made expenditures in excess of \$1000 during a calendar year. Attached as part of Exhibit A is a budget that reveals overall planned expenditures for both the attached mailings as well as the radio advertisements.

4. The above-named Respondents are thus political committees. They have violated the Act and the Commission's regulations by not filing registration statements or reports.

5. The Commission's regulations provide that "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11 CFR Sec. 102.14(a)).

6. Most of the above-named Respondents violated 11 CFR Sec. 102.14(a) by including the name of the candidate in its name.

7. In the event the Commission concludes that the above-named Respondents are not separate political committees because they are "projects of a political committee (National Conservative Political Action Committee "NCPAC"), then NCPAC violated 11 CFR Sec. 102.14(a) by including the names of candidates in the names it used to communicate with the public.

8. The Commission's regulations define the term "connected organization" to mean "any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee." (11 CFR Sec. 100.6(a)). Commission regulations allow that a "connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade

82040324569

association." (11 CFR Sec. 100.6(a)) but does not require that a "connected organization" be any of the above. Complainant notes that the above-named Respondents are not considered "affiliated organizations" either in the statements of the parent organization, NCPAC.

9. If the Commission concludes that the above named Respondents are not political committees (either because they in fact did not receive contributions or make expenditures in excess of \$1000 or because they are "projects" of NCPAC), then they are "connected organizations" with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf. Complainant notes material in Exhibit A that includes return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

10. If the above-named Respondents are "connected organizations" with NCPAC, then NCPAC violated 11 CFR Sec. 102.2 by not identifying them on its registration statement.

Wherefore, I hereby request that the Commission initiate a compliance matter on this Complaint pursuant to 2 USC Sec. 437g and 11 CFR Part III.

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: Robert Blaemire
Robert Blaemire
President

Date

10/30/81

0
1
2
3
4
5
6
7
8
9

Addendum to Complaint in the matter of People for an Alternative
to McGovern et al:

Complainant hopes to impress upon the Commission the inherent problems caused by the use of "projects" by political committees, subject of this complaint. Federal Election Commission regulations prohibit the use of conduits for the raising of funds in federal campaigns. The spirit of those regulations is clearly violated, if not the letter, by the use of "projects", when the only indication of the real source of expenditure or recipient of contribution is NCPAC.

Secondly, Complainant is concerned that this use of "projects" is an invitation to misrepresent the intent of parent organization. Example; there is no record of what the South Dakota raised. That money could have been, conceiveably spent in another target race when the solicitation clearly implied that the funds would be used in South Dakota. The purpose of the Federal Election Reforms was to open up the political process, yet this is an invitation to hide particular activities and misrepresentation of purpose. Complainant fears that this practice could lead to candidates using "projects" to raise funds from individuals in opposition to their own campaigns, when the real source of solicitation, whatever the mailed solicitation may say, is revealed only in a small disclaimer at the bottom of the letter mailed. The purposes of the solicitation, sponsors of the solicitation and recipients of funds received must be clearly identified. Complainant feels the intent of the law and regulations demands no less.

112040324671

Subscribed and sworn to me this 30th day of October,
1981.

Janet G. Meyers
Notary Public

(SEAL)

My Commission expires: My Commission Expires February 17, 1984

320403224672

TARGET 80

P.O. BOX 452
LAFAYETTE, IN 47902

Dear Friend,

I'm willing to bet that you oppose Birch Bayh and his record of big-spending liberalism.

And I'll bet you probably never knew how radically liberal he has voted in Congress.

***Birch Bayh supports busing.

***Birch Bayh voted for inflation-causing deficits by supporting billions in excess government spending.

***Birch Bayh opposed a 33% tax cut last year -- a cut that would have meant thousands more in spendable income for taxpayers like you and me.

And there's lots more I'll bet you didn't know about Birch Bayh and his record.

The strange thing is that few people in Indiana know how little Birch Bayh's voting record represents their views in Washington. You see, Birch Bayh uses his staff and Senate expenses to get good publicity for him here in Indiana. For example, he sends out a newsletter regularly where he tells us how conservative he is. But he doesn't tell us about his liberal voting record.

Birch Bayh never tells us that he is one of the most liberal members of the U.S. Senate.

Well, I'm sick of politicians like Birch Bayh who tell us one thing when they're here in the state, and then vote any way they please when they go back to Washington.

I'm hoping that you'll help me tell thousands of voters in Indiana... IF BAYH WINS, YOU LOSE.

You see, unlike Birch Bayh, I would not use our tax dollars to tell everyone how liberal he is. But I do have the help of the National Conservative Political Action Committee. The National Conservative PAC agreed to help me spread the truth about Birch Bayh.

more...

82040324673

two

I hope you and I and the National Conservative PAC will be able to convince enough people that if Birch Bayh is re-elected in 1980, we all lose.

Now let me tell you exactly what the Target 80 Committee will do.

We want to set up an independent advertising campaign funded by ordinary taxpayers like you and me to expose Birch Bayh and his record. We want to send thousands of letters like this to other voters in Indiana.

Finally, Target 80 will organize a radio, television and newspaper advertising blitz unprecedented in our state's history. Nothing will be a more dramatic demonstration of exactly how strongly you and I feel about Bayh.

And, if we succeed, at last we'd be telling the politicians they can't tell us one thing and then vote differently when we aren't looking.

Of course, all of this is going to require your help. So let me tell you what you can do:

First, fill out the enclosed victory card.

Second, send Target 80 your largest check possible. None of our activities can be carried out without your financial support.

If you can send \$100 or \$250, that would be tremendous. If you can send \$50, \$25, or only \$15, that will be fine, too. Just remember that no contribution will be too small.

I'm absolutely convinced that with your help, you and I can expose Birch Bayh and his record of liberalism. But without your largest check possible to Target 80, we all lose.

Sincerely,

Joan Gubbins
Joan Gubbins
State Senator

P.S. Perhaps you may have read about Target 80 in your local newspaper or Time magazine. We are already seeing the effect of our campaign, but we need more help. Please let me hear from you today.

82040324675



BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 1106 LAFAYETTE, IND

POSTAGE WILL BE PAID BY ADDRESSEE

TARGET 80
If Bayh Wins, You Lose!
P.O. Box 452
Lafayette Ind. 47902

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



VICTORY CARD
.....

Dear Senator Gubbins:

Yes, I want to be a part of Target 80.

_____ I'll donate at least one hour of my time.

_____ I've listed five friends and their addresses on the back. (If I can't think of five, I've listed as many as I can.) Please write to them about Target 80.

_____ Please use my name in newspaper ads with other prominent citizens of Indiana.

_____ I'll contribute. I'm enclosing:

_____ \$500 _____ \$250 _____ \$100 _____ \$50

_____ \$25 _____ \$15 _____ Other \$ _____

My check is made out to Target 80.

Please print:

Mr.. Mrs.. Miss _____

Address _____

City _____ State _____ Zip _____

Telephone () _____

Target 80
P.O. Box 452
Lafayette, Indiana 47902

Federal law requires that we ask the following:

Occupation:

Place employed:

3 2 0 4 0 3 2 4 6 7 6

Target 80
P.O. Box 452
Lafayette, IN 47902

It's Time... To Do Something About Birch Bayh

Bulk Mail
Postage Paid
Permit No. 274
Lafayette, IN

8 2 0 4 0 3 2 4 6 7 7

IF BAYH WINS, YOU LOSE!

P.O. Box 452
Lafayette, Ind. 47902

copy to
DAB

Dear Friend,

I'm willing to bet that you oppose Birch Bayh and his record of big-spending liberalism.

And I'll bet you probably never knew how radically liberal he has voted in Congress.

***Birch Bayh supports busing.

***Birch Bayh voted for inflation-causing deficits by supporting billions in excess government spending

***Birch Bayh opposed a 33% tax cut last year -- a cut that would have meant thousands more in spendable income for taxpayers like you and me.

And there's lots more I'll bet you didn't know about Birch Bayh and his record.

The strange thing is that few people in Indiana know what a terrible job Birch Bayh is doing in Washington. You see, Birch Bayh uses his staff and Senate expenses to get good publicity for him here in Indiana. For example, he sends out a newsletter regularly where he tells us how conservative he is. But he doesn't tell us about his radical voting record.

Birch Bayh never tells us that he is one of the most liberal members of the U.S. Senate.

Well, I'm sick of politicians like Birch Bayh who tell us one thing when they're here in the state, and then vote like radicals when they go back to Washington.

That's why I decided to write you today, and to send you this penny I've attached to the envelope.

I'm hoping that if you agree with what I have to say

about Birch Bayh that you'll keep the penny as a reminder and help me spread the message about his record.

I'm hoping that you'll help me tell thousands of voters in Indiana...

IF BAYH WINS, YOU LOSE.

You see, unlike Birch Bayh, I would not use our tax dollars to tell everyone how liberal he is. But I do have the help of the National Conservative Political Action Committee. The National Conservative PAC agreed to help me spread the truth about Birch Bayh.

I hope you and I and the National Conservative PAC will be able to convince enough people that if Birch Bayh is re-elected in 1980, we all lose.

I've agreed to set up an unprecedented campaign to expose Birch Bayh and his record of radicalism, beginning right now.

I've enclosed a newspaper ad which spells out only a few of his liberal votes. I hope you'll read it, then join me in this campaign to expose Birch Bayh for the radical he is.

Before I tell you what the IF BAYH WINS, YOU LOSE Committee (IBWYL) is going to do, and how you can help, let me answer a question I bet you are asking yourself: "Why start so early; the election is more than a year away?"

Well, the answer is quite simple.

The power of an incumbent Senator is so great, that unless we begin immediately, we'll be sure to lose. You see, incumbents use our tax money to get free publicity. They use their staff, their free newsletters, their fancy computers, their mailing privileges and many other goodies that only members of Congress have.

Unfortunately, many people are impressed by mailings they get from Birch Bayh, even though much of the information they contain does not tell the true story of how he represents us in Congress. They are impressed by the stories they read about him in the newspapers, even though many of these stories are just reprints of canned news releases his professional public relations experts print and send out at taxpayer expense.

Unfortunately, the fact is that most polls show the majority of the people decide who they will vote for

more...

9 2 0 4 0 3 2 4 5 7 9

months and months ahead of the election.

You remember that Jimmy Carter started running for President two and one-half years before the election.

So, you can see that your help today is very, very important.

In fact, I believe so strongly in IBWYL, that I'm going to come right out and ask you to help us in many different ways, and help as many ways as possible.

Now let me tell you exactly what the IF BAYH WINS, YOU LOSE! Committee will do.

We want to set up an independent advertising campaign funded by ordinary taxpayers like you and me to expose Birch Bayh and his record of radicalism. We want to send thousands of letters like this to other voters in Indiana. We want IBWYL to distribute thousands of the newspaper ad I've enclosed for you which tells how Birch Bayh actually votes.

Finally, IBWYL will help organize a radio, television and newspaper advertising blitz unprecedented in our state's history. Nothing will be a more dramatic demonstration of exactly how strongly you and I feel about Bayh.

And, if we succeed, at last we'd be telling the politicians they can't tell us one thing and then vote differently when we aren't looking.

Of course, all of this is going to require your help. So let me tell you what you can do:

- First, fill out the enclosed Victory Card and let IBWYL use your name in a series of newspaper ads we hope to place all over the state. It would be a true honor for me to know that yours will be on a list with a number of other distinguished citizens.
- Second, pass on the ad exposing Birch Bayh's record to a friend who is interested in politics. The more people who know about what Birch Bayh is going, the better off we are.
- Third, if possible check the box on the Victory Card which says you'll be willing to work for IBWYL to defeat Bayh. I promise, I won't ask you to do more than you have time for.
- Fourth, send IBWYL your largest check possible. None of our activities can be carried

more...

82040324680

out without your financial support.

If you can send \$100 or \$250, that would be tremendous. If you can send \$50, \$25, or only \$15, that will be fine, too. Just remember that no contribution will be too small.

I'm absolutely convinced that with your help, you and I can expose Birch Bayh and his record of radicalism. But without your largest check possible to IF BAYH WINS, YOU LOSE!, we all lose.

Sincerely,

State Sen. Jean Gubbins

Jean Gubbins.
State Senator

P.S. If you send a contribution of at least \$15, I'll send you a bumper sticker for your car which says, IF BAYH WINS, YOU LOSE! It's a perfect way of showing people how you feel. Please let me hear from you today.

82040324581

copy to
DAB

To verify receipt of your report, please peel off the top half of this label and affix it in the area provided on the enclosed reply memo.

CONFIDENTIAL
(FOR NCPAC SUPPORTERS ONLY)

8 2 0 4 0 3 2 4 6 8 9
DETAILED STRATEGY
FOR DEFEAT OF
5 TOP LIBERAL
SENATORS IN
THE 1980 ELECTION

**National Conservative
Political Action Committee**

1500 wilson blvd. suite 513 arlington, va. 22209

A copy of our report is filed with and available for purchase from
the Federal Election Commission, Washington, D.C.

Through August 1979

CALIFORNIA -- Alan Cranston

Letters to Voters--1,300,00 @\$.26	\$338,000
Television & Radio Production & Placement	40,000
Newspaper Ads	15,000
Voter Survey	<u>10,000</u>
	403,000

INDIANA -- Birch Bayh

Letters to Voters--392,000 @\$.26	101,920
Television & Radio Production & Placement	25,000
Newspaper Ads	10,000
Voter Survey	<u>10,000</u>
	146,920

IOWA -- John Culver

Letters to Voters--184,000 @\$.26	47,840
Television & Radio Production & Placement	10,000
Newspaper Ads	10,000
Voter Survey	<u>9,000</u>
	76,840

IDAHO -- Frank Church

Letters to Voters--68,000 @\$.26	17,680
Television & Radio Production & Placement	10,000
Newspaper Ads	10,000
Voter Survey--	<u>8,000</u>
	45,680

SOUTH DAKOTA -- George McGovern

Letters to Voters--56,000 @\$.26	14,560
Television & Radio Production & Placement	15,000
Newspaper Ads	10,000
Voter Survey	<u>8,000</u>
	47,560

TOTAL	<u><u>\$719,969</u></u>
-------	-------------------------

82040324683

STRATEGY

OVERVIEW

There are two key elements to our strategy:

1. Exposing the voting records of 5 key liberal Senators in their own home states
2. Starting this program early enough to weaken the liberal so a conservative can defeat him in 1980.

Almost all incumbent liberal politicians begin with huge popularity ratings through their clever expenditure of tax payers money.

They are permitted to use hundreds of thousands of dollars to pay for "educational" newsletters, staff members who devote their time to creating a favorable public impression for the incumbent, a sophisticated computer and mailing service that permits many Senators to mail millions of pieces of "personalized" letters to constituents every year and many other benefits. All of this is paid for by taxpayers money.

In many cases an incumbent has been so popular, numerous creditable conservative candidates have simply decided not to run against them.

A good example of this occurred in 1978 in the states of Iowa and New Hampshire. It took NCPAC a great deal of effort to convince conservatives like Gordon Humphrey and Roger Jepsen to make the race against liberal Senators Thomas McIntyre and Dick Clark. As a matter of fact, Roger Jepsen filed only a few days before the filing deadline. In both cases, Senators Clark and McIntyre had 70% popularity ratings and neither Senators Jepsen nor Humphrey were interested in running against such popular leaders.

That is why the NCPAC proposal is so important. It is too early for many conservative candidates to emerge. On the other hand, in many cases it is already too late to begin the long process of attacking an incumbent liberal's radical voting record. The NCPAC proposal can be broken down into five basic steps:

STEP ONE - VOTER SURVEYS

We must immediately take a series of sophisticated computerized voter surveys to establish the strengths and weaknesses of each of the 5 target liberal Senators we have chosen.

This same type of discriminatory issue selection was critical in choosing areas of issue concentration for Senators Humphrey and Jepsen in 1978. It is far more profitable for us to attack the liberals on those issues that particularly will annoy their constituents.

STEP TWO - FIELD REPRESENTATIVES

We will hire a full-time field representative in each of the states to undertake a number of activities. First, he will begin marshalling all the forces who are opposing the incumbent Senators such as the pro-life

groups, taxpayers organizations, gun owners organizations, and a host of others.

Second, he will begin dramatic research about the incumbent's record and begin distributing it to the tens of thousands of conservatives we hope to identify in each state. Third, he will be coordinating the concentrated free media program against each of these incumbents.

STEP THREE - LETTERS TO VOTERS

As a result of the computerized voter survey, and activities of each field staffer, NCPAC proposes to mail to every single registered voter in each of the states we have targeted. The letter to each voter will expose each liberal Senator's "Record of Radicalism." It will give a vote by vote analysis of some of his most liberal positions.

The letter will also seek to get each person personally involved in the campaign to defeat the incumbent, not only by asking for a financial contribution and their vote against the incumbent on election day, but also by requesting their personal volunteered involvement in this independent campaign. This can include a number of small but important tasks such as writing letters to editors, walking a precinct, sending postcards and other letters to their friends, consenting to list their name on newspaper advertisements opposing the incumbent Senator, and a host of other activities.

STEP FOUR - ADVERTISING CAMPAIGN

NCPAC will then begin an immediate and extensive television, radio and newspaper ad campaign to exploit the weaknesses of each incumbent.

Of course, before any issues were finally selected, a very careful analysis of the computerized voter survey must be made. But at this point, we anticipate emphasizing such important issues as national defense, and inflation. A sample of one of these proposed advertisements is attached.

STEP FIVE - FINAL CANDIDATE RECRUITMENT

NCPAC will assemble its political experts from all over the country and do a step-by-step analysis of the whole independent expenditure campaign in the next few months to completely evaluate its strong and weak points, and what alterations should be made.

After the program is fine-tuned to be as effective as possible, NCPAC will expand the initial list of ten targeted liberals to include as many other liberals as funding will permit. Finally, all resources developed during this independent campaign will, at some point, be turned over to the candidate we decide is the best able to represent the conservative viewpoint.

TARGET 80

P.O. BOX 452
LAFAYETTE, IN 47902

Dear Doctor:

Are you aware that Congress is actually becoming more conservative?

Yes, it's a fact that the 96th Congress is more conservative than the 95th, according to Interim Ratings of Congress released by the American Conservative Union. Conservative ratings in 1979 are two percentage points higher than the 1978 average; and more than four points higher than in 1976. The Senate in particular averaged higher than the House. Most encouraging is the fact that freshman members of both the Senate and House averaged much higher conservative scores than other members of Congress.

In sharp contrast to the conservative trend in Congress is the startling fact that Birch Bayh's voting record has become more and more liberal each year.

No matter what your political stance is--independant, Republican, or Democratic--you are already convinced that our congressional policy of deficit spending has been the main cause of our spiraling taxes and inflation. The reason it is getting increasingly difficult to pay your bills today is that our national bill is going up each year--thanks to the liberal spending of our taxpayers' money by Congress. At present the taxpayer's liability in this country has escalated to \$9 trillion. That's more than \$100,000 indebtedness for each taxpayer--including you. (Figures are based on official Treasury Department statistics.)

Please note the following facts:

Birch Bayh has consistently supported inflationary spending when:

- *He voted to give away the Panama Canal.
(cost to the taxpayer, \$4 Billion)
- *He voted to bail out New York City.
(cost to the taxpayer, 7 Billion)
- *He voted to hike his own salary by \$13,000.
(cost to the taxpayer, \$7 Million)
- *He voted against the Kemp-Roth tax reduction act.
(cost to the taxpayer, \$67 Billion)

3 2 0 4 0 3 2 4 5 8 5

Birch Bayh has voted 14 out of 15 times to raise the National Debt Ceiling, in fact he has voted to raise it over \$268 Billion in his 17 years in the Senate.

You read everywhere that the overwhelming mood of our country today is one of fiscal responsibility. Citizens everywhere are up in arms and refuse to stand for any more deficit spending by Congress.

We invite you to join our "Target 80" campaign. It is Indiana's part in the National Conservative Political Action Committee--NCPAC. Professional people, educators, corporations, trade associations, and thinking people in all walks of life are all supporting "Target 80".

Here is what "Target 80" is doing to keep Indiana in step with the national trend to make Congress fiscally conservative:

- **"Target 80" is telling Indiana people the truth about Birch Bayh's voting record.
- **"Target 80" sponsors prominent people on radio and television, like Senator Roger Jessup, who gives the truth about Bayh's voting record.
- **"Target 80" conducts a direct mail, radio, television, and newspaper campaign unprecedented in our state's history.

We need your help so that all of the people of Indiana can be made aware of Birch Bayh's record of runaway spending.

Remember:

This is a cause that has already made great strides forward. We need to keep Indiana abreast with the conservative trend in both parties. Your generous support will be a sound investment in the future of our country.

We ask you to please do the following without delay:

- First: Read the enclosed detailed record of Birch Bayh's votes.
- Second: Fill out the enclosed Victory Card.
- Third: Send "Target 80" your most generous contribution.

Your contribution will be spent entirely in Indiana on the "Target 80" project.

Please help,
Sincerely,

Robert W. Verne, Jr.

8 2 0 4 0 3 2 4 5 8 7

Bob

National Conservative Political Action Committee

1500 Wilson Blvd. Suite 513 Arlington, Va. 22209 (703) 522-2800

Dear Friend:

If you act today, you and I can put the last nails in Birch Bayh's political coffin.

We just received survey data showing Bayh's lead over conservative Congressman Dan Quayle dropping to eight percent.

What this means is simple: we are successfully making Birch Bayh's liberal record the issue in this campaign. Hoosiers are fed up with:

- ** Bayh's support of the Panama Canal giveaway.
- ** Bayh's opposition to important defense programs.
- ** Bayh's votes against a balanced budget almost every single time it's been brought up in the U.S. Senate.
- ** Bayh's support of forced busing, federal funds for abortion, and stopping our schoolchildren from praying.

That's Bayh's record, and now he has to live with it.

In the next three weeks, I want to organize a huge statewide television and radio blitz talking about these issues and others that will open the eyes of many Hoosiers. I'm convinced that if we are successful in raising the money for this media campaign, we will be very close to our goal of defeating Birch Bayh in November.

I've enclosed a confidential budget for this media campaign. Please don't pass it on to anyone, unless you are sure you can trust them, and they are willing to contribute to this important campaign.

AMERICA

Mark Center Office Plaza 5
1900 N. Beauregard Street, Suite 12
Alexandria, VA 22311
Phone 703 998 0334

SCRIPT OF 60-SECOND RADIO COMMERCIAL

ANNOUNCER: Birch Bayh says he lets the people on Main Street tell him how to vote in Congress. Well, here we are on Main Street, Indiana. Sir, did you tell Birch Bayh to vote to give away our Panama Canal?

JOE: NO! I asked Birch Bayh to vote against the giveaway. But I guess he's not listening to the people of Indiana.

ANNOUNCER: Ma'am, did you tell Birch Bayh to vote against a 10% cut in income tax rates?

MARY: Heavens, no! We need tax relief. But it looks like Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: How about you? Did you tell Birch Bayh to vote to cut spending for national defense 2 billion dollars?

JOHN: Hell, no! We need to strengthen our national defense, not cripple it. Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: Did you tell Birch Bayh to vote 15 times to increase our national debt?

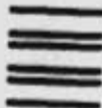
HARRY: Are you kidding? Big deficit spending causes inflation and costs us jobs. Birch Bayh isn't listening to the people of Indiana.

ANNOUNCER: Who is telling Birch Bayh how to vote? Maybe people in New York or Massachusetts. But he's not listening to the people of Indiana.

Paid for by If Bayh Wins, You Lose - a project of the National Conservative Political Action Committee - and not authorized by any candidate or candidate committee

82040324689

8 2 0 4 0 3 2 4 6 9 0



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO 1106 LAFAYETTE, IND
POSTAGE WILL BE PAID BY ADDRESSEE

TARGET 80

If Bayh Wins, You Lose!

P.O. Box 452

Lafayette Ind. 47902

Birch Bayh's Voting Record

ECONOMY

From 1965-1978

- 29 votes out of 42 were considered bad for the economy.
- 7 were good for the economy, and 6 no votes.

KEY VOTES

- 1975 - Voted against amendment to delete automatic pay increases to congressmen.
- 1975 - Voted against the amendment to reduce Labor-HEW Appropriations.
- 1975 - Voted against amendment to reduce by almost \$1 billion in assistance to ConRail.
- 1976 - Voted for amendment to increase outlay by \$3.2 billion for public services.
- 1978 - Voted against amendment to cut \$810 million from appropriations for HUD, EPA, NASA, and NSF.

FISCAL

1978

- 9 votes out of 16 were considered bad for the taxpayer.
- 3 were considered good, and 4 no votes.

KEY VOTES

- Voted for \$3.05 billion for foreign military assistance.
- Voted for \$135 million to produce swine flu immunization.
- Voted against amendment requiring students receiving food stamps to meet work registration requirements.
- Voted for increased funding for federal housing programs.
- Voted to delete \$1 billion for B-1 Bomber program.

NATIONAL SECURITY

From 1969-1978

- 24 votes out of 33 were bad for national security.
- 1 was good for national security, and 8 no votes.

KEY VOTES

- 1970 - Voted to cut all funds for deployment of the Safeguard anti-ballistic missiles from any site.
- 1970 - Voted to cut all funds for the Subversive Activities Control Board.
- 1974 - Voted to reduce funds for the B-1 Bomber.
- 1974 - Voted to limit defense spending to \$81 billion.
- 1975 - Voted to cut defense budget.
- 1975 - Voted to eliminate research programs for missiles.
- 1975 - Voted to eliminate \$850.5 million for research on B-1 Bomber.
- 1975 - Voted to delay testing of cruise missile.
- 1975 - Voted to dismantle Safeguard ABM.
- 1977 - Voted to delete \$1,466 billion from B-1 Bomber.
- 1978 - Voted against amendment to unilaterally lift U.S. sanctions against Rhodesia from Oct. 1 to Dec. 31, 1978.
- 1978 - Voted for the ratification of the Panama Canal Treaty on April 18.
- 1979 - Voted against a 5% increase in defense spending.

ABORTION

From 1974-1979

- 15 votes out of 16 were pro-abortion, and 1 no vote.

KEY VOTES

- 1976—Voted against a move that the Senate not delete the Hyde amendment which would bar use of funds to pay for, encourage, or promote abortions.
- 1976—Voted for a move that the Senate insist on their amendment to delete the Hyde amendment from the House's bill.
- 1977—Voted for amendment to allow use of federal funds for abortion-on-demand.
- 1977—Voted for move to kill amendment giving employers the right to exclude abortions from their health plans for employees if it were against their conscience to include abortion in their health coverage.

GUN CONTROL

From 1968-1978

- 6 votes out of 17 were pro-gun control.
- 9 were against gun control, and 2 no votes.

KEY VOTES

- 1968—Voted for passage of the 1968 Gun Control Act, HB 17735.
- 1972—Voted for a ban on "Saturday Night Specials".
- 1978—Voted for motion to table amendment which would delete \$4.2 million from BATF appropriations.

NUCLEAR DEVELOPMENT

From 1974-1978

- 4 votes out of 10 were anti-nuclear development.
- 3 were pro-nuclear development, and 3 no votes.

KEY VOTES

- 1978—Voted for Glenn motion to table Senator Domenici's amendment to require full-scale review of nuclear export request by regular customers only every 5 years.

NATIONAL DEBT

- Since May of 1963 Bayh has voted to raise the National Debt Ceiling on 14 out of 15 roll calls. His votes represent an additional \$286 billion in debts. An additional \$123 billion was passed by voice vote in 1975 and 1976, therefore no record of Bayh's actions on those votes is available.

ADDITIONAL KEY VOTES

- March 26, 1979—Voted to reject amendment to prevent debt limits increase after 1980 unless the budget is balanced.
- April 2, 1979—Voted against the Wage and Price Councils study of the inflationary impact of federal programs only 6 days later.

Frank Church's Record of Shame



Frank Church Opposes A Strong National Defense

**FACT—CHURCH WEAKENS AMERICAN
INTELLIGENCE SERVICES**

In 1974 Frank Church personally supervised the anti-CIA witch-hunt which critically weakened America's intelligence services.

FACT—CHURCH OPPOSES TRIDENT SUBMARINE

In 1974 Church voted against funds for the Trident submarine delaying by two years the development of this essential weapon.

FACT—CHURCH OPPOSES B-1 BOMBER

On July 18, 1977 Church voted against funds to build the B-1 bomber. The B-1 is necessary to replace our aging B-52 bomber force and to strengthen our deterrent against Soviet attack.

**FACT—CHURCH OPPOSES INCREASED AMERICAN
DEFENSE**

On April 26, 1978 Church voted against amendment to increase American defense spending. Soviet military spending in all areas is now far ahead of U.S.

**FACT—CHURCH FAVORS GIVEAWAY OF
PANAMA CANAL**

On April 18, 1978 Church voted against the will of a majority of Americans to give the Panama Canal to marxist dictator Omar Torrijos.

*This ad is part
of our "Target 80"
Project -*

I want to spread the message about
Frank Church's record of radicalism.
Enclosed is my contribution of:

\$ _____
Please make your check payable to NCPAC

Federal Law requires that we ask:

Name _____

Address _____

City _____

State _____ Zip _____

Occupation _____

**National Conservative Political Action
Committee**

1500 Wilson Blvd.
Arlington, VA. 22209

A copy of our report is on file with and available for purchase from the Federal Election Commission, Washington, D.C.

4-746

Representative Jim Golder:
I'm standing in front of these missile
silos to dramatize one of the effects
of Senator Church's power in Washington.
These silos aren't filled with missiles
any more. They are empty.
Because of that they won't be of much
help in defense of your family or mine.
You see Senator Church has almost always
opposed a strong national defense.
He led the fight to give our Panama
Canal. He voted to slash national
defense procurement. *U.V.*
Now Senator Church is one of those who
wants to push the SALT II treaty through
the Senate, which I believe would seriously
threaten America.

Representative Golder
standing in front of missile
site.
(Super: Representative James
Golder, Republican, Boise)
Different shots of missile
silos.

AUDIO

VIDEO

NCPAC/Church 60 sec. spot

CC: Wilson Boulevard, Suite 515, Arlington, Virginia 22209, 703/243-154

WIDE AREA

MEDIA AMERICA

100 Wilson Boulevard, Suite 515, Arlington, Virginia 22209, 703/243-154

ICFAC/Church 60 sec. spot

VIDEO

AUDIO

Representative Golder
standing in front of missile
site.
(Super: Representative James
Golder, Republican, Boise)

Different shots of missile
silos.

Dissolve to logo:
ABC Project, Box 1551,
Boise, ID 33707

Dissolve to Logo:
If Church wins, you lose.

Representative Jim Golder:

I'm standing in front of these missile
silos to dramatize one of the effects
of Senator Church's power in Washington.

These silos aren't filled with missiles
any more. They are empty.
Because of that they won't be of much
help in defense of your family or mine.

You see Senator Church has almost always
opposed a strong national defense.

He led the fight to give away our Panama
Canal. He voted to slash national
defense procurement.

Now Senator Church is one of those who
wants to push the SALT II treaty through
the Senate, which I believe would serious-
ly weaken America.

In Idaho we're going to have to do our
part to keep America strong. First we
need to defeat the SALT treaty. And
then work to replace Church with an
advocate of an America second to none
in military strength.

If you agree write to us:
ABC project, Boise, Idaho 83701

~~ABC Project~~
~~Comments~~
~~Against Church~~
~~WKE~~
~~Butcher~~
~~528-1574-7642~~
~~528-1574-7642~~
~~528-1574-7642~~

JOHN T. DOLAN
Committee for Another Responsible Senator
Post Office Box 1173
Waterloo, Iowa 50704

Senator (Bee) Paul
FYI
Tom

The Book of Things
To Come



Dear Conservative Friend:

Of all the ultra-liberal Senators campaigning for re-election in 1980, only one is defiantly proclaiming his liberalism.

He's Iowa Senator John Culver, and he's been called "the most liberal man in the Senate." That's quite a label considering competition like George McGovern, Howard Metzenbaum and Teddy Kennedy!

The people of Iowa are not radicals. They aren't even liberal. In 1978 they elected conservative Senator Roger Jepsen over John Culver's fellow left-wing extremist, Dick Clark.

In 1980, Iowans will continue their responsible tradition if they are fully informed of John Culver's radical voting record in the Senate.

Consider these votes and stated positions which clearly show Culver's total liberalism:

- *Panama Canal Giveaway - FOR
- *Build Neutron Bomb - AGAINST
- *Build B-1 Bomber - AGAINST
- *SALT II Treaty - FOR

- *Tax Cuts for Middle Income Persons - AGAINST
- *Congressional Pay Raise - FOR
- *Raise National Debt Limits - FOR
- *New York City Bailouts - FOR

- *Taxpayer Financed Federal Elections - FOR
- *Union boss grab for power over unionization elections - FOR
- *Exempt Small Business from OSHA - AGAINST
- *Humphrey-Hawkins Act - FOR

- *Forced Busing of School Children - FOR
- *Taxpayer Financed Abortion on Demand - FOR
- *School Prayer - AGAINST

As you can see Culver votes AGAINST a strong national defense, AGAINST free enterprise and FOR union boss demands, AGAINST fiscally responsible government spending, and AGAINST issues for strong national moral stands.

John Culver is out of step with the people of Iowa and the nation, but he couldn't care less. He believes he can be re-elected by continuing

92040324696

to play to the outrageous demands of special interest groups.

His record with the AFL-CIO's giant political COPE machine is one of the highest in the Senate.

John Culver knows the big union bosses will shower his re-election campaign with not only money, but also with such valuable and vital services as were recently cited in the prestigious CONGRESSIONAL QUARTERLY:

"When a labor union decides to endorse a candidate, it brings to the campaign not only money, but a well-developed apparatus aimed at registering workers to vote and getting them to the polls."

As a COPE spokesman told CONGRESSIONAL QUARTERLY:

"An endorsement doesn't mean a damn thing. What follows is an enormous propaganda and get-out-the-vote effort."

Iowa unions have already shown in 1980 that they can flex their political muscles effectively. The national teacher's union, the NEA, provided their presidential candidate, Jimmy Carter, his big win there as part of their repayment for his support for their "Department of Education."

John Culver backed the NEA's new massive bureaucracy as well, and he is confident the teachers union will give him the same strong support.

But John Culver has other reasons to expect his extremist record will pay off as well...

He is one of Teddy Kennedy's closest friends. Their relationship dates back to their college days at Harvard.

But, the ties are even deeper than Culver would like Iowa voters to know.

WHEN TEDDY KENNEDY HURRIED BACK TO THE KENNEDY COMPOUND AT HYANNIS PORT AFTER THE DEATH OF MARY JO KOEPECHNE, HE CALLED TOGETHER A GROUP OF KENNEDY "CAMELOT" BACKERS TO HELP HIM CONCOCT HIS FALLACY-RIDDEN STORY OF THE EVENTS OF THAT FATEFUL NIGHT.

Among those called to Hyannis was an obscure Iowa Congressman named John Culver, now Senator Culver.

The Kennedys haven't forgotten their pal, and in his battle for re-election this year, they are doing their very best to help him win. The money has flowed to Culver from Kennedy fund-raising events on his behalf.

** Kennedy in-laws, Mr. & Mrs. Steven Smith hosted a fund-raiser for John Culver which raked in a cool \$21,000.

** Mrs. Robert F. Kennedy threw a big party for Iowa's Senator which gave Culver another \$17,765.

more...

** Mrs. Patricia Kennedy Lawford gave yet another party for friend Culver which enriched his campaign by \$7,075.

John Culver's liberalism may not reflect the views of the citizens of Iowa, but it sure does give him the big money needed to sell himself to the unsuspecting voter.

Kennedy support didn't end Culver's fund-raising from among the elite of the eastern liberal establishment...

NEW YORKERS HAVE DONATED A STARTLING \$84,653 TO
HELP RE-ELECT IOWA'S SENATOR JOHN CULVER!

From outside the Kennedy crowd has come another \$2,500 from members of the Rockefeller family, perhaps as a reward for Mr. Culver's support for and membership in the Trilateral Commission.

For a fellow picturing himself as a little guy from Iowa, he is receiving plenty of support from those far removed from Iowa's mid-America cornfields.

John Culver knows that his huge campaign war chest, his liberal friends in the Iowa media and the many IOU's from the big union bosses will assure liberals and free lunch takers will get out and vote for him.

The only way John Culver can be defeated in 1980 is for the working people of Iowa to learn just how radical he votes in Washington.

With John Culver being far out of step with most Iowans, the GOP nominee is thankfully in step with them. He has a record in Congress as well, a record the very opposite of Culver's.

He is Congressman Chuck Grassley, a conservative with a nearly perfect voting record FOR a strong defense, AGAINST big government, AGAINST inflationary big spending policies and FOR the solid moral values of our American heritage.

That's why I agreed to help defeat John Culver's bid for a disastrous second term. As Chairman of the National Conservative Political Action Committee (NCPAC), I have helped form the Committee for Another Responsible Senator (CARS).

CARS is an Iowa-based group headed by conservative Leroy Corey, and is actively working to provide Iowa voters full information on John Culver's record and the curious nature of his eastern establishment backing.

Among CARS' accomplishments already are:

CARS has mailed thousands of letters to Iowa voters to help stir pro-Grassley and anti-Culver sentiment.

CARS has purchased space in Iowa newspapers to advertise the differences between the voting records of Culver and Grassley.

CARS has televised ads and programs to show Iowa voters

more...

Culver's radical record as Senator.

CARS has aired radio ads to inform Iowans of Mr. Culver's Washington record and his liberal ties.

CARS has a much longer record of accomplishment, but the proof of its effective work is Culver's drastic drop in the polls since NCPAC began its efforts like CARS. They show Grassley is well-positioned to oust Culver in November.

I've enclosed a sheet with two of the ads CARS is running in Iowa already so you can see examples of their vital work.

One is a stark contrast between the votes of Congressman Grassley and Senator Culver. The other is an expose of the New York money machine operating for John Culver's campaign.

CARS can and wants to do much more. CARS wants to help rid America of Culver's brand of ultra-liberalism, and replace him with another responsible Senator like conservative Roger Jepsen.

But to do so, CARS needs your help.

Culver has real friends with powerful clout like the Kennedys, such New York liberals as the Rockefellers and even the influential Iowa newspaper, The Des Moines Register. And, don't forget the union bosses.

Therefore you can easily understand why your contribution of \$250, \$100, \$50 or \$25 is so vitally necessary for our work. If your own limit is \$20, \$15 or even less, please know that your support is urgently needed.

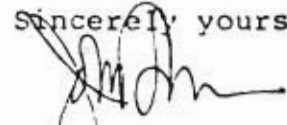
I hope you'll complete the enclosed yellow DEFEAT CULVER card, and return it along with your check to CARS in the special envelope I've enclosed as well.

Please help CARS today so we can continue our vital work for the end of the liberal stranglehold on our U.S. Senate, and begin the re-building of our nation's defenses and free enterprise system.

Together we can end the long period of neglect of the real values of our people, and stop the power of the Kennedy-McGovern wing of the Democratic Party.

Thank you for your help.

Sincerely yours,


John T. Dolan,
Chairman, NCPAC

P.S. Let's end the Democrat liberals' drive to keep Americans under the foot of government, and help make our nation great again. Please help defeat Culver today. The future of our freedom is at stake.

3 2 0 4 0 3 3 2 4 6 9 9

Why Have the Kennedys Raised \$45,840 to Re-Elect John Culver to the U.S. Senate?

The Kennedy clan has been very active in helping John Culver's re-election campaign by raising him the astounding sum of \$45,840

- Mrs. Ethel Kennedy threw a fund-raiser for John Culver which netted him \$17,765.
- Mr. & Mrs. Stephen Smith (she is Ted Kennedy's sister and he is campaign manager for the Kennedy presidential campaign) held a money raising event for John Culver which raked in \$21,000.
- Mrs. Pat Kennedy Lawford conducted another bash for Mr. Culver which added yet another \$7,075 to the Iowa Senator's campaign coffers.

WHY?

Could it be for Mr. Culver's old friendship (dating back to their days at Harvard) with Teddy Kennedy?

Could it be because Mr. Culver was one of the Kennedy intimates hurriedly called to their Hyannis compound to help concoct Teddy's fallacy-ridden story of the fateful events on the night Mary Jo Koepechne was killed?

Could it be because John Culver's ultra-liberal Senate voting record is almost a carbon copy of that of his Massachusetts pal?

Or could it be because Culver once worked for Teddy Kennedy as a legislative aide in Washington?

Regardless of why John Culver has been so lavishly rewarded by the Kennedys, Iowa citizens need to know that this eastern liberal establishment family has already raised \$45,840 for a Senator from a state more than 1,000 miles away.

\$45,840 is a substantial sum of money! The Kennedys had to have good reasons to raise such an amount for a Senator who is supposed to represent Iowa, but what they are...

ONLY JOHN CULVER KNOWS FOR SURE!

The Committee for Another Responsible Senator is an Iowa citizens' group which brings you this message because we feel Iowa voters need to know why so much money has been poured into Mr. Culver's campaign war chest by the Kennedy family.

CARS welcomes your help in our drive to inform other citizens in our state about John Culver's far-left voting record, and about such vital facts as this \$45,840 mystery.

If you'd like to become part of CARS, please take a moment to complete the coupon below, and send it to us today.

----- clip along this line -----
 Committee for Another Responsible Senator (CARS)
 Post Office Box 1173
 Waterloo, Iowa 50704

- ☐ Please send me more information on CARS
☐ I'll help CARS inform Iowans of John Culver's record. Enclosed is my donation in the amount of \$ _____

Name _____ Occupation _____
 Firm _____
 Home Address _____
 City _____ State _____ Zip _____

Make checks payable to COMMITTEE FOR ANOTHER RESPONSIBLE SENATOR



Why Have New Yorkers Donated \$84,613 to John Culver's Re-Election Campaign?

Could it be in return for Mr. Culver's 1975 and 1978 support for the massive taxpayer bailout of New York City, the bankrupt location of the Eastern Liberal Establishment?

Could it be in return for Mr. Culver's critical vote to give away our Panama Canal, and to pay your tax dollars to Panama to take it? (Culver's vote helped bail out New York's big banks from their shaky loans to Marxist Panamanian dictator, Omar Torrijos.)

Could it be to keep Mr. Culver in the Senate because when the chips are down, New Yorkers know his vote can always be counted for big spending, budget busting programs?

Could it be because of the puff piece written about him in the trendy liberal NEW YORKER magazine?

Could it even be due to John Culver's membership in the New York based TRI-LATERAL COMMISSION formed by New York banking magnate David Rockefeller? (Rockefeller family members chipped in \$2,500 to Mr. Culver's campaign as well.)

Or could it be that New Yorkers know that they need John Culver in the U.S. Senate to keep their subsidies from Iowa taxpayers flowing?

Regardless of why John Culver has been lavishly rewarded by New Yorkers, Iowa citizens need to know that Mr. Culver has already taken \$84,613 from people who live more than 1,000 miles away from Iowa.

\$84,613 is an awful lot of money! New Yorkers had to have reasons to give such a sum to a Senator who is supposed to represent Iowa, but what they are

ONLY JOHN CULVER KNOWS FOR SURE!

The Committee for Another Responsible Senator (CARS) is an Iowa citizens' group which brings you this message because they believe Iowa voters need to know why such money has been poured into Mr. Culver's campaign coffers from New York.

CARS welcomes your help in our drive to inform other citizens in our state about John Culver's record in Washington, and about such important facts as this **\$84,613 MYSTERY**.

If you would like to be part of CARS, please take a moment to complete the coupon below, and send it to us today.

Committee for Another Responsible Senator (CARS)

1000 E. 14th St.
Des Moines, Iowa 50319

For more information, call (515) 281-1111

or get CARS' address by calling (515) 281-1111, and then send your donation to the address above.

Name _____

Address _____

City _____

State _____

Zip _____

COMMITTEE FOR ANOTHER RESPONSIBLE SENATOR



National Conservative Political Action Committee

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

Culver 30 sec. spot (radio)

Organ music playing
"School Days"

ANNOUNCER:

After five years we thought you would like a report card on the performance of Senator John Culver. The Americans for Constitutional Action found John Culver to be one of the biggest recipients of big labor's special interest money - over \$110,000. The National Taxpayers Union grades Senators on their stands against high taxes. Culver's score - a failing 32%. Conservative Union rated John Culver at 3% ranking him as one of the most radical members of the U.S. Senate.

Three failing grades out of three-- a miserable rating for any Senator, especially one who is supposed to be representing Iowans. If you'd like to know more about how Senator Culver isn't representing you, write to the Anybody but Culver, 342 S.E. Broad St. Des Moines, Iowa 50315, that's Anybody but Culver, 342 SE Broad St., Des Moines Iowa 50315

Paid for by the ABC Project of the National Conservative Political Action Committee and not by any candidate.

82040324702

National Conservative Political Action Committee

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

McGovern 30 sec. Radio AD

GLOBETROTTER IS A GREAT NAME FOR A
BASKETBALL TEAM.

BUT IT'S A TERRIBLE NAME FOR A SENATOR.

ONLY ONE SENATOR DID MORE GLOBETROTTING
LAST YEAR THAN GEORGE MCGOVERN.

WHILE THE ENERGY CRISIS WAS BREWING,
GEORGE MCGOVERN WAS TOURING CUBA WITH
FIDEL CASTRO. HE ALSO TOOK A ONE MONTH
JUNKET TO AFRICA. ALL AT TAXPAYER'S
EXPENSE.

NO WONDER HE'S LOST TOUCH WITH SOUTH
DAKOTA.

WITH SO MA
SENATOR AND NOT A GLOBETROTTER.

PAID FOR BY PEOPLE FOR AN ALTERNATIVE TO
MCGOVERN OF THE NATIONAL CONSERVATIVE
POLITICAL ACTION COMMITTEE AND NOT BY ANY
CANDIDATES.

82040324703

National Conservative Political Action Committee

1500 wilson blvd. suite 513 arlington, va. 22209 (703) 522-2800

CRANSTON 60 sec. Radio spot

"Rating Game"

Announcer: It's time to play "The Rating Game." Now Mrs. Verna Smith of Sacramento, the National Taxpayer's Union rates Senator's on how well they protect your tax money. What was Alan Cranston's rating?

Mrs. Smith: One hundred per-cent!?

Announcer: I'm sorry, you lose. He received a failing 8%. The American Farm Bureau rates Senator's on farming interests. What was Senator Cranston's rating?

Mrs. Smith: One hundred per-cent!?

Announcer: I'm sorry, you lose again! the farmers rated the Senator a miserable 21%. Finally, The American Security Council rates Senators on their support of a strong national defense. What was Senator Cranston's rating?

Mrs. Smith: One hundred per-cent?

Announcer: Gee, I'm sorry, you lose again Senator Cranston received a frightening low 20%.

Mrs. Smith: That's three failing grades out of three. I never knew Alan Cranston voted like that.

Serious Announcer: Alot of people are losing because they don't know about Cranston's record. If you would like to know more about how he isn't representing you, write, If Cranston wins, you lose, P.O. Box 25969, Los Angeles, CA 90025 and remember,

Mrs. Smith: If Alan Cranston wins, we all lose.

82040324704

COMMITTEE
FOR
AMERICAN
PRINCIPLES

2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

November 2, 1981

Dear Sirs:

Before The Federal Election Commission

In The Matter Of:

- People For An Alternative To McGovern
- If Bayh Wins You Lose
- Anybody But Church
- Anybody But Culver
- Committee For Another Responsible Senator
- If Cranston Wins You Lose
- Target 80

MUR No. _____

COMPLAINT

1. During the 1980 General Election the above-named Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for the United States Senate. Copies of campaign literature and transcripts of radio advertisements are attached hereto as Exhibit A.

2. The Federal Election Commission's regulations define the term 'political committee' to mean "...any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1000 or which makes expenditures aggregating in excess of \$1000 during a calendar year..." Political committees are required by the Federal Election Campaign Act of 1971, as amended, to file registration statements and periodic reports with

the Commission. (2 USC Sec. 433, 434; 11 CFR Parts 102, 104).

3. On information and belief, based on Complainant's knowledge of the cost of such activities, Complainant alleges that the above-named Respondents made expenditures in excess of \$1000 during a calendar year. Attached as part of Exhibit A is a budget that reveals overall planned expenditures for both the attached mailings as well as the radio advertisements.

4. The above-named Respondents are thus political committees. They have violated the Act and the Commission's regulations by not filing registration statements or reports.

5. The Commission's regulations provide that "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11 CFR Sec. 102.14(a)).

6. Most of the above-named Respondents violated 11 CFR Sec. 102.14(a) by including the name of the candidate in its name.

7. In the event the Commission concludes that the above-named Respondents are not separate political committees because they are "projects of a political committee (National Conservative Political Action Committee "NCPAC"), then NCPAC violated 11 CFR Sec. 102.14(a) by including the names of candidates in the names it used to communicate with the public.

8. The Commission's regulations define the term "connected organization" to mean "any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee." (11 CFR Sec. 100.6(a)). Commission regulations allow that a "connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade

8
2
0
4
0
3
2
4
7
0
6

association." (11 CFR Sec. 100.6(a)) but does not require that a "connected organization" be any of the above. Complainant notes that the above-named Respondents are not considered "affiliated organizations" either in the statements of the parent organization, NCPAC.

9. If the Commission concludes that the above named Respondents are not political committees (either because they in fact did not receive contributions or make expenditures in excess of \$1000 or because they are "projects" of NCPAC), then they are "connected organizations" with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf. Complainant notes material in Exhibit A that includes return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

10. If the above-named Respondents are "connected organizations" with NCPAC, then NCPAC violated 11 CFR Sec. 102.2 by not identifying them on its registration statement.

Wherefore, I hereby request that the Commission initiate a compliance matter on this Complaint pursuant to 2 USC Sec. 437g and 11 CFR Part III.

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: _____
Robert Blaemire
President

Date _____

82040321707

Addendum to Complaint in the matter of People for an Alternative
to McGovern et al:

Complainant hopes to impress upon the Commission the inherent problems caused by the use of "projects" by political committees, subject of this complaint. Federal Election Commission regulations prohibit the use of conduits for the raising of funds in federal campaigns. The spirit of those regulations is clearly violated, if not the letter, by the use of "projects", when the only indication of the real source of expenditure or recipient of contribution is NCPAC.

Secondly, Complainant is concerned that this use of "projects" is an invitation to misrepresent the intent of parent organization. Example; there is no record of what the South Dakota raised. That money could have been, conceivably spent in another target race when the solicitation clearly implied that the funds would be used in South Dakota. The purpose of the Federal Election Reforms was to open up the political process, yet this is an invitation to hide particular activities and misrepresentation of purpose. Complainant fears that this practice could lead to candidates using "projects" to raise funds from individuals in opposition to their own campaigns, when the real source of solicitation, whatever the mailed solicitation may say, is revealed only in a small disclaimer at the bottom of the letter mailed. The purposes of the solicitation, sponsors of the solicitation and recipients of funds received must be clearly identified. Complainant feels the intent of the law and regulations demands no less.

32040324708

COMMITTEE
FOR
AMERICAN
PRINCIPLES

2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

General Counsel
Federal Election Commission
1325 K St. NW
Washington, D.C. 20463

November 2, 1981

Dear Sirs:

Before The Federal Election Commission

In The Matter Of:

- People For An Alternative To McGovern
- If Bayh Wins You Lose
- Anybody But Church
- Anybody But Culver
- Committee For Another Responsible Senator
- If Cranston Wins You Lose
- Target 80

MUR No. _____

COMPLAINT

1. During the 1980 General Election the above-named Respondents distributed campaign literature, ran radio advertisements and solicited contributions expressly advocating the defeat of clearly identified candidates for the United States Senate. Copies of campaign literature and transcripts of radio advertisements are attached hereto as Exhibit A.

2. The Federal Election Commission's regulations define the term 'political committee' to mean "...any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1000 or which makes expenditures aggregating in excess of \$1000 during a calendar year..." Political committees are required by the Federal Election Campaign Act of 1971, as amended, to file registration statements and periodic reports with

the Commission. (2 USC Sec. 433, 434; 11 CFR Parts 102, 104).

3. On information and belief, based on Complainant's knowledge of the cost of such activities, Complainant alleges that the above-named Respondents made expenditures in excess of \$1000 during a calendar year. Attached as part of Exhibit A is a budget that reveals overall planned expenditures for both the attached mailings as well as the radio advertisements.

4. The above-named Respondents are thus political committees. They have violated the Act and the Commission's regulations by not filing registration statements or reports.

5. The Commission's regulations provide that "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11 CFR Sec. 102.14(a)).

6. Most of the above-named Respondents violated 11 CFR Sec. 102.14(a) by including the name of the candidate in its name.

7. In the event the Commission concludes that the above-named Respondents are not separate political committees because they are "projects of a political committee (National Conservative Political Action Committee "NCPAC"), then NCPAC violated 11 CFR Sec. 102.14(a) by including the names of candidates in the names it used to communicate with the public.

8. The Commission's regulations define the term "connected organization" to mean "any organization which is not a political committee but which directly or indirectly establishes, administers, or financially supports a political committee." (11 CFR Sec. 100.6(a)). Commission regulations allow that a "connected organization may be a corporation (including a corporation without capital stock), a labor organization, a membership organization, a cooperative or a trade

32040324710

association." (11 CFR Sec. 100.6(a)) but does not require that a "connected organization" be any of the above. Complainant notes that the above-named Respondents are not considered "affiliated organizations" either in the statements of the parent organization, NCPAC.

9. If the Commission concludes that the above named Respondents are not political committees (either because they in fact did not receive contributions or make expenditures in excess of \$1000 or because they are "projects" of NCPAC), then they are "connected organizations" with NCPAC because they administered NCPAC's activities in opposition to Senators McGovern, Bayh, Church, Culver and Cranston and financially supported NCPAC by soliciting funds on its behalf. Complainant notes material in Exhibit A that includes return envelopes to "projects" that were used when in fact the funds were deposited by NCPAC.

10. If the above-named Respondents are "connected organizations" with NCPAC, then NCPAC violated 11 CFR Sec. 102.2 by not identifying them on its registration statement.

Wherefore, I hereby request that the Commission initiate a compliance matter on this Complaint pursuant to 2 USC Sec. 437g and 11 CFR Part III.

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: _____
Robert Blaemire
President

Date _____

32040324711

Addendum to Complaint in the matter of People for an Alternative
to McGovern et al:

Complainant hopes to impress upon the Commission the inherent problems caused by the use of "projects" by political committees, subject of this complaint. Federal Election Commission regulations prohibit the use of conduits for the raising of funds in federal campaigns. The spirit of those regulations is clearly violated, if not the letter, by the use of "projects", when the only indication of the real source of expenditure or recipient of contribution is NCPAC.

Secondly, Complainant is concerned that this use of "projects" is an invitation to misrepresent the intent of parent organization. Example; there is no record of what the South Dakota raised. That money could have been, conceivably spent in another target race when the solicitation clearly implied that the funds would be used in South Dakota. The purpose of the Federal Election Reforms was to open up the political process, yet this is an invitation to hide particular activities and misrepresentation of purpose. Complainant fears that this practice could lead to candidates using "projects" to raise funds from individuals in opposition to their own campaigns, when the real source of solicitation, whatever the mailed solicitation may say, is revealed only in a small disclaimer at the bottom of the letter mailed. The purposes of the solicitation, sponsors of the solicitation and recipients of funds received must be clearly identified. Complainant feels the intent of the law and regulations demands no less.



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE BEGINNING OF MUR # 1399

Date Filmed 6/2/82 Camera No. --- 2

Cameraman SPC

8 2 0 4 0 3 2 4 7 1 3