



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1462

Date Filmed 11/15/82 Camera No. --- 2

Cameraman J.A.D.

12040360711

1). 12 Day Report & Comments

2) Routing Slips

3) Memos to Marjorie Emmons

4) Objection sheets

2740360713

- | | |
|---|--|
| _____ (1) Classified Information | _____ (6) Personal privacy. |
| <u>✓</u> (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 _____

FEC 9-21-77

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

Western
Union Mailgram

4-0516988305002 11/01/82 ICS IPMMTZZ CSP WSHB
1 2025234073 MGM TDMT WASHINGTON DC 11-01 0449P EST

8851

A10:37

FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2025234073 MGM TDMT WASHINGTON DC 82 11-01 0449P EST
ZIP
CARRIE D GARCIA
MANATT PHELPS ROTHENBERG AND TUNNEY
1888 CENTURY PARK EAST
LOS ANGELES CA 90067

REGARDING MUR 1462

DEAR MR GARCIA

ON NOVEMBER 1 1982 THE FEDERAL ELECTION COMMISSION DETERMINED ON THE BASIS OF THE COMPLAINT FILED AGAINST YOU IN MUR 1462 THERE IS NO REASON TO BELIEVE THE VIOLATION OF THE FEDERAL ELECTION CAMPAIGN ACT HAS OCCURRED AND ACCORDINGLY HAS CLOSED THE FILE. AN EXPLANATORY LETTER WILL FOLLOW.

CHARLES N STEELE
GENERAL COUNSEL
BY KENNETH A GROSS ASSOCIATE GENERAL COUNSEL

16:51 EST

MGMCOMP

NOV 2 1982 4:52

MAILGRAM
Postal Charges
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Western Union

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Union **Mailgram**



THIS MAILGRAM MESSAGE WAS TRANSMITTED ELECTRONICALLY BY WESTERN UNION TO A POST OFFICE NEAR YOU FOR DELIVERY

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

Western Union Mailgram

4-0519618305002 11/01/82 ICS IPMMYZZ CSP WSHB
1 2025234073 MGM TDMT WASHINGTON DC 11-01 0451P EST

GC# 8850

FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

2 NOV 3 A10:37

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2025234073 MGM TDMT WASHINGTON DC 74 11-01 0451P EST
ZIP
GEORGE GORTON
PETE WILSON FOR U.S. SENATE
3957 PACIFIC HWY
SAN DIEGO CA 92110

REGARDING MUR 1462

DEAR MR GORTON

ON NOVEMBER 1 1982 THE FEDERAL ELECTION COMMISSION DETERMINED ON THE BASIS OF YOUR COMPLAINT. THERE IS NO REASON TO BELIEVE THE VIOLATION OF THE FEDERAL ELECTION CAMPAIGN ACT HAS OCCURRED AND ACCORDINGLY HAS CLOSED THE FILE. AN EXPLANATORY LETTER WILL FOLLOW.

CHARLES N STEELE
GENERAL COUNSEL
BY KENNETH A GROSS ASSOCIATE GENERAL COUNSEL

16152 EST

MGMCOMP

02 NOV 2 P 4:52

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

Western
Union **Mailgram** 

4-0518129305002 11/01/82 ICS IPMMTZZ CSP WSHB
1 2025234073 MGM TDMT WASHINGTON DC 11-01 0450P EST

6cc# 8852

FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

2 NOV 3 A10:37

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

2025234073 MGM TDMT WASHINGTON DC 79 11-01 0450P EST

ZIP
WILLIAM R ROBERTSON
CHEMERS AND ROBERTSON
11 DUPONT CIRCLE NORTHWEST
WASHINGTON DC 20036

REGARDING MUR 1462

DEAR MR ROBERTSON

ON NOVEMBER 1 1982 THE FEDERAL ELECTION COMMISSION DETERMINED ON THE BASIS OF THE COMPLAINT FILED AGAINST YOU IN MUR 1462 THERE IS NO REASON TO BELIEVE THE VIOLATION OF THE FEDERAL ELECTION CAMPAIGN ACT HAS OCCURRED AND ACCORDINGLY HAS CLOSED THE FILE. AN EXPLANATORY LETTER WILL FOLLOW.

CHARLES N STEELE
GENERAL COUNSEL
BY KENNETH A GROSS ASSOCIATE GENERAL COUNSEL

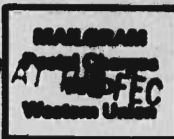
16151 EST

MGMCOMP

62 NOV 2 P 4: 52

17

RECEIVED



82 NOV 2

AM: 00

Western
Union

Mailgram

82040

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William R. Robertson, Esquire
Chemers & Robertson
11 Dupont Circle
Washington, D.C. 20036

Re: MUR 1462

Dear Mr. Robertson:

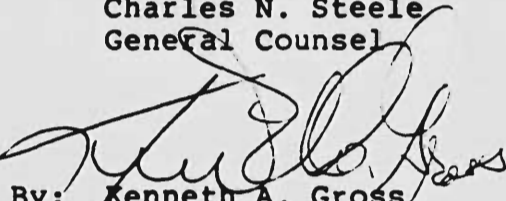
You have previously been notified, via mailgram, of the Commission's determination that there is no reason to believe Independent Action, Inc. violated any provision of the Federal Election Campaign Act of 1971, as amended.

Enclosed for your information is a copy of the General Counsel's Report which was presented to the Commission, by the Office of General Counsel, prior to its determination.

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

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

12040360713



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

George Gorton, Manager
Pete Wilson for United States Senate
3957 Pacific Highway
San Diego, California 92110

Re: MUR 1462

Dear Mr. Gorton:

You have previously been notified, via mailgram, of the Commission's determination that there is no reason to believe the Brown for Senate Committee and Independent Action, Inc. violated any provision of the Federal Election Campaign Act of 1971, as amended.

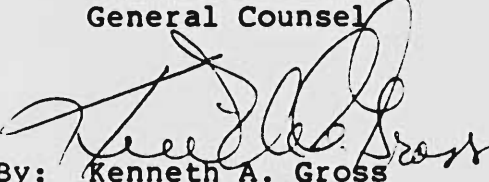
Enclosed for your information is a copy of the General Counsel's Report which was presented to the Commission, by the Office of General Counsel, prior to its determination.

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).

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

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 2, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Terry D. Garcia, Esquire
Manatt, Phelps, Rothenberg & Tunney
1888 Century Park East
Los Angeles, California 90067

Re: MUR 1462

Dear Mr. Garcia:

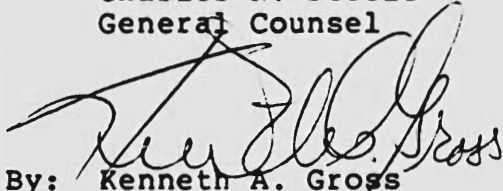
You have previously been notified, via mailgram, of the Commission's determination that there is no reason to believe the Brown for Senate Committee violated any provision of the Federal Election Campaign Act of 1971, as amended.

Enclosed for your information is a copy of the General Counsel's Report which was presented to the Commission, by the Office of General Counsel, prior to its determination.

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

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

02740360720

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 OCT 28 P 4: 30

In the Matter of)

Brown for U.S. Senate)

Independent Action, Inc.)

MUR 1462

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Background

On August 19, 1982, the Office of General Counsel received a complaint from the Pete Wilson for U.S. Senate Committee against the Brown for U.S. Senate Committee ("the Brown Committee") and Independent Action, Inc., a political committee. The Wilson Committee alleges that "the Brown Committee has cooperated and/or consulted with Independent Action (founded by Representative Morris Udall) which, in effect, is soliciting earmarked funds for the Brown Committee from contributors" who have already given \$1,000 to the Brown Committee.

To support its allegation, the complainant enclosed an article from the Los Angeles Times, dated August 17, alleging that Norman and Frances Lear sent out invitation letters to a fundraiser asking supporters to contribute \$500 to the Brown campaign through Independent Action if they had already contributed the legal maximum directly to the Brown Committee.

Complainants also enclosed a letter from the Brown Committee listing thirty fundraisers to be held at various homes, including

12740360721

the Lear home, and asking Brown supporters to select a fundraiser to attend. The complainant claims that this letter and the enclosed list raises the concern that other Brown campaign activities may be "of the same nature as the Udall dinner."

The complainants also enclosed another newspaper article indicating that the Lear-hosted fundraiser was cancelled due to the legal questions raised publicly. Despite the fact that the fundraiser was cancelled, the complainant believes that the documents presented "rais[e] serious questions about the nature of the other events listed on the Brown fundraising schedule."

On September 17, 1982, counsel for Independent Action filed a response to the complaint in which he enclosed a sworn statement by Edward F. Coyle, Executive Director of Independent Action. (See Attachment 1). Mr. Coyle stated that Independent Action "has never accepted, and will not accept, earmarked contributions." He stated that he spoke to Mrs. Lear, whom he knew to be a supporter of the Brown campaign and of Independent Action, and asked whether, since Independent Action would be making a contribution to the Brown campaign, the Lears would like to help Independent Action more generally by hosting a fundraiser with Congressman Morris Udall as the honored guest. She replied that she would. According to Mr. Coyle, Mrs. Lear and he discussed the possibility of having Governor Brown also attend as an honored guest. Mr. Coyle felt that, if Brown were present,

62049360722

Independent Action could present its contribution to him personally and attract "greater media attention to the contribution." Mr. Coyle says that Jodie Krajweski of the Brown campaign stated that a single event could serve as a fundraiser for both committees "with guests free, within legal limits, to contribute to either organization." 1/

Mr. Coyle maintains that the Lears drafted the invitation without any participation by Independent Action, and Independent Action was unaware of its contents before it was mailed. To the extent the invitation created the impression that contributions to Independent Action would be treated as earmarked for the Brown campaign, "it was simply incorrect."

Counsel for the Brown Committee sent a response on September 29. (See Attachment 2). While counsel for the Brown Committee maintains that Ms. Krajewski was only interested in a brief appearance by Governor Brown and did not agree to a joint fundraising effort with Independent Action, the remainder of counsel's response is basically in accord with that of Independent Action. Counsel maintains that his client is informed and believes that the invitation was prepared under Mrs. Lear's direction. He maintains that neither he nor the Committee participated in the preparation of the invitation nor did they know of the contents prior to the date of mailing. Counsel

1/ Mr. Coyle added that Ms. Krajewski noted that Brown's staff would schedule a lengthier appearance if the fundraiser were a joint one.

states that the dinner was cancelled on August 17 following the published reports as to the invitation.

Finally, counsel stated that the Brown Committee has not accepted, and does not plan to accept, contributions from Independent Action. 2/

II. Legal Analysis

Section 441a(a)(1)(A) of title 2 limits contributions by individuals to a candidate to \$1,000 per election and 2 U.S.C. § 441a(a)(8) provides that contributions made by a person directly or indirectly on behalf of a particular candidate which are earmarked or otherwise directed through an intermediary or conduit to such candidate shall be treated as contributions from the person to the candidate. Section 110.6(b) of the Commission Regulations defines earmarking as including designations which result in a contribution or expenditure being made to or expended on behalf of a candidate. Therefore, contributions to Independent Action made with the understanding that funds from such contributions be sent to or expended on behalf of the Brown Committee would be treated as contributions to the Brown Committee. Such contributions to Independent Action made by those who had already contributed the maximum to the Brown Committee would thus exceed the limits of 2 U.S.C. § 441a(a)(1)(A). Section 441a(f) prohibits knowing acceptance of any contribution

2/ A review of the reports filed by the Brown Committee reveals no contributions by Independent Action.

12040360724

in violation of the provisions of § 441a. Therefore, receipt of such contributions would place Independent Action and perhaps the Brown Committee, in violation of 2 U.S.C. § 441a(f).

The fundraiser, however, was cancelled four days in advance of its scheduled date. Although some persons may have attempted to contribute in response to the solicitation accompanying the invitation, the sworn response of Independent Action indicates that it has never accepted earmarked contributions and that its Board of Directors, not its contributors, determine the recipient-candidates. Furthermore, the responses indicate that Independent Action does not intend to offer any contribution to the Brown Committee and the Brown Committee does not intend to accept any such contribution. 3/ Although violations may have occurred had the plans come to fruition, the event was cancelled, and, therefore, it appears that neither Independent Action nor the Brown Committee accepted contributions in violation of 2 U.S.C. § 441a(f).

It appears possible that the Lears spent some money for the printing and mailing of invitations to the fundraiser. While Frances Lear had not contributed any money to Governor Brown's

3/ The monthly reports of Independent Action filed through September, 1982, reveal no contributions made to the Brown Committee and no expenditures made on behalf of the Brown Committee. The reports filed by the Brown Committee, up to and including the Twelve Day Pre-General report, reveal no contributions from Independent Action.

general election campaign, Norman Lear had already contributed \$1,000. 4/ However, the amount spent by Mr. Lear should not be added to his previous contributions because the cost of invitations provided by an individual in rendering voluntary services to a candidate on the individual's residential premises is exempted from the limitation and reporting provisions of the Act if it does not exceed \$1,000. 2 U.S.C. § 431(8)(B)(ii); 11 C.F.R. § 100.8(b)(7). We do not believe there is a basis for assuming that Mr. Lear spent more than \$1,000 for the invitations involved on behalf of the Brown Committee.

To the extent that the invitations were intended in part to benefit Independent Action (and therefore would not fall within the exemption of 2 U.S.C. § 431(8)(B)(ii) and 11 C.F.R. § 100.8(b)(7)), there is also no basis for believing that any violation occurred. No contribution limitation problem seems likely (see footnote 4), and Independent Action appears not to have received anything of value which would be reportable as a contribution in-kind. The event was cancelled, and Independent Action has stated that it received no earmarked contributions. While it is arguable that the solicitation was of some value to Independent Action if it caused some individuals to make unearmarked, undesignated contributions to Independent Action, we have no

4/ The reports of Independent Action through September, 1982, reveal no contributions from either of the Lears.

indication that this actually occurred. Moreover, if it did occur, it is possible that Independent Action was billed for a portion of the cost of the invitations in September and will report payment for such amount on its report covering the month of October.

With respect to complainant's statement as to other events on the Brown fundraising schedule, the complainants have merely stated a serious concern that other events were conducted in the way in which the Lear fundraiser was to have been conducted. No allegation has been made that any excessive contributions were actually made or received.

Based upon the foregoing analysis, the General Counsel recommends that the Commission find no reason to believe that either Independent Action or the Brown Committee violated the Act.

32040360727

III. Recommendations

1. Find no reason to believe that Independent Action, Inc. violated the Act.
2. Find no reason to believe that the Brown for U.S. Senate Committee violated the Act.
3. Close the file.
4. Send appropriate letters.

Charles N. Steele
General Counsel

Oct. 28, 1982
Date

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

Attachments

1. Response of Independent Action
2. Response of Brown Committee

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, hereby certify that the Commission, on November 1, 1982, by a vote of 6 to 0, adopted the above recommendation of the General Counsel in MUR 1462.

Voting For the Recommendation: Commissioners Aikens, Elliott, Harris,

McDonald, McGarry and Reiche

Voting Against the Recommendation: none

Absences or Abstentions (Indicate): none

Date: 11/1/82

Judy C. Ransom
Secretary of the Commission

for

32740350728

666 # 0614

CHEMERS & ROBERTSON
ATTORNEYS AT LAW

11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036
(202) 745-7717

WILLIAM R. ROBERTSON

12 OCT 7 P5:14

COMM-FED

October 7, 1982

Jonathan Levin, Esquire
General Counsel's Office
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

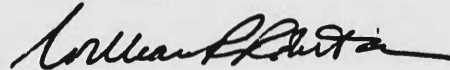
Re: MUR 1462

Dear Mr. Levin:

At your request, I am enclosing a copy of the Lears' invitation to the planned August 21 fundraiser, together with copies of the response form and return envelope.

Please call me if you have any further questions.

Sincerely,



William R. Robertson

WRR:hmf

Enclosures

1 - p. 7

62709106001

FRANCES LEAR

August 9, 1982

2 OCT 7 PM 5:14

On Saturday evening, August 21st, we will have a small group for dinner to meet and talk with Governor Jerry Brown and Congressman Mo Udall.

Mo Udall's political action committee, Independent Action, is raising funds for Jerry's Senate race, which is of vital interest to all of us.

We are asking friends of Jerry and Mo to contribute \$500 to Independent Action if Jerry has received from you a maximum contribution, or directly to Brown for U.S. Senate if you have not "maxed out."

Please remember this will be a small dinner party. Your immediate response is necessary if you wish to take advantage of the opportunity to personally discuss issues with Jerry and Mo.

We hope that you will be able to join us.

Sincerely,

Frances & Norman Lear
Frances and Norman Lear

255 Chadbourne Avenue
Los Angeles, CA 90049
Time: 7:30 P.M.
Dress: Informal

1-p. 8

32040360730

_____ Yes, I will join you for dinner on August 21st.
Enclosed is a check for _____ tickets at \$500 each.

_____ I am unable to attend but have enclosed a
check for \$_____

0 7 3 1
Please make checks payable to:
Independent Action or Brown for U.S. Senate

Name _____

Address _____

Occupation _____

Employer _____

Frances and Norman Lear
Suite 900
1901 Avenue of the Stars
Los Angeles, CA 90067

1 - p. 9

September 29, 1982

82 SEP 30 P12:14

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

Re: MUR 1462

Dear Mr. Gross:

On behalf of the Brown for U.S. Senate Committee (the "Committee"), an authorized political committee, I am responding to your letter of August 24, 1982. Specifically, I am responding to the alleged violation of 2 U.S.C. § 441a (a)(1)(A) as cited in the letter of Mr. George Gorton of the Wilson for Senate Committee dated August 18, 1982 and referred to in your letter.

Mr. Gorton alleges in his letter that the Committee solicited earmarked funds through Independent Action Inc., an unauthorized committee, from individuals who had already contributed the maximum amount allowed by law to the Committee. Specifically, Mr. Gorton alleges that invitations for a fundraising dinner to be held on August 21, 1982 solicited such earmarked contributions and that the Committee authorized or participated in the preparation and mailing of the invitations. As the brief chronological history of events set forth below will demonstrate, Mr. Gorton's allegations are without support in fact or law.

1. In early August, 1982, Norman and Francis Lear agreed to host a fundraising dinner at their home on August 21, 1982 for Independent Action, Inc.

2. In connection with the planning of the dinner, the Lears and representatives of Independent Action discussed the possibility of securing Governor Edmund G. Brown Jr.'s attendance at the fundraiser.

3. Shortly thereafter, a representative of Independent Action contacted Ms. Jody Krajewski of the Committee and inquired as to the Governor's availability, suggesting that Governor Brown's attendance would give Independent Action the opportunity to personally present him with an already planned contribution. Ms. Krajewski indicated that the Governor's schedule would permit a brief appearance. At no time relevant hereto did Ms. Krajewski or any member of the Committee staff agree to participate in a joint fundraising effort with Independent Action.

Attachment 2 - p. 1

4. On or about August 9, 1982, invitations to the fundraiser, which Mr. Gorton cites as evidence of a violation of 2 U.S.C. § 441a, were prepared and mailed. Neither Ms. Krajewski nor any member of the Committee staff participated, in any manner whatsoever, in the preparation, drafting or printing of the invitations. Additionally the text of the invitations was not disclosed to nor approved by the Committee or the Committee's legal counsel prior to the date of mailing.

5. The Committee is informed and believes that the text of the invitation was prepared under the direction of Mrs. Lear. The invitation was printed on the stationery of Francis Lear and over the signatures of Francis and Norman Lear.

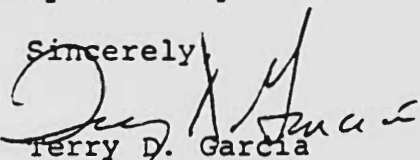
6. On or about August 17, 1982 the fund raising dinner was cancelled following published reports of the invitation and allegations (albeit unfounded) that earmarked contributions were being sought.

As set forth above, the Committee at no time relevant hereto authorized or requested the Lears or Independent Action to solicit earmarked contributions through Independent Action. To the extent an erroneous impression was created to the contrary, it was created in a letter with which the Committee had no connection. The Committee has not accepted nor does it plan to accept, contributions from Independent Action.

Because of our certainty that the foregoing will clearly demonstrate that no violations of Federal Election Campaign laws occurred, we will not go into further detail in this letter. However, should you require additional documentation with respect to the facts set forth herein, please contact the undersigned. The Committee, of course, reserves its rights to hearings and appeals should either prove necessary, but is hopeful of resolving this matter with you in the near future.

Thank you for your courtesy and cooperation.

Sincerely,


Terry D. Garcia
Counsel to

Brown for U.S. Senate Committee
1888 Century Park East, 17th Fl.
Los Angeles, California 90067
(213) 556-1500

TDG:km

cc: Jonathan Levin, Esq.
M. Jack Mayesh
Ms. Jodie Krajewski
Michael Kantor, Esq.
John B. Emerson, Esq.

2 - p. 2

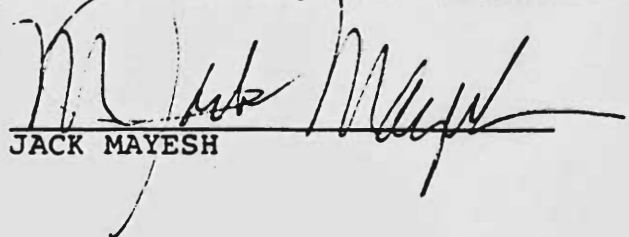
DECLARATION OF JACK MAYESH

1. I am the Campaign Manager of the Brown for U.S. Senate Committee an authorized political committee with headquarters at 1125 West 6th Street, Los Angeles, California 90017.

2. I have read the letter of Terry D. Garcia, Counsel to the Brown Campaign, dated September 29, 1982, respecting MUR 1462. The facts set forth therein are personally known to me and are true and correct to the best of my knowledge.

Pursuant to 2 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September __, 1982 at Los Angeles, California.


JACK MAYESH

MANATT, PHELPS, ROTHENBERG & TUNNEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

1888 CENTURY PARK EAST

TWENTY-FIRST FLOOR

LOS ANGELES, CA 90067

TELEPHONE (213) 558-1500

TWX 910 490-8744

CABLE MANATOP LSA

TELECOPIER (213) 553-1398

October 7, 1982

RECEIVED THE FEC

82 OCT 8 P4:41

WASHINGTON, D.C. OFFICE

1200 NEW HAMPSHIRE AVE., N.W., SUITE 200

WASHINGTON, D.C. 20036

(202) 463-4300

SAN FRANCISCO OFFICE

100 BUSH STREET, SUITE 23M

SAN FRANCISCO, CALIFORNIA 94104

(415) 391-7540

LOS ANGELES (DOWNTOWN)

811 WEST SEVENTH STREET

LOS ANGELES, CALIFORNIA 90017

(213) 579-4444

EXPRESS MAIL

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

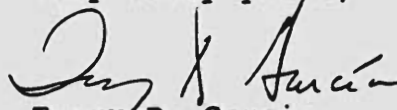
Re: MUR 1462

Dear Mr. Levin:

Pursuant to your request of October 6, 1982, enclosed please find a true and correct copy of the invitation from Francis and Norman Lear referenced in Mr. George Gorton's complaint dated August 18, 1982. As I indicated in my letter to Mr. Kenneth A. Gross, Esq. dated September 29, 1982, the Brown for U.S. Senate Committee did not participate in any manner whatsoever, in the preparation, drafting or printing of the invitation. Additionally, the text of the invitation was not disclosed to nor approved by the Committee or the Committee's legal counsel prior to the date of mailing.

If you have any further questions or comments in connection with this matter, please do not hesitate to contact me.

Very truly yours,



Terry D. Garcia
of Manatt, Phelps,
Rothenberg & Tunney

TDG:km
Enclosure

2 - p. 4

FRANCES LEAR

RECEIVED AT THE FEC

82 OCT 8 P 4:42

August 9, 1982

On Saturday evening, August 21st, we will have a small group for dinner to meet and talk with Governor Jerry Brown and Congressman Mo Udall.

Mo Udall's political action committee, Independent Action, is raising funds for Jerry's Senate race, which is of vital interest to all of us.

We are asking friends of Jerry and Mo to contribute \$500 to Independent Action if Jerry has received from you a maximum contribution, or directly to Brown for U.S. Senate if you have not "maxed out."

Please remember this will be a small dinner party. Your immediate response is necessary if you wish to take advantage of the opportunity to personally discuss issues with Jerry and Mo.

We hope that you will be able to join us.

Sincerely,

Frances & Norman

Frances and Norman Lear

255 Chadbourne Avenue
Los Angeles, CA 90049
Time: 7:30 P.M.
Dress: Informal

2 - p. 5

CHEMERS & ROBERTSON
ATTORNEYS AT LAW11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036
(202) 745-7717

WILLIAM R. ROBERTSON

September 17, 1982

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

Re: MUR 1462

Dear Mr. Gross:

I am counsel to Independent Action, Inc., an unaffiliated political committee. Mr. Francis Sheehan, Treasurer of Independent Action, has forwarded to me your letter of August 24, 1982 for a reply.

I have reviewed the letter to the Commission from Mr. Gorton of the Wilson for Senate Committee, in which he makes certain allegations concerning Independent Action. Based upon the facts known to Independent Action, it is our belief that there is absolutely no basis for those allegations.

I have attached to this letter a sworn declaration of Edward F. Coyle, Executive Director of Independent Action. It was Mr. Coyle who dealt with Frances Lear and the Brown campaign regarding the planned fundraiser which is the subject of Mr. Gorton's complaint.

I do not believe it is necessary for me to summarize in this letter the contents of Mr. Coyle's declaration. Suffice it to say, the declaration conclusively demonstrates that Independent Action was involved in no scheme or plan to violate or circumvent the requirements of the federal election law. To the extent an erroneous impression was created to the contrary, it was created in a letter with which Independent Action had no connection whatever.

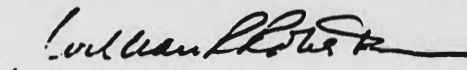
Attachment 1 - p. 1

22040360737

Kenneth A. Gross, Esq.
Page Two
September 17, 1982

If, upon reviewing Mr. Coyle's declaration, you or Mr. Levin have any further questions, please feel free to call me.

Sincerely,



William R. Robertson

Enclosure

WRR/smh

32040360733

DECLARATION OF EDWARD F. COYLE

1. I am the Executive Director of Independent Action, Inc., an unaffiliated political committee with headquarters at 1800 North Kent Street, Suite 903, Arlington, Virginia 22209.

2. I have read the complaint to the Federal Election Commission, dated August 18, 1982, lodged by the Pete Wilson for Senate Committee against the Jerry Brown for U.S. Senate Committee (the "Complaint"). Since the Complaint also purports to implicate Independent Action in an alleged violation, I submit this Declaration to deny the charge.

3. The gist of the Complaint is that, in connection with a fundraising event scheduled for August 21, 1982, Independent Action was to be used as a conduit to funnel essentially earmarked contributions to the Brown campaign from donors who had already made the maximum allowable contributions directly to that campaign. This charge is totally false.

4. Independent Action has never accepted, and will not accept, earmarked contributions. Independent Action accepts nonearmarked contributions from tens of thousands of contributors. The candidates who in turn receive contributions from Independent Action are chosen, not by our contributors, but by the Board of Directors of Independent Action, Inc.

5. Nothing in the events surrounding the fundraiser planned for August 21 is inconsistent with Independent Action's uniform procedures regarding contributions and expenditures. My knowledge of, and Independent Action's involvement in, the arrangements for the August 21 fundraiser are as follows:

(a) In early August, I spoke to Frances Lear, whom I knew to be a major supporter--along with her husband, Norman Lear--of the Brown senatorial campaign. The Lears had also been supporters of Independent Action. I asked whether, since Independent Action would be making a contribution to the Brown committee in the course of the campaign, she and Mr. Lear would like to provide more general help to Independent Action by hosting a fundraiser for us in their home on August 21, with Congressman Morris Udall as an honored guest. She replied that she would.

(b) One possibility discussed in the following days was securing Governor Brown's attendance at the fundraiser as an additional honored guest. I felt that if he were present, Independent Action could take advantage of the opportunity by presenting our already planned contribution to him personally, thereby attracting greater media attention to the contribution.

32740360741

(c) In the course of discussing this possibility with Jodie Krajewski of the Brown campaign, a different suggestion emerged. Ms. Krajewski noted that the Lears had previously expressed an interest in hosting a Brown fundraiser during the campaign; she therefore suggested that a single event on August 21 could serve as a fundraiser for both Independent Action and the Brown campaign, with guests free, within legal limits, to contribute to either organization. She noted candidly--and understandably--that the Governor's campaign staff would be more likely to schedule a lengthy appearance by Governor Brown if the fundraiser was a joint one. All parties involved therefore agreed on a joint fundraiser.

(d) The invitation to the fundraiser was prepared by the Lears in California. Neither I nor anyone else at Independent Action had any hand in drafting the invitation, nor were we aware in any way of its contents before it was mailed.

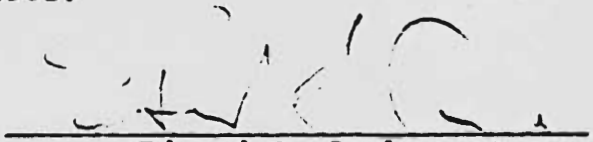
(e) To the extent the invitation, however unintentionally, may have created the impression that contributions to Independent Action would be treated as earmarked for the Brown campaign, it was simply incorrect. It was never the intention of Independent Action to

merely funnel receipts from the fundraiser to the Brown campaign. Indeed, this could not have been our intent, since we hoped to raise far more from the fundraiser than we could possibly have contributed to the Brown campaign.

(f) Because of the controversy created by the invitation, however, it was decided to cancel the joint fundraiser. It is my understanding that the Brown campaign has also decided to accept no contributions from Independent Action. In light of their wishes, Independent Action will not offer such a contribution, even though it is clear that such a contribution would be completely proper and would raise absolutely no question under federal election law.

6. Pursuant to 2 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 1982.



Edward F. Coyle

32040360742



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 12, 1982

Terry D. Garcia, Esquire
Manatt, Phelps, Rothenberg & Tunney
1888 Century Park East
Los Angeles, California 90067

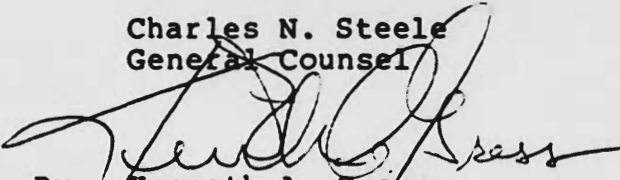
Re: MUR 1462

Dear Mr. Garcia:

On September 30, 1982, the Office of General Counsel received your response to the complaint in the above-captioned matter. Therefore, the Commission need not grant a request for an extension of time.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

32740330743



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Terry D. Garcia, Esquire
Manatt, Phelps, Rothenberg & Tunney
1888 Century Park East
Los Angeles, California 90067

Re: MUR 1462

8/10/82

Dear Mr. Garcia:

On September 30, 1982, the Office of General Counsel received your response to the complaint in the above-captioned matter. Therefore, the Commission need not grant a request for an extension of time.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

92040360741

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Brown for U.S. Senate)
Independent Action, Inc.)

MUR 1462

CERTIFICATION

I, Lena L. Stafford, Recording Secretary for the Federal Election Commission meeting on October 5, 1982, do hereby certify that the Commission decided in a vote of 6-0 to direct the General Counsel to redraft the letter to be sent to the Brown for U.S. Senate Committee since the requested material had been received, and thus no extension of time was needed.

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

Attest:

10-8-82

Date

Lena L. Stafford
Recording Secretary

32040360743

SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

82 SEP 29 PI2: 15

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 9-29-82

MUR # 1462
DATE COMPLAINT RECEIVED
BY OGC August 19, 1982
DATE OF NOTIFICATION TO
RESPONDENT August 24, 1982
STAFF MEMBER Levin

COMPLAINANT'S NAME: Pete Wilson for U.S. Senate

RESPONDENTS' NAMES: Brown for U.S. Senate
Independent Action, Inc.

RELEVANT STATUTES: 2 U.S.C. §§ 441a(a)(1)(A), 441a(f),
441a(a)(7)(A), 441a(a)(8)
11 C.F.R. §§ 110.1(h), 110.6(b)

INTERNAL REPORTS CHECKED: Brown for U.S. Senate
Independent Action, Inc.

FEDERAL AGENCIES CHECKED: None

BACKGROUND

On August 19, 1982, this office received a complaint from the Pete Wilson for U.S. Senate Committee against the Brown for U.S. Senate Committee and Independent Action, Inc., a political committee, alleging solicitation of excessive contributions. On August 24, this office sent letters to the respondents informing them of the complaint. On September 14, 1982, the attorney for Independent Action requested an extension of time to reply to the complaint until September 17. The extension was granted by this office and the reply was sent on September 17.

On September 22, 1982, counsel for the Brown Committee requested an extension until October 1. (See Attachment 1).

22740360745

The Brown Committee's response was due on September 15. Therefore, this office must make a recommendation to the Commission in order for the extension to be approved.

Based upon the reasons set out in the request sent by the Brown Committee's counsel, the General Counsel recommends that the request for an extension until October 1 be granted. Our analysis and recommendations regarding the substance of the allegations will follow promptly.

Recommendations

1. Grant an extension until October 1, 1982 for the Brown for U.S. Senate Committee.
2. Approve the attached letter.

Charles N. Steele
General Counsel

Sept 29, 1982
Date

By:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Letter from counsel for Brown for U.S. Senate Committee.
2. Proposed letter to counsel.

12740360747

September 22, 1982

SONIC AIR

Mr. Jonathan Levin
Office of General Counsel
Federal Election Commission
1325 K Street
N.W.
Washington, D.C. 20463

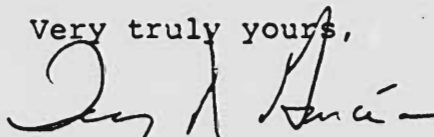
Re: MUR 1462

Dear Mr. Levin:

On behalf of the Brown for U.S. Senate Committee (the "Committee"), I hereby request an extension of the filing deadline for the Committee's response to the above-referenced complaint. This matter was initially submitted to legal counsel in Washington, D.C. for response. However, because of Committee staff error, a series of unfortunate communication mixups and the general confusion of a highly publicized and controversial campaign, a response was not prepared. Upon discovery of this error today, the Committee contacted this office and requested that steps be taken to secure an extension of the filing deadline and that we immediately proceed with the preparation of a response to the complaint. In order to familiarize myself with the matters alleged in the above-referenced complaint and to prepare an adequate response on behalf of the Committee, I respectfully request that the filing deadline for our response be extended through and including September 30, 1982.

If you have any questions or comments in connection with the matters set forth herein, please do not hesitate to contact me. Thank you for your courtesy and cooperation in connection with this matter.

Very truly yours,



Terry D. Garcia, Counsel for
Brown for U.S. Senate Committee

TDG:km

Terry D. Garcia
1888 Century Park East
17th Floor
Los Angeles, California 90067
(213) 556-1500

Attachment 1

2 SEP 23 A3:21

Levin

32040360748



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Terry D. Garcia, Esquire
Brown for U.S. Senate Committee
1888 Century Park East
17th Floor
Los Angeles, California 90067

Re: MUR 1462

Dear Mr. Garcia:

This is in reference to your letter dated September 22, 1982, requesting an extension until October 1, 1982, to respond to the Commission's notice that a complaint has been filed against your client.

The Commission has granted your request. Accordingly, your response will be due on October 1, 1982.

If you have any questions, please contact Jonathan Levin, the attorney assigned to this matter, at 202-523-4529.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Attachment 2

12040360747

661# 8659
MANATT, PHELPS, ROTHENBERG & TUNNEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

1888 CENTURY PARK EAST

TWENTY-FIRST FLOOR

LOS ANGELES, CA 90067

TELEPHONE (213) 556-1500

TWX 910 480-5744

CABLE MANATOP LSA

TELECOPIER (213) 553-1398

October 7, 1982

RECEIVED AT THE FEC

82 OCT 8 P4:41

WASHINGTON, D.C. OFFICE

1800 NEW HAMPSHIRE AVE., N.W., SUITE 200

WASHINGTON, D.C. 20036

(202) 463-4300

SAN FRANCISCO OFFICE

100 BUSH STREET, SUITE 2314

SAN FRANCISCO, CALIFORNIA 94104

(415) 398-7840

LOS ANGELES (DOWNTOWN)

811 WEST SEVENTH STREET

LOS ANGELES, CALIFORNIA 90017

(213) 678-4414

EXPRESS MAIL

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

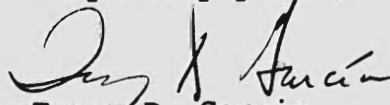
Re: MUR 1462

Dear Mr. Levin:

Pursuant to your request of October 6, 1982, enclosed please find a true and correct copy of the invitation from Francis and Norman Lear referenced in Mr. George Gorton's complaint dated August 18, 1982. As I indicated in my letter to Mr. Kenneth A. Gross, Esq. dated September 29, 1982, the Brown for U.S. Senate Committee did not participate in any manner whatsoever, in the preparation, drafting or printing of the invitation. Additionally, the text of the invitation was not disclosed to nor approved by the Committee or the Committee's legal counsel prior to the date of mailing.

If you have any further questions or comments in connection with this matter, please do not hesitate to contact me.

Very truly yours,



Terry D. Garcia
of Manatt, Phelps,
Rothenberg & Tunney

TDG:km
Enclosure

12040360750

FRANCES LEAR

82 OCT 8 P4:42

August 9, 1982

On Saturday evening, August 21st, we will have a small group for dinner to meet and talk with Governor Jerry Brown and Congressman Mo Udall.

Mo Udall's political action committee, Independent Action, is raising funds for Jerry's Senate race, which is of vital interest to all of us.

We are asking friends of Jerry and Mo to contribute \$500 to Independent Action if Jerry has received from you a maximum contribution, or directly to Brown for U.S. Senate if you have not "maxed out."

Please remember this will be a small dinner party. Your immediate response is necessary if you wish to take advantage of the opportunity to personally discuss issues with Jerry and Mo.

We hope that you will be able to join us.

Sincerely,

Frances & Norman

Frances and Norman Lear

255 Chadbourne Avenue
Los Angeles, CA 90049
Time: 7:30 P.M.
Dress: Informal

360732

RECEIVED AT THE REC

820CT8 P4:40



1111 1111 1111 1111

EXPRESS MAIL
POST OFFICE
TO ADDRESS

EXPRESS MAIL
NO POSTAGE
NECESSARY
IF MAILED
IN THE UNITED STATES

FROM:

TERESA D. GARCIA
SALUDY, PHILIPS, BLS.
1028 Century Park West, 17th Fl.
Los Angeles, California

TO:

SEN. BILL GROSS for U.S. Senate
Jonathan Levin, Rep.
Federal Election Commission
1325 A Street, N.W.
Washington, D.C. 20463

LABEL 11B, MARCH/1982 • U.S.G.P.O. 1982-370-814

PRESS HARD
NG 4 COPIES

▼ TO REMOVE PEEL BACK HERE ▼

B 75004605

ORIGIN		DESTINATION	
Date of Receipt	Time of Day	Date of Receipt	Time of Day
12/7/81	10:10	12/7/81	10:10
Post Office	City	Post Office	City
Los Angeles, CA	CA	Los Angeles, CA	CA
Signature of Addressee or Agent		Signature of Addressee or Agent	
[Signature]		[Signature]	
Date		Date	
12/7/81		12/7/81	
Time		Time	
10:10		10:10	
Signature of Agent		Signature of Agent	
[Signature]		[Signature]	

EXPRESS MAIL SERVICE

REMOVE copies 1 & 2 with this stub
Postal Service Mail Only

FRANCES LEAR

August 9, 1982

20017 P5:14

On Saturday evening, August 21st, we will have a small group for dinner to meet and talk with Governor Jerry Brown and Congressman Mo Udall.

Mo Udall's political action committee, Independent Action, is raising funds for Jerry's Senate race, which is of vital interest to all of us.

We are asking friends of Jerry and Mo to contribute \$500 to Independent Action if Jerry has received from you a maximum contribution, or directly to Brown for U.S. Senate if you have not "maxed out."

Please remember this will be a small dinner party. Your immediate response is necessary if you wish to take advantage of the opportunity to personally discuss issues with Jerry and Mo.

We hope that you will be able to join us.

Sincerely,

Frances & Norman Lear
Frances and Norman Lear

255 Chadbourne Avenue
Los Angeles, CA 90049
Time: 7:30 P.M.
Dress: Informal

_____ Yes, I will join you for dinner on August 21st.
Enclosed is a check for _____ tickets at \$500 each.

_____ I am unable to attend but have enclosed a
check for \$_____.

5
7
0
3
3
0
4
7
2
2
2
Please make checks payable to:

Independent Action or Brown for U.S. Senate

Name _____

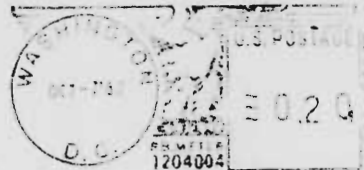
Address _____

Occupation _____

Employer _____

Frances and Norman Lear
Suite 900
1901 Avenue of the Stars
Los Angeles, CA 90067

CHEMERS & ROBERTSON
11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036



Jonathan Levin, Esquire
General Counsel's Office
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

91:92 21002

3204036075

202951
MANATT, PHELPS, ROTHENBERG & TUNNEY

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

1888 CENTURY PARK EAST
TWENTY-FIRST FLOOR
LOS ANGELES, CA 90067

TELEPHONE (213) 556-1500

TWX 910 480-8744

CABLE MANATOP LSA

TELECOPIER (213) 553-1355

October 1, 1982

RECEIVED AT THE FEC

6 Oct 8599
82 OCT 5 All: 48

WASHINGTON, D.C. OFFICE

1800 NEW HAMPSHIRE AVE., N.W., SUITE 200
WASHINGTON, D.C. 20036
(202) 463-4300

SAN FRANCISCO OFFICE

100 BUSH STREET, SUITE 234
SAN FRANCISCO, CALIFORNIA 94104
(415) 391-7540

LOS ANGELES (DOWNTOWN)

811 WEST SEVENTH STREET
LOS ANGELES, CALIFORNIA 90017
(213) 578-4414

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

Re: MUR 1462

Dear Mr. Levin:

Enclosed please find the Statement of Designation of Counsel which is submitted in connection with the above-referenced case.

Very truly yours,

Terry D. Garcia

Terry D. Garcia
of Manatt, Phelps,
Rothenberg & Tunney

TDG:km
Enclosure

2 OCT 5 PM 12:45

11:28 9 OCT 82

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: TERRY D. GARCIA

ADDRESS: 1888 Century Park East, 17th Fl., Los Angeles, CA 90067

TELEPHONE: (213) 556-1500

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.

Date

9/29/82

Signature



NAME: M. Jack Mayesh

Brown for U.S. Senate Committee

ADDRESS: 1125 West 6th Street

Los Angeles, California 90017

HOME PHONE:

936-5170

BUSINESS PHONE:

977-1313

32040350758

MANATT, PHELPS, ROTHENBERG & TUNNEY

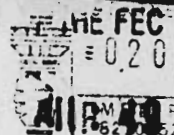
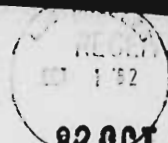
ATTORNEYS AT LAW

1888 CENTURY PARK EAST

TWENTY-FIRST FLOOR

LOS ANGELES, CALIFORNIA 90067

FIRST CLASS



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

92040360159

200952
RECEIVED AT THE FEC
September 29, 1982
8598
82 OCT 5 ALL: 49

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

Re: MUR 1462

Dear Mr. Gross:

On behalf of the Brown for U.S. Senate Committee (the "Committee"), an authorized political committee, I am responding to your letter of August 24, 1982. Specifically, I am responding to the alleged violation of 2 U.S.C. § 441a (a)(1)(A) as cited in the letter of Mr. George Gorton of the Wilson for Senate Committee dated August 18, 1982 and referred to in your letter.

Mr. Gorton alleges in his letter that the Committee solicited earmarked funds through Independent Action Inc., an unauthorized committee, from individuals who had already contributed the maximum amount allowed by law to the Committee. Specifically, Mr. Gorton alleges that invitations for a fundraising dinner to be held on August 21, 1982 solicited such earmarked contributions and that the Committee authorized or participated in the preparation and mailing of the invitations. As the brief chronological history of events set forth below will demonstrate, Mr. Gorton's allegations are without support in fact or law.

1. In early August, 1982, Norman and Francis Lear agreed to host a fundraising dinner at their home on August 21, 1982 for Independent Action, Inc.

2. In connection with the planning of the dinner, the Lears and representatives of Independent Action discussed the possibility of securing Governor Edmund G. Brown Jr.'s attendance at the fundraiser.

3. Shortly thereafter, a representative of Independent Action contacted Ms. Jody Krajewski of the Committee and inquired as to the Governor's availability, suggesting that Governor Brown's attendance would give Independent Action the opportunity to personally present him with an already planned contribution. Ms. Krajewski indicated that the Governor's schedule would permit a brief appearance. At no time relevant hereto did Ms. Krajewski or any member of the Committee staff agree to participate in a joint fundraising effort with Independent Action.

4. On or about August 9, 1982, invitations to the fundraiser, which Mr. Gorton cites as evidence of a violation of 2 U.S.C. § 441a, were prepared and mailed. Neither Ms. Krajewski nor any member of the Committee staff participated, in any manner whatsoever, in the preparation, drafting or printing of the invitations. Additionally the text of the invitations was not disclosed to nor approved by the Committee or the Committee's legal counsel prior to the date of mailing.

5. The Committee is informed and believes that the text of the invitation was prepared under the direction of Mrs. Lear. The invitation was printed on the stationery of Francis Lear and over the signatures of Francis and Norman Lear.

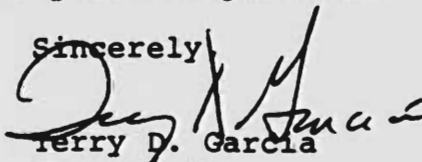
6. On or about August 17, 1982 the fund raising dinner was cancelled following published reports of the invitation and allegations (albeit unfounded) that earmarked contributions were being sought.

As set forth above, the Committee at no time relevant hereto authorized or requested the Lears or Independent Action to solicit earmarked contributions through Independent Action. To the extent an erroneous impression was created to the contrary, it was created in a letter with which the Committee had no connection. The Committee has not accepted nor does it plan to accept, contributions from Independent Action.

Because of our certainty that the foregoing will clearly demonstrate that no violations of Federal Election Campaign laws occurred, we will not go into further detail in this letter. However, should you require additional documentation with respect to the facts set forth herein, please contact the undersigned. The Committee, of course, reserves its rights to hearings and appeals should either prove necessary, but is hopeful of resolving this matter with you in the near future.

Thank you for your courtesy and cooperation.

Sincerely,



Jerry D. Garcia
Counsel to

Brown for U.S. Senate Committee
1888 Century Park East, 17th Fl.
Los Angeles, California 90067
(213) 556-1500

TDG:km

cc: Jonathan Levin, Esq.
M. Jack Mayesh
Ms. Jodie Krajewski
Michael Kantor, Esq.
John B. Emerson, Esq.

32740360761

DECLARATION OF JACK MAYESH

1. I am the Campaign Manager of the Brown for U.S. Senate Committee an authorized political committee with headquarters at 1125 West 6th Street, Los Angeles, California 90017.

2. I have read the letter of Terry D. Garcia, Counsel to the Brown Campaign, dated September 29, 1982, respecting MUR 1462. The facts set forth therein are personally known to me and are true and correct to the best of my knowledge.

Pursuant to 2 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September __, 1982 at Los Angeles, California.

JACK MAYESH

92740350762

202899 RECEIVED AT THE FEC
September 29, 1982 ~~8570~~
82 SEP 30 P12:14

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

Re: MUR 1462

Dear Mr. Gross:

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32040360763

2 SEP 30 P3:10

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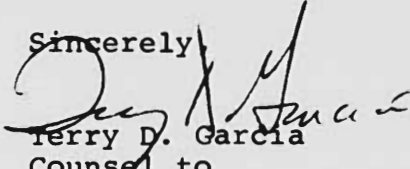
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Thank you for your courtesy and cooperation.

Sincerely,


Jerry D. Garcia

Counsel to

Brown for U.S. Senate Committee
1888 Century Park East, 17th Fl.
Los Angeles, California 90067
(213) 556-1500

TDG:km

cc: Jonathan Levin, Esq.
M. Jack Mayesh
Ms. Jodie Krajewski
Michael Kantor, Esq.
John B. Emerson, Esq.

32040350764

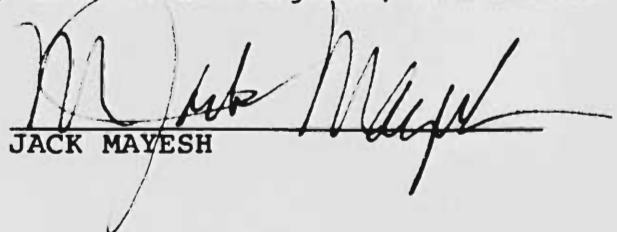
DECLARATION OF JACK MAYESH

1. I am the Campaign Manager of the Brown for U.S. Senate Committee an authorized political committee with headquarters at 1125 West 6th Street, Los Angeles, California 90017.

2. I have read the letter of Terry D. Garcia, Counsel to the Brown Campaign, dated September 29, 1982, respecting MUR 1462. The facts set forth therein are personally known to me and are true and correct to the best of my knowledge.

Pursuant to 2 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September __, 1982 at Los Angeles, California.


JACK MAYESH

32740360765

RECEIVED AT THE FBI

02 APR 68 PM 1:14

8 2 0 4 0 3 6 6 7 6 6

FROM » »

MANATT, PHELPS, ROTHENBERG & TUNNEY

Attorneys at Law

TWENTY-FIRST FLOOR

1885 CENTURY PARK EAST

LOS ANGELES, CALIFORNIA 90067

TO » »

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

DCA

September 22, 1982

SONIC AIR

Mr. Jonathan Levin
Office of General Counsel
Federal Election Commission
1325 K Street
N.W.
Washington, D.C. 20463

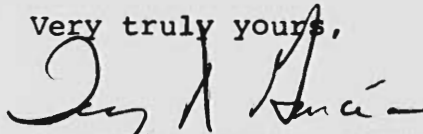
Re: MUR 1462

Dear Mr. Levin:

On behalf of the Brown for U.S. Senate Committee (the "Committee"), I hereby request an extension of the filing deadline for the Committee's response to the above-referenced complaint. This matter was initially submitted to legal counsel in Washington, D.C. for response. However, because of Committee staff error, a series of unfortunate communication mixups and the general confusion of a highly publicized and controversial campaign, a response was not prepared. Upon discovery of this error today, the Committee contacted this office and requested that steps be taken to secure an extension of the filing deadline and that we immediately proceed with the preparation of a response to the complaint. In order to familiarize myself with the matters alleged in the above-referenced complaint and to prepare an adequate response on behalf of the Committee, I respectfully request that the filing deadline for our response be extended through and including September 30, 1982.

If you have any questions or comments in connection with the matters set forth herein, please do not hesitate to contact me. Thank you for your courtesy and cooperation in connection with this matter.

Very truly yours,



Terry D. Garcia, Counsel for
Brown for U.S. Senate Committee

TDG:km

Terry D. Garcia
1888 Century Park East
17th Floor
Los Angeles, California 90067
(213) 556-1500

12 SEP 23 A3:21

2920550000

FROM " "

MANATT, PHELPS, ROTHENBERG & TUNNEY

Attorneys at Law

Twenty-First Floor

1888 CENTURY PARK EAST

LOS ANGELES, CALIFORNIA 90067

TO " "

Mr. Jonathan Levin

Office of the General Counsel

Federal Election Commission

1325 K Street

N.W.

Washington, D.C. 20463

SONIC AIR

6 9 4 6 9 1 0 1

CHEMERS & ROBERTSON
ATTORNEYS AT LAW

11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036
(202) 745-7717

WILLIAM R. ROBERTSON

September 17, 1982

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

Re: MUR 1462

Dear Mr. Gross:

I am counsel to Independent Action, Inc., an unaffiliated political committee. Mr. Francis Sheehan, Treasurer of Independent Action, has forwarded to me your letter of August 24, 1982 for a reply.

I have reviewed the letter to the Commission from Mr. Gorton of the Wilson for Senate Committee, in which he makes certain allegations concerning Independent Action. Based upon the facts known to Independent Action, it is our belief that there is absolutely no basis for those allegations.

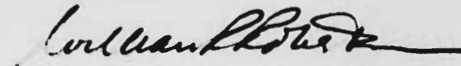
I have attached to this letter a sworn declaration of Edward F. Coyle, Executive Director of Independent Action. It was Mr. Coyle who dealt with Frances Lear and the Brown campaign regarding the planned fundraiser which is the subject of Mr. Gorton's complaint.

I do not believe it is necessary for me to summarize in this letter the contents of Mr. Coyle's declaration. Suffice it to say, the declaration conclusively demonstrates that Independent Action was involved in no scheme or plan to violate or circumvent the requirements of the federal election law. To the extent an erroneous impression was created to the contrary, it was created in a letter with which Independent Action had no connection whatever.

Kenneth A. Gross, Esq.
Page Two
September 17, 1982

If, upon reviewing Mr. Coyle's declaration, you or Mr. Levin have any further questions, please feel free to call me.

Sincerely,



William R. Robertson

Enclosure

WRR/smh

22040360770

DECLARATION OF EDWARD F. COYLE

1. I am the Executive Director of Independent Action, Inc., an unaffiliated political committee with headquarters at 1800 North Kent Street, Suite 903, Arlington, Virginia 22209.

2. I have read the complaint to the Federal Election Commission, dated August 18, 1982, lodged by the Pete Wilson for Senate Committee against the Jerry Brown for U.S. Senate Committee (the "Complaint"). Since the Complaint also purports to implicate Independent Action in an alleged violation, I submit this Declaration to deny the charge.

3. The gist of the Complaint is that, in connection with a fundraising event scheduled for August 21, 1982, Independent Action was to be used as a conduit to funnel essentially earmarked contributions to the Brown campaign from donors who had already made the maximum allowable contributions directly to that campaign. This charge is totally false.

4. Independent Action has never accepted, and will not accept, earmarked contributions. Independent Action accepts nonearmarked contributions from tens of thousands of contributors. The candidates who in turn receive contributions from Independent Action are chosen, not by our contributors, but by the Board of Directors of Independent Action, Inc.

82040360771

5. Nothing in the events surrounding the fundraiser planned for August 21 is inconsistent with Independent Action's uniform procedures regarding contributions and expenditures. My knowledge of, and Independent Action's involvement in, the arrangements for the August 21 fundraiser are as follows:

(a) In early August, I spoke to Frances Lear, whom I knew to be a major supporter--along with her husband, Norman Lear--of the Brown senatorial campaign. The Lears had also been supporters of Independent Action. I asked whether, since Independent Action would be making a contribution to the Brown committee in the course of the campaign, she and Mr. Lear would like to provide more general help to Independent Action by hosting a fundraiser for us in their home on August 21, with Congressman Morris Udall as an honored guest. She replied that she would.

(b) One possibility discussed in the following days was securing Governor Brown's attendance at the fundraiser as an additional honored guest. I felt that if he were present, Independent Action could take advantage of the opportunity by presenting our already planned contribution to him personally, thereby attracting greater media attention to the contribution.

22040360772

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(c) In the course of discussing this possibility with Jodie Krajewski of the Brown campaign, a different suggestion emerged. Ms. Krajewski noted that the Lears had previously expressed an interest in hosting a Brown fundraiser during the campaign; she therefore suggested that a single event on August 21 could serve as a fundraiser for both Independent Action and the Brown campaign, with guests free, within legal limits, to contribute to either organization. She noted candidly--and understandably--that the Governor's campaign staff would be more likely to schedule a lengthy appearance by Governor Brown if the fundraiser was a joint one. All parties involved therefore agreed on a joint fundraiser.

(d) The invitation to the fundraiser was prepared by the Lears in California. Neither I nor anyone else at Independent Action had any hand in drafting the invitation, nor were we aware in any way of its contents before it was mailed.

(e) To the extent the invitation, however unintentionally, may have created the impression that contributions to Independent Action would be treated as earmarked for the Brown campaign, it was simply incorrect. It was never the intention of Independent Action to

merely funnel receipts from the fundraiser to the Brown campaign. Indeed, this could not have been our intent, since we hoped to raise far more from the fundraiser than we could possibly have contributed to the Brown campaign.

(f) Because of the controversy created by the invitation, however, it was decided to cancel the joint fundraiser. It is my understanding that the Brown campaign has also decided to accept no contributions from Independent Action. In light of their wishes, Independent Action will not offer such a contribution, even though it is clear that such a contribution would be completely proper and would raise absolutely no question under federal election law.

6. Pursuant to 2 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 1982.



Edward F. Coyle

32040360774

CHEMERS & ROBERTSON

11 DUMONT CIRCLE, NORTHWEST

WASHINGTON, D.C. 20036

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

3204036077



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 15, 1982

William R. Robertson, Esquire
Chamers & Robertson
11 Dupont Circle, N.W.
Washington, D.C. 20036

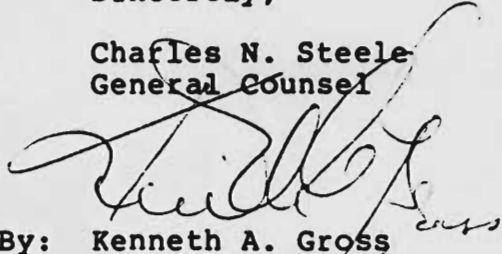
Re: MUR 1462

Dear Mr. Robertson:

Pursuant to your request of September 14, 1982, the Office of General Counsel is granting an extension until September 17.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

12040360775

CHEMERS & ROBERTSON
ATTORNEYS AT LAW

11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036
(202) 745-7717

WILLIAM R. ROBERTSON

September 14, 1982

2 SEP 14 PM 12:19

Jonathan Levin, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1462

Dear Mr. Levin:

Confirming our telephone conversation of this morning, I would like to request, on behalf of Independent Action, an extension until Friday, September 17, 1982 to respond to the complaint in MUR 1462. As I told you, I tried to reach you and Mr. Gross on Friday with such a request, but both of you were away from the office.

I am making this request because the Executive Director of Independent Action, Edward F. Coyle, has been traveling extensively, and I have therefore been unable to consult with him at sufficient length. Since Mr. Coyle is the individual at Independent Action with the greatest knowledge of the facts involved in this matter, and since our response will be almost entirely factual in nature, I would like the opportunity to consult with him in more detail prior to filing a response. I can assure you that no further extensions will be necessary.

Thank you very much for your consideration.

Sincerely,



William R. Robertson

22040350777

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CHEMERS & ROBERTSON
11 DUPONT CIRCLE, NORTHWEST
WASHINGTON, D.C. 20036

Jonathan Levin, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

2007584 RECEIVED
64 8357
82 AUG 30 P 2: 58
AUG 30 P 4: 29
FEDERAL ELECTION COMMISSION
RECEIVED

Independent Action
THE POLITICAL ACTION COMMITTEE

August 26, 1982

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20461

Re: MUR 1462

Dear Mr. Gross:

This is to inform you that Independent Action, Inc. will be represented in the above matter by:

William R. Robertson, Esquire
Chemers & Robertson
11 Dupont Circle, N.W.
Washington, D.C. 20036
(202) 462-5930 (prior to Labor Day)
(202) 745-7717 (after Labor Day)

Independent Action, Inc. hereby authorizes Mr. Robertson to receive all notifications and other communications from the Commission relative to this matter.

Sincerely,

Francis E. Sheehan, Jr.
Francis E. Sheehan, Jr.
Treasurer

32040360779

828403000



82A

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington, D.C. 20461



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Burt Pines, Treasurer
Brown for U.S. Senate
1125 West 6th Street
3rd floor
Los Angeles, CA 90017

Re: MUR 1462

Dear Mr. Pines:

This letter is to notify you that on August 19, 1982 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 1462. 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.

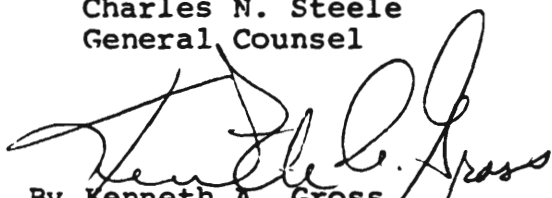
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

32040360781

If you have any questions, please contact Jonathan Levin, 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

3204036078?

Enclosures

1462 8/23

COMMUNITY POSTAGE PER PAID

1. The following article(s) requested (check one):

☐ Send to my home address _____

☐ Send to my office address _____

☐ Send to my business address _____

2. ARTICLE REQUESTED TO:

Bent Home
Brownfield Auto
Los Angeles, CA 90017

3. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED

☐ REGISTERED ☐ INSURED

ARTICLE NUMBER: 438163

I have received the article described above.

SIGNATURE:  ADDRESS: _____

DATE OF DELIVERY: 8-26-82

4. ADDRESSEE'S ADDRESS (City & State): _____

7. UNABLE TO DELIVER BECAUSE: _____

8. EMPLOYEE'S INITIALS: _____



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Francis Edward Sheehan, Jr.
Independent Action, Inc.
1800 North Hent Street
Suite 903
Arlington, VA 22209

Re: MUR 1462

Dear Mr. Sheehan:

This letter is to notify you that on August 19, 1982 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 1462. 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.

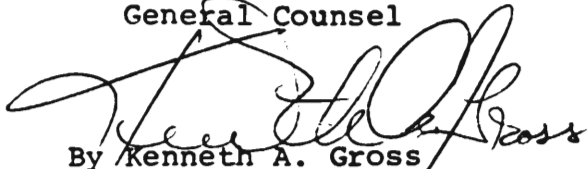
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

32040360783

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

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosure

1462 8/23

SENDER: Complete Form S.E.S. 100
Add your address and "RETURN TO" space on return.

(CONSULT POSTMASTER'S OFFICE)

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

2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO:
Francis E. Nelson
Independent Action
Arlington, VA. 22201

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☐ REGISTERED ☐ COD
☐ REGISTERED MAIL

ARTICLE NUMBER: 791985h

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Carol A. Casper

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER BECAUSE:

U.S. POSTAL SERVICE
2025



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 24, 1982

Mr. George Gorton
Pete Wilson for Senate Committee
3957 Pacific Highway
San Diego, Ca 92110

Dear Mr. Gorton:

This letter is to acknowledge receipt of your complaint of August 18, 1982, against the Jerry Brown for U.S. Senate Committee and Independent Action, Inc. 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 five days.

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. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202)-523-4073.

Sincerely,

Charles N. Steele
General Counsel

A handwritten signature in dark ink, appearing to read "Kenneth A. Gross", is written over the typed name of the Associate General Counsel.

By Kenneth A. Gross
Associate General Counsel

Enclosure

32040360785

MUR

1462

Francis Edward Sheehan, Jr., Treasurer
Independent Action, Inc.

1800 North Kent Street

Suite 903

Arlington, Virginia 22209

Burt Pines, Treasurer

Brown for U.S. Senate

1125 West 6th Street

3rd Floor

Los Angeles, California 90017

327475785

**PETE
WILSON**

FOR UNITED STATES SENATE

HAND DELIVERED

August 18, 1982

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82 AUG 19 11:42

82 AUG 19 4:17

Office of the General Counsel
Enforcement Division
Federal Election Commission
1325 K Street, NW
Washington, D.C. 20463

Gentlemen:

On behalf of the Pete Wilson for U.S. Senate Committee I file this complaint pursuant to 2 U.S.C. §437g against the Jerry Brown for U.S. Senate Committee (hereinafter referred to as "Brown Committee"). It is my belief that this Committee is the "person" responsible for the actions discussed in this letter which, in our opinion, are in violation of the Federal Election Commission (FEC), regulations and several advisory opinions.

We have reason to believe that the Brown Campaign is engaged, along with other committees, in raising funds from donors in excess of \$1,000 per contributor per election for the Brown Campaign in violation of 2 U.S.C. §441a(a) (1) (A). We have reason to believe that the Brown Committee has cooperated and/or consulted with another committee founded by Representative Morris Udall which, in effect, is soliciting earmarked funds for the Brown Committee from contributors who have already given to the Brown Committee.

Attached herewith as Exhibit "A" is an article from the Los Angeles Times, dated August 17, 1982, written by William Endicott, alleging that Brown supporters who have already given the federally mandated limit of \$1,000 to Brown's U.S. Senate race for the November, 1982 election are being asked to funnel another \$500 to the Committee through a political action committee formed by Representative Morris Udall (hereinafter referred to as "Udall Committee"), according to letters sent out by Mr. and Mrs. Norman Lear. The article indicates that written invitations for a fund-raising dinner to be held on Saturday, August 21, 1982, stated that Udall's committee, Independent Action, is raising funds for the Brown Campaign. A quotation in the article reads as follows:

"We are asking friends of Jerry and Mo to contribute \$500

to Independent Action if Jerry has received from you a maximum
3957 PACIFIC HIGHWAY, SAN DIEGO, CA. 92110 (714) 296-8892

Paid for by Pete Wilson for U.S. Senate

RECEIVED

82 AUG 19 10 11 42

contribution, or directly to Brown for U.S. Senate if you have not 'maxed' out."

We do not have a copy of the invitation and request that the Commission investigate and obtain said copies to determine the correctness of these facts.

Also attached as Exhibit "B" is a memorandum from the Brown Campaign, which sets forth fundraising procedures to be followed, including those procedures followed by the Udall/Lear fundraising event. The memorandum indicates that "in order for him (Gov. Brown) to run an effective campaign, the financial support of your friends and associates along with yourself play an important role."

The letter, which is on Brown for U.S. Senate stationary, signed by Brown Finance Director Jodie Krajewski, and which asks potential solicitors to contact the Brown campaign office, makes clear that the intent is for the money to be utilized for the Brown for U.S. Senate campaign. There is no mention, no inkling of any independent committee activity.

In fact, Exhibit B raises the serious concern that other Brown for U.S. Senate finance activities may be of the same nature as the Udall dinner. Had it not been for the diligence of the press, the public, nor the FEC would have had any knowledge of the nature of the Udall-Lear event and it raises serious questions about the nature of the other events listed on the Brown fundraising schedule.

We believe these facts, if proved true, indicate that earmarked contributions, as described in 2 U.S.C. §441a(a) (7) (A) and 11 CFR §110.6, are being obtained by the Udall Committee for the Brown Committee in excess of the aforescribed contribution limitation from certain donors.

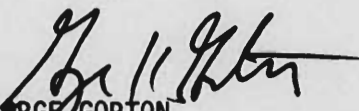
It is respectfully requested that you review carefully the facts in this letter and the attached supporting documents and immediately determine whether the Brown Campaign is complying with federal law. We believe the Brown Campaign, in conjunction with the Udall Committee, has violated federal campaign law and if not immediately enjoined by the FEC, will continue to do so such that no remedy imposed at a later date will be adequate. We request your utmost urgency in this situation.

I declare under penalty of perjury and subject to the provisions

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of 18 U.S.C. 1001 that the above is true and correct to the best of my knowledge.

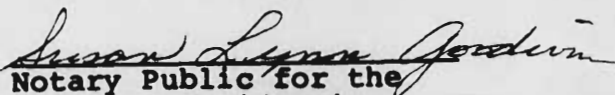
Very truly yours,


GEORGE GORTON
Manager, Pete Wilson for Senate
Committee

8 2 0 4 0 3 0 7 0 0
STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) ss.

On this 18th day August, 1982, before me, the undersigned, a Notary Public, personally appeared George Gorton, known to me to be the person whose name is subscribed to this instrument, and acknowledged to me that he/she executed it.




Notary Public for the
State of California

12 AUG 19 411:42

Brown Donors Asked to Give Another \$500

By WILLIAM ENDICOTT,
Times Political Writer

Supporters of Gov. Edmund G. Brown Jr. who already have given the federally mandated limit of \$1,000 to Brown's U.S. Senate race this fall are being asked to funnel another \$500 to the governor through a political action committee formed by Rep. Morris K. Udall (D-Ariz.), according to letters sent out by television producer Norman Lear and his wife, Frances.

But spokesmen for both Brown and Udall said there is no intention to circumvent federal election law.

A Udall spokesman, Ed Coyle, said that "is not the case," and a Brown aide said there is "no understanding or agreement that Independent Action (Udall's committee) will be making a contribution to Brown."

However, invitations to a Brown-Udall dinner the Lears are hosting Saturday night at their home in Los Angeles note that "Mo Udall's political action committee, Independent Action, is raising funds for Jerry's Senate race, which is of vital interest to all of us."

"We are asking friends of Jerry and Mo to contribute \$500 to Independent Action if Jerry has received from you a maximum contribution, or directly to Brown for U.S. Senate if you have not 'maxed out'."

"Please remember this will be a small dinner party. Your immediate response is necessary if you wish to take advantage of the opportunity to personally discuss issues with Jerry and Mo."

A Federal Election Commission

Please see BROWN, Page 18

BROWN: Lear Plans Dinner

Continued from Third Page

A spokesman in Washington said a contribution to a political action committee on behalf of a candidate to whom the contributor already had given the maximum donation would be the same as a direct contribution to the candidate.

"I can't say it's a violation," he said of the Brown-Udall dinner. "But it's one of those gray areas."

Although it is not uncommon for independent committees to spend money on behalf of a candidate, the law allows such expenditures only if there is no "cooperation or consultation" with the candidate. The expenditures cannot be made "in concert with or at the request or suggestion of any candidate."

Coyle said Udall, a 1976 presidential candidate along with Brown, expects to raise about \$10,000 at the Lears' dinner but "if the invitations say the money is earmarked for Brown, they are worded incorrectly." He said Udall's committee already has given the maximum contribution to Brown, but Brown's finance director, Jodie Krajewski, said the governor's campaign has no record of any such contribution.

The federal contribution limit for political action committees is \$10,000—\$5,000 for the general election and \$5,000 for the primary.

"Independent Action asked Norman and Frances to host an event for us," Coyle said. "We were limited to the dates they could do it, and they wanted to combine an event for Independent Action with an event for Jerry Brown. We'll share the proceeds."

32040360790



BROWN

for U.S. SENATE

August 6, 1982

Dear Brown Supporter:

As you are aware, Governor Edmund G. Brown Jr. has decided not to run for re-election as .
Therefore, we must do all we can to

re-elect Brown to the United States Senate.

In order for him to run an effective campaign, the financial support of your friends and associates along with yourself play an important role.

Please select a fundraiser from the list attached and help us fill it with new and old supporters of the Governor. If you wish to sponsor an event yourself, please let me know as soon as possible so that we can put it on the calendar.

Sincerely,

Jodie Krajewski

JODIE KRAJEWSKI
Director

Enclosure

JK/lmb

32040350791

FUNDRAISING SCHEDULE

For reservations and further information, please call Linda at 213 977-1313

Saturday, August 14 3-5 pm
cocktails \$ 50/person

join in this community effort at a private home in Pasadena

Saturday, August 14 5-7 pm
cocktails \$500/person

meet the Governor on a personal level at the home of Bill Soma in Encino

Saturday, August 14 6-8 pm
cocktails \$ 30/person

this event gives the "valley people" a chance to meet the Governor in their own neighborhood (Sylmar)

the home of Roger Corman in Pacific Palisades is the location for this dinner event

Sunday, August 15 10am-12noon
brunch \$ 50/person

Canyon Lake Lodge in Riverside is the site for Sunday morning brunch

Sunday, August 15 12-2 pm
Luncheon \$250/person

Philip Kassel is hosting this luncheon for his neighbors in San Bernardino

Sunday, August 15 1-3 pm
cocktails \$100/person

Attorneys in Rialto are getting together to show their support in Rialto at this event

Saturday, August 21 6-8 pm
dinner \$1,000/person

the Rancho Palos Verdes home of Tony Capozzola at sunset is the location for dinner

Saturday, August 21 6-8 pm
dinner \$500/person

join Mo Udall for dinner at the home of Frances and Norman Lear

Wednesday, August 25 5-7 pm
cocktails \$1,000/person

the home of John Rytter is the setting for cocktails with the Governor in Century City

Thursday, August 26 8-10 am
breakfast \$200/person

breakfast in Laurel Canyon is a great way to start your day

Roz Rodgers has extended her home to the Governor and his supporters for this mid-day get-together

Thursday, August 26 8-10 pm
dinner \$500/person

attorney Sheldon Andelson welcomes all who support the Governor

Saturday, August 28 5-7 pm
cocktails \$100/person

Congressman Mervyn Dymally, Warren and Virginia Valdry invite you to their home in Hancock Park

Saturday, August 28 10pm-midnight
dessert \$500/person

join Linda Ronstadt in a late-night snack at her Brentwood home

Sunday, August 29 3-5 pm
luncheon \$200/person

get together with attorneys for lunch in Michael Pontrelli's Beverly Hills office

Sunday, August 29
cocktails

5-7 pm
\$250/person

George Slaff has opened his home for a cocktail party in Beverly Hills

Sunday, August 29
dinner

7-9 pm
\$1,000/person

join Gray Davis in Beverly Hills for dinner with the Governor

Monday, August 30
dinner

8-10 pm
\$500/person

Barbara Bain and Joyce Rey extend their invitation for dinner in Beverly Hills

Wednesday, September 1
cocktails

5-7 pm
\$1,000/person

cocktails

\$1,000/person

the Century City home of George Eltinge is the location for cocktails

Sunday, September 5
cocktails

4-7 pm
\$12.50/person

this event everyone should attend. meet us in the City of Industry

Friday, September 10
dinner

6-8 pm
\$250/person

dinner in San Juan Capistrano at Dick O'Neill's home will prove to be a good time

Saturday, September 11
brunch

11am-1pm
\$ 50/person

women unite at this event in Hancock Park at Liz Snyder's home

Saturday, September 11
cocktails

5-7 pm
\$100/person

Yolanda Aguilar is hosting cocktails this Saturday afternoon in Los Angeles

Monday, September 13
dinner

6-8 pm
\$250/person

Red wine, italian food and a little opera at Verdi in Santa Monica will make for a pleasant evening

Wednesday, September 15
breakfast

8-10 am
\$200/person

before work, join Marc Nathanson at the Regency Club in Westwood

Sunday, September 19
luncheon cruise

12-2 pm
\$500/person

cruise with the Governor aboard the "Jolly-O" in Long Beach

Tuesday, September 21
reception & concert

6-11 pm
\$150/person

will be your host in

Sunday, September 26
luncheon

12-2 pm
\$100/person

Ventura is the spot to meet for lunch with Rosemary Tomich and Doug MacAvoy

Sunday, September 26
dinner

6-9 pm
\$1,000/person

Manny Rojas invites you to dinner at his home in Santa Barbara

8-12-82

Fund-Raiser For Brown, Udall Reported Off Because Of Legal Issue

By SUSAN JETTON

Staff Writer, The San Diego Union

A fund-raiser that was to have been hosted by television producer Norman Lear and his wife for Gov. Brown and Arizona Rep. Morris Udall's political action committee apparently has been canceled because of legal questions raised about invitations to the event.

The invitations mailed on the stationery of Lear's wife, Frances Lear, suggested people who contributed the maximum allowed to Brown's Democratic campaign for the U.S. Senate could funnel more money to the campaign through Udall's Independent Action Committee.

Spokesmen for the Brown campaign and the Udall committee yesterday said there never was any intent to suggest improper campaign contributions. They said the dinner that had been scheduled for Saturday was intended as a joint fund-raiser for Brown and for the committee.

The committee raises money through the nation for about 60 U.S. House and Senate campaigns including the re-election effort of Udall, a Democrat, said its spokesman, Ed Coyle.

Brown yesterday, "There is no intention of (the Brown Senate campaign) receiving any contributions from the Mo Udall Independent Action Committee."

But Otto Bos, campaign spokesman for San Diego Mayor Pete Wilson, Brown's GOP opponent, said it is "very likely" the Wilson camp will ask for an investigation into the incident by the Federal Election Commission.

The Lears could not be reached for comment. But Coyle said he understood the joint event had been canceled.

He said he understood the Udall committee fund-raising event would be held later and that the Brown campaign would have a separate fund-raising event at the Lears' home.

Coyle called the invitations "an unhappy set of words."

Brown's campaign manager, Jack Mayesh, said the governor has received no Udall committee contributions and will not accept any.

"I'm leery of the whole thing," he said.

Federal law limits contributions to federal campaigns to \$1,000 from an individual and \$5,000 from a political action committee.

The invitations stated that Udall's Independent Action Committee "is raising funds for Jerry's race, which is of vital interest to all of us."

from you a maximum contribution, or directly to Brown for U.S. Senate if you have not 'maxed out'."

Fred Eiland, an FEC spokesman, said any political action committee contribution earmarked for a specific candidate is the same as a direct contribution to that candidate and, as such, is counted in the maximum allowable amount.

Coyle and Brown's campaign press secretary, Lucie Gickovich, yesterday said the event originally had been intended as a fund-raiser for the Udall committee. The Lears also wanted to have a fund-raiser for Brown.

Coyle said the Udall committee offered to share proceeds of the event with the Brown committee. But the Brown committee wanted its own fund-raiser with the Lears, and it was decided for the couple's convenience to hold a joint event.

The invitations were prepared and mailed by the Lears, according to both campaign offices. After questions were raised about the wording of the invitations, the event apparently was canceled.

"It's a shame," said Coyle. "I think they (the Lears) were a little bit worried that their own reputations would be tarnished by the mixup, and they decided to go that extra mile (cancel the joint event) to prevent it."

Mayesh said he personally — as well as the Brown campaign — has "a tremendous, deep respect for Norman and Frances Lear. They are great friends and supporters. I think we just got caught up in the cross fire."

In another campaign finance development, George Gorton, Wilson's campaign manager, told campaign supporters in a letter this week that they should not be tempted to push Wilson to match Brown's early, heavy television advertising.

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FEDERAL ELECTION COMMISSION

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THIS IS THE BEGINNING OF MUR # 1462

Date Filmed 11/15/82 Camera No. --- 2

Cameraman J. A. G.

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