



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 486



78040062043



FEDERAL ELECTION COMMISSION

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

April 18, 1978

Mr. Anthony R. Martin-Trigona
One IBM Plaza Suite 2910A
Chicago, Illinois 60611

Re: MUR 486 (77)

Dear Mr. Martin-Trigona:

The Federal Election Commission has reviewed the allegations of your complaint dated December 19, 1977 and determined that on the basis of information provided in your complaint, 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, upon my recommendation, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 486 (77).

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel





FEDERAL ELECTION COMMISSION

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

April 18, 1978

The Honorable Charles Percy
United States Senator
308 Linden Avenue
Wilmette, Illinois 60091

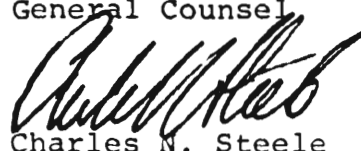
Re: MUR 486 (77)

Dear Senator Percy:

I am forwarding the enclosed complaint pursuant to section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel

Enclosures





FEDERAL ELECTION COMMISSION

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

April 18, 1978

Mr. Alex R. Seith
Lord, Bissell & Brook
115 S. LaSalle Street
Chicago, Illinois 60603

Re: MUR 486 (77)

Dear Mr. Seith:

I am forwarding the enclosed complaint pursuant to section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely yours,

William C. Oldaker
General Counsel

Charles N. Steele
Associate General Counsel

Enclosure



78040062047

Mr. Alex R. Seith
Lord, Bissell & Brook
115 S. LaSalle Street
Chicago, Illinois 60603

Re: MUR 486 (77)

Dear Mr. Seith:

I am forwarding the enclosed complaint pursuant to section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

JS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Charles Percy)
Alex Seith)

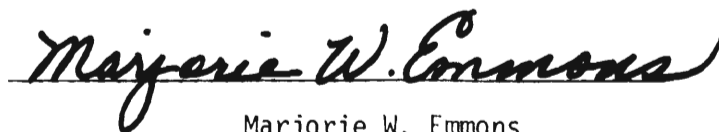
MUR 486 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 13, 1978, at an Executive Session of the Federal Election Commission at which a quorum was present, the Commission determined by a vote of 4-0 to adopt the recommendation of the General Counsel to find no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter and to close the file.

Voting for this determination were Commissioners Aikens, Harris, Staebler, and Tiernan. Commissioner Thomson was not present at the time of the vote; Commissioner Springer recused himself in this matter.

Accordingly, the file has been closed.



Marjorie W. Emmons
Secretary to the Commission

Date: April 14, 1978

78040052048



FEDERAL ELECTION COMMISSION

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

March 3, 1978

MEMORANDUM TO: ELISSA GARR

FROM: MARJORIE W. EMMONS *mwe*

SUBJECT: MUR 486 (78) - Agenda for 2-9-78

MUR 486 (78) circulated on a 24 hour no-objection basis was objected to by Commissioner Tiernan. After discussion during the Executive Session, February 9, 1978, MUR 486 (78) was returned to the General Counsel for further research.

78040062049

January 27, 1978

MEMORANDUM TO: Marge Emons
FROM: Elissa T. Garr
SUBJECT: MUR 486

Please have the attached 7 Day Report on MUR 486 distributed to the Commission on a 24 hour no-objection basis.

thank you.

78040062050



FEDERAL ELECTION COMMISSION

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

January 31, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
SUBJECT: MUR 486 (77) - 1st General Counsel's Report

The above-mentioned document was circulated to the Commissioners on January 27, 1978 at 2:30 p.m.

As of 9:00 a.m., this date, no objections have been received in the Office of Commission Secretary to the recommendation that no reason to believe be found and the file in this case closed.

ATTACHMENT
Certification

pc



78040062051

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Charles Percy)
Alex Seith)

MUR 486 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 31, 1978, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

78040062052

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION _____

MUR NO. 486 (77)
DATE COMPLAINT RECEIVED
BY OGC 12/22/77

ATTORNEY FEDERMAN

COMPLAINANT'S NAME: Anthony Robert Martin-Trigona

RESPONDENT'S NAME: Charles Percy
Alex Seith

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

INTERNAL REPORTS CHECKED: N/A

FEDERAL AGENCIES CHECKED: N/A

SUMMARY OF ALLEGATIONS

Complainant states that both respondents write columns which appear in Illinois newspapers. 1/ He further alleges that: since each is a candidate for the U.S. Senate and neither pays for the space of his column, both are receiving in-kind contributions to their respective campaigns which, if the newspapers in which the columns appear are found to be corporations, would also be illegal corporate contributions.

Complainant also accuses Percy of receiving free radio and television broadcasting time.

1/ Although Complainant inclosed two "sample" columns from two newspapers, he did not list any specific newspapers in the complaint. A copy of the complaint is attached.

PRELIMINARY LEGAL ANALYSIS

Newspaper columns are exempted from the definitions of expenditures [2 U.S.C. §431(f)(4)] and contribution [11 C.F.R. §100.4(b)(8)].

Complainant suggests these sections do not exempt columns written by candidates.

Neither the Act nor the regulations articulate such a distinction. Both exempt any news story, commentary, or editorial of any broadcasting station, newspaper, magazine, or other periodical publication. While this broad exception to the definition of contribution is limited somewhat by the proviso that the facility not be owned or controlled by any political party, political committee or candidate, there is nothing in the complaint which gives the Commission any reason to suspect that the columns in question appear in newspapers owned by the candidate, a committee or party. The allegations regarding Percy's radio and television broadcasts are vague and unsupported. Plaintiff does not allege that the decision to broadcast or publish the materials was made by persons other than the newspapers or broadcasting stations. Absent any such evidence, the activities complained of do not constitute contributions under the Act and the reporting requirements, amount limitations, and prohibitions concerning corporate contributions of the Act do not apply.

RECOMMENDATION

Find no reason to believe a violation of the Act has occurred, close the file and send the attached letters.

78040062051

708713

Before The
FEDERAL ELECTION COMMISSION

ANTHONY ROBERT MARTIN-TRIGONA,)
Complainant,)

vs.)

CHARLES PERCY,
ALEX SEITH,)

Respondents.)

DOCKET NUMBER:

COMPLAINT FOR DECLARATORY RULING

Complainant is a candidate for United States Senator from Illinois running against Charles Percy in November, 1978, and Mr. Seith the chosen instrument of Charles Percy in the March, 1978 Democratic primary election. This matter will not become moot until November, 1978, because complainant will run either as a Democrat or independent candidate against Percy as per expressed intentions to do so.

The basis of the complaint is as follows:

Each respondent is receiving free space in newspapers circulating in Illinois to state their views on issues in the campaign.

With respect to respondent Seith, he is not a public official, and he is not an employee or otherwise paid by the newspaper as a columnist of that paper. His "column" or what-have-you

is free space to state his views on matters which are at issue in the primary campaign.

As per the enclosed letter and response, counsel for one of Seith's papers has taken the view that giving free space to one candidate in a contested election to state his views is not an 'expenditure' under the statute. Complainant submits that when a newspaper regularly allocates free space to one candidate in an election, and gives him a free form of his own (as opposed to printing a letter to the editor in customary practice) that said free space amounts to a 'contribution' to the candidate under the statute, and especially so when this is not made available to all candidates on a First Amendment basis so they can all equally state their views, but is instead made available on a discriminatory basis to one candidate and denied to others.

Complainant asks a ruling that said free space being given to respondent Seith is a contribution and is subject to the contribution limits, and source limitations of the Act.

With respect to respondent Percy, as per the enclosed clip, Percy is also given free space in local newspapers to state his views, and free air time on some television stations to do likewise. So long as an incumbent is not an announced candidate for reelection, the giving of free space appears to be permissible. Once an incumbent becomes a candidate for reelection, and begins to operate on a partisan wave length, to give free space to that candidate and deny it to his opponents amounts to a contribution to the candidate for reelection.

65029001087

This is especially true in the Percy column enclosed because it involves a very controversial campaign issue, on which complainant is also filing suit to block distribution of nuclear wastes in Illinois and wherein the candidates are contending on a partisan basis. To allow a newspaper to give free space to one of the candidates, while denying it to others, or for a radio or tv station to do likewise (Percy has distributed a "Your Senator Reports" taped program which is produced with public funds) is to permit an unfair advantage to the opposing candidate who is denied the free air time or free newspaper space.

Once candidates have announced and are contending on a partisan basis, whether it be in primary or general elections, then the Act which the Commission is called upon to interpret mandates that candidates be treated equally with respect to contributions from the news media. Complainant suggests that when a station or newspaper makes equal space available to all, as part of the public information process, or that when a report which is printed is part of a bona fide news report generated by the staff of the newspaper, then the law does not apply.

But where, as here, a candidate, (Percy or Seith) receives free space from a station or publishers to state their views while they are engaged in a campaign, then these allocations of free space on a regular basis must be deemed to be a 'contribution' and be prohibited under the Act or else limited to the same expenditure and contribution limits which apply to private citizens.

Therefore, complainant asks that the Commission issue a declaratory ruling either barring free space or air time being given to any announced candidate for federal office, or that the Commission hold a publisher or broadcaster as an alternative must give free space or time to all opposing candidates.

Respectfully submitted,

ANTHONY ROBERT MARTIN-TRIGONA
One IBM Plaza Suite 2910A
Chicago, Illinois 60611
(312) 467-6760

VERIFICATION

ANTHONY ROBERT MARTIN-TRIGONA, being first duly sworn,

states and deposes he has read the foregoing complaint and the same

is true and correct to the best of his knowledge, information and

belief.

SUBSCRIBED TO AND SWORN BEFORE ME, A NOTARY PUBLIC IN THE
STATE OF ILLINOIS THIS 19 DAY OF DECEMBER, 1977

seal:



FEDERAL ELECTION COMMISSION

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

Mr. Anthony R. Martin-Trigona
One IBM Plaza Suite 2910A
Chicago, Illinois 60611

Re: MUR 486 (77)

Dear Mr. Martin-Trigona:

The Federal Election Commission has reviewed the allegations of your complaint dated December 19, 1977 and determined that on the basis of information provided in your complaint, 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, upon my recommendation, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 486 (77).

Sincerely yours,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

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

Mr. Alex R. Seith
Lord, Bissell & Brook
115 S. LaSalle Street
Chicago, Illinois 60603

Re: MUR 486 (77)

Dear Mr. Seith:

I am forwarding the enclosed complaint pursuant to section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure



78040062060



FEDERAL ELECTION COMMISSION

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

The Honorable Charles Percy
United States Senator
308 Linden Avenue
Wilmette, Illinois 60091

Re: MUR 486 (77)

Dear Senator Percy:

I am forwarding the enclosed complaint pursuant to section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter ~~any~~ further.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures



MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 22645

 **Mailgram**
western union



1-000942C006 01/06/78 TWX ARMTRIGONA CGO WSHA
001 CHICAGO IL

*ACC 2402
NRW*

CHARLES N. STEELE
ASSOCIATE GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEAR MR. STEELE:

THANK YOU FOR YOUR RESPONSE TO MY LATEST COMPLAINT.

HOWEVER, SOME TIME AGO I FILED AN EARLIER COMPLAINT
AND EXCHANGE CORRESPONDENCE WITH YOUR GENERAL COUNSEL,
AND I HAVE NOT HAD ANY RESPONSE TO THIS MATTER.

PLEASE INVESTIGATE AND GET BACK TO ME SINCE YOUR
STATUTORY PERIOD IS RUNNING TO PERMIT JUDICIAL REVIEW.

ALSO, PLEASE NOTE THE 1978 ILLINOIS PRIMARY ELECTION IS
MARCH 21ST. THEREFORE, I REQUEST EXPEDITIOUS ACTION ON
BOTH PENDING COMPLAINTS.

RESPECTFULLY SUBMITTED,

ANTHONY ROBERT MARTIN-TRIGONA

04:07 EST

MGMCOMP MGM

0 3 3 3



Mailgram



MAILGRAM POSTAL
CHARGES PAID

0 4 0 8 2

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



MUR 486



FEDERAL ELECTION COMMISSION

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

December 22, 1977

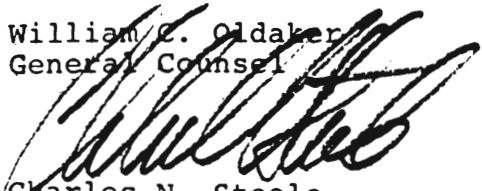
Mr. Anthony R. Martin-Trigona
One IBM Plaza Suite 2910A
Chicago, Illinois 60611

Dear Mr. Martin-Trigona:

This is to acknowledge receipt of your complaint of December 19, 1977, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel



JCC 2310
MAR 486

703718

Before The
FEDERAL ELECTION COMMISSION

ANTHONY ROBERT MARTIN-TRIGONA,)

Complainant,)

vs.)

DOCKET NUMBER:

CHARLES PERCY,
ALEX SEITH,)

Respondents.)

COMPLAINT FOR DECLARATORY RULING

Complainant is a candidate for United States Senator from Illinois running against Charles Percy in November, 1978, and Mr. Seith, the chosen instrument of Charles Percy in the March, 1978 Democratic primary election. This matter will not become moot until November, 1978, because complainant will run either as a Democrat or independent candidate against Percy as per expressed intentions to do so.

The basis of the complaint is as follows:

Each respondent is receiving free space in newspapers circulating in Illinois to state their views on issues in the campaign.

With respect to respondent Seith, he is not a public official, and he is not an employee or otherwise paid by the newspaper as a columnist of that paper. His "column" or what-have-you

78040062065

2/Complaint

is free space to state his views on matters which are at issue in the primary campaign.

As per the enclosed letter and response, counsel for one of Seith's papers has taken the view that giving free space to one candidate in a contested election to state his views is not an 'expenditure' under the statute. Complainant submits that when a newspaper regularly allocates free space to one candidate in an election, and gives him a free form of his own (as opposed to printing a letter to the editor in customary practice) that said free space amounts to a 'contribution' to the candidate under the statute, and especially so when this is not made available to all candidates on a First Amendment basis so they can all equally state their views, but is instead made available on a discriminatory basis to one candidate and denied to others.

Complainant asks a ruling that said free space being given to respondent Seith is a contribution and is subject to the contribution limits, and source limitations of the Act.

With respect to respondent Percy, as per the enclosed clip, Percy is also given free space in local newspapers to state his views, and free air time on some television stations to do likewise. So long as an incumbent is not an announced candidate for reelection, the giving of free space appears to be permissible. Once an incumbent becomes a candidate for reelection, and begins to operate on a partisan wave length, to give free space to that candidate and deny it to his opponents amounts to a contribution to the candidate for reelection.

7 8 0 4 0 0 6 2 0 6 6

3/Complaint

7 8 0 4 0 0 6 2 0 6 7

This is especially true in the Percy column enclosed because it involves a very controversial campaign issue, on which complainant is also filing suit to block distribution of nuclear wastes in Illinois and wherein the candidates are contending on a partisan basis. To allow a newspaper to give free space to one of the candidates, while denying it to others, or for a radio or tv station to do likewise (Percy has distributed a "Your Senator Reports" taped program which is produced with public funds) is to permit an unfair advantage to the opposing candidate who is denied the free air time or free newspaper space.

Once candidates have announced and are contending on a partisan basis, whether it be in primary or general elections, then the Act which the Commission is called upon to interpret mandates that candidates be treated equally with respect to contributions from the news media. Complainant suggests that when a station or newspaper makes equal space available to all, as part of the public information process, or that when a report which is printed is part of a bona fide news report generated by the staff of the newspaper, then the law does not apply.

But where, as here, a candidate, (Percy or Seith) receives free space from a station or publishers to state their views while they are engaged in a campaign, then these allocations of free space on a regular basis must be deemed to be a 'contribution' and be prohibited under the Act or else limited to the same expenditure and contribution limits which apply to private citizens.

4/Complaint

Therefore, complainant asks that the Commission issue a declaratory ruling either barring free space or air time being given to any announced candidate for federal office, or that the Commission hold a publisher or broadcaster as an alternative must give free space or time to all opposing candidates.

Respectfully submitted,

ANTHONY ROBERT MARTIN-TRIGONA
One IBM Plaza Suite 2910A
Chicago, Illinois 60611
(312) 467-6760

VERIFICATION

ANTHONY ROBERT MARTIN-TRIGONA, being first duly sworn,

states and deposes he has read the foregoing complaint and the same is true and correct to the best of his knowledge, information and belief.

SUBSCRIBED TO AND SWORN BEFORE ME, A NOTARY PUBLIC IN THE
STATE OF ILLINOIS THIS 19 DAY OF DECEMBER, 1977

seal:

78040062063

ANTHONY ROBERT MARTIN-TRIGONA

ONE IBM PLAZA SUITE 2910A
CHICAGO, ILLINOIS 60611
(312) 467-6760

October 19, 1977

Mr. Richard Orlikoff
Frankel, MnKay, Orlikoff
208 S. LaSalle
Chicago, IL 60604

Dear Mr. Orlikoff:

7 8 0 4 0 0 5 2 0 6 9
It is not often that I find LaSalle Street lawyers committing absurd arguments to print, but your letter re Alex Seith and the Economist must fall into that category. You should feel embarrassed by your misstatement of the applicable law. You cite a an area of FEC regulations that has absolutely no bearing on the issue in question. The FEC provisions are addressed to endorsements or editorials of candidates by newspapers; they certainly were not directed at permitting newspapers to provide continuing free space in the guise of "editorial" content to candidates, to the benefit of some and exclusion of others. If the Economists want to endorse Seith before he is dumped by his organization I recognize that privilege; however, they may not give him free space to print his views--which is a thing of value--with falling under contribution limits and requirements that such space be given to all.

Kindly respond in writng to the merits of the issue promptly to avoid unnecessary litigation and embarrassment to your clients.

Very truly yours,

ANTHONY ROBERT MARTIN-TRIGONA

ARMT:sp

P.S. For the record, I would like you to state in your response whether Mr. Seith is paid for the editorials and if he is listed as an employee for federal income tax reporting purposes by the Economist.

LAW OFFICES

FRANKEL, MCKAY, ORLIKOFF, DENTEN & KOSTNER

208 SOUTH LA SALLE STREET

CHICAGO, ILLINOIS 60604

312-263-4040

October 10, 1977

RALPH E. ANDEJESKI
DENNIS J. CARLIN
RAYMOND T. DENTEN
JAMES R. FRANKEL
JOSEPH O. KOSTNER
DANIEL C. MCKAY
ROGER K. METZ
ALFRED J. MITCHELL, JR.
RICHARD ORLIKOFF
DEWEY D. SUSTER
JOHN N. TIERNEY

REFER TO FILE NUMBER

RANDOLPH K. BLONBERG
JAMES M. HURLEY
THOMAS H. JACOBS
GEORGE L. KOVAC
RALPH T. MCKEAN
ROBERT J. PETERS
ALAN F. SAAKE
ALADAR F. SILES

Mr. Anthony R. Martin-Trigona
Suite 2910A
One IBM Plaza
Chicago, Illinois 60611

Dear Mr. Martin-Trigona

The editor and the publisher of the Southtown Economist have referred to me your letter to them of September 23, 1977. In the letter you contend that the column printed in the Southtown Economist which is written by Alex Seith constitutes a contribution to Mr. Seith's political campaign. You contend that since the Southtown Economist is published by a corporation, such a contribution is not permitted under the Federal Election Campaign Act. You further contend that the amount of the contribution exceeds that permitted under the Act.

We have examined the Federal Election Campaign Act and the applicable judicial decisions. We call to your attention 18 U.S.C. §591(f)(4)(A) and 2 U.S.C. §431(f)(4)(A). These sections provide that newsstories, commentaries or editorials are exempt from the definition of the term "expenditure" as used in the Act, "unless such facilities are owned or controlled by any political party, political committee or candidate...." This exemption was given judicial construction by the United States Supreme Court in the case of Buckley v. Valeo, 424 U.S. 1. The effect of the quoted sections and the Buckley v. Valeo decision make it quite clear that newspapers which are not controlled by a political candidate or by a political committee or political party are exempt from the provisions of the Act, in that the publication of editorial material or commentary shall not be deemed an expenditure under the Act.

78040062070

LAW OFFICES

FRANKEL, MCKAY, ORLIKOFF, DENTEN & KOSTNER

Page Two

Letter to Mr. Anthony R. Martin-Trigona

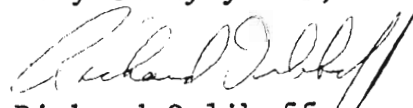
Of course, any attempt by Congress to restrict the editorial material or commentary that may be published in the Southtown Economist would violate the freedom of press guarantee as expressed in the First Amendment of the United States Constitution.

We assure you that the Southtown Economist is not owned in any part by Mr. Seith, by any committee connected with Mr. Seith, or by any political party; and it is not controlled by any such entity.

Mr. Seith's column has been printed in the Southtown Economist for several years, and long before Mr. Seith announced his candidacy for U.S. Senator.

As a candidate for that same office, I am sure that you recognize fully the vital role of a free press in the American political system. The First Amendment is designed to insure a free, open and robust debate on all issues affecting our society and our government. Along this line, we trust that you will make available to the Southtown Economist any press releases that you may issue in the conduct of your campaign, and that you will invite representatives of the Southtown Economist to your press conferences. In accordance with past policies of the Southtown Economist we will make every attempt to provide to readers of the Economist full, fair and complete coverage of the upcoming primary and general election for United States Senator.

Very truly yours,


Richard Orlikoff

RO:nh

78040062071

newsclip
midwest/chicago
283-1065

SUBRN. ECONOMIST
WEST EDITION
CHICAGO, IL
W C 9,050

NOV -13-77

Perspectives

Moscow's phoney celebration

By ALEX R. SMITH

They were celebrating in Moscow last night for the reasons they said. It was the anniversary of the Bolshevik seizure of power in 1917. And what the Kremlin said they were celebrating were the "glorious" results of the revolution and the great advances of the great Soviet Union.

But the masses were really celebrating the anniversary of power. In 1917, the communist party, under Lenin, set out to establish a "dictatorship of the proletariat" — that is, a dictatorship, all right, but by the proletariat—or workers—over the bourgeoisie.

At the time, they said they would create a new society. That's what they were celebrating in Moscow last week. They were celebrating the anniversary of the seizure of power and the beginning of the communist era.

The celebration has, however, turned into a series of most strident sermons. The masses have all the privileges of a democracy. Their children get the best schools. Their wives get to shop in exclusive stores where Western

goods are sold at bargain prices. They get the cars, and dachas and better food. They even get to pass on many of these privileges to their children. But, enjoying an inheritance system Lenin had promised to destroy.

In a "Letter to Leonid Brezhnev" reprinted in the New York Times magazine, a former high-ranking Soviet official painted a simple, but compelling picture of what is wrong with Soviet society. Boris Rabbat, a former political consultant to Brezhnev, said he wrote not "out of spite or to settle old scores, even though your ideas, in conflict with mine, are finally what forces me into exile."

Rabbat says he took no pleasure "in having to start life all over again, from scratch, at the age of 42," but Rabbat left behind a message for the Soviet Union. He said the Soviet Union is a "land of the living dead" and that the only way to save it is to "return to the values of the 19th century."

What Rabbat means is a steady backsliding toward authoritarianism. On the 60th anniversary of the Bolshevik Revolution even more authoritarian and repressive than it was on the 60th anniversary in 1967.

"You wanted to bring about order and discipline after Khrushchev's chaos and 'disorder' instead," Rabbat writes. "Instead, new 'dissidents' crop up like mushrooms after the rain. You wanted to restore controls of the international communist movement; instead, you left yourself sandwiched between the Chinese horde and the challenge of Eurocommunism. You wanted to stabilize relations with the West and fend off old-fashioned Stalinist excesses at home; instead, your foreign policy is falling apart and you are providing over a drift to neo-Stalinism."

Brezhnev's failures abroad are caused by his failures at home, his ex-advisor believes. What is basically wrong, Rabbat argues, is that a large, complex nation cannot operate successfully with a single, authoritarian leadership.

Even the system of central planning, which has produced a certain productivity, people are not creative. When the system demands that people are not creative. When the government breaks faith with people by feeding them a daily diet of lies, it is no wonder they don't believe much of the official propaganda.

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Letter from Washington

by Senator Charles H. Percy

During a recent trip to Illinois, a number of persons expressed concern to me about the disposal of nuclear wastes at two locations in the State.

At Morris in Grundy County and Sheffield in Bureau County, nuclear wastes are stored underground. These wastes are potentially dangerous by-products of nuclear generating plants and medical laboratories that must be disposed of carefully to avoid exposure to deadly radiation.

Committees in both the House and the Senate are considering investigations into the Federal-State jurisdiction over the disposal of nuclear wastes. I will continue to take an active interest in this matter, especially as it pertains to the facilities at Morris and Sheffield.

Our next step I determine not only how the Federal role in coordinating jurisdiction over nuclear waste disposal can be improved, but also if transportation and storage facilities are meeting safety requirements.

At Sheffield, the company which is burying nuclear waste has a Federal license that expired nine years ago. The company filed the necessary re-application forms, and remains in compliance with the law. However, both the Atomic Energy Commission and its successor, the Nuclear Regulatory Commission, have failed to consider renewal of the license.

The Federal government is also guilty of lax inspection procedures. Inspectors visited Sheffield sporadically, and once stayed away for 35 months. Federal inspectors also failed to consult on a regular basis with State inspectors.

Authority over the Morris and Sheffield sites is fragmented among the State and two Federal agencies, the Nuclear Regulatory Commission and the Environmental Protection Agency. I believe the enforcement of standards must be better supervised to ensure the safety of those who live near the Morris and Sheffield sites.

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BOX 11204

CHICAGO, ILLINOIS 60611



Mr. William Oldaker, General Counsel
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463



FEDERAL ELECTION COMMISSION

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

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