



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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The
LaRouche Democratic
Campaign

P.O. Box 17068, Washington, D.C. 20041

April 2, 1986

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COMMUNICATIONS SECTION

Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Dear Sirs:

This is a complaint against the national Anti-Defamation League of B'nai B'rith (ADL), its chapter in Chicago, Illinois, the American Jewish Committee in Chicago, Illinois, Nathan Perlmutter national director of the ADL and Jonathan Levine director of the American Jewish Committee in Chicago for failing to register and report to the Federal Election Commission as political committees as provided for in 2 U.S.C. sec. 433 et seq.

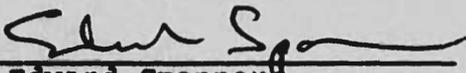
The above named individuals and organizations have publically stated that they are actively engaged in opposing the candidacy of Lyndon H. LaRouche, running for the Democratic Party nomination for president. At this time, candidate LaRouche is the only officially declared and duly registered candidate for the 1988 presidential elections. Furthermore, these individuals and organizations are engaged in opposing other candidates for federal office who consider themselves "LaRouche Democrats." (See attached March 28 - April 3, 1986 Jewish World article.) [Exhibit A] Upon information and belief similar activities are being done by other chapters of the ADL as well.

Such political activity on the part of the ADL and its officials is not a new phenomenon. I have attached a section of a deposition transcript Irwin J. Suall, director of the national ADL's fact finding division, in which he admits that he went to CBS' '60 Minutes' staff to solicit a national press slander against Lyndon LaRouche's 1980 campaign for the Democratic Party presidential nomination. [Exhibit B] In 1984, an Italian journalist who had come to the United States to observe and cover the Democratic Party primaries interviewed a Mr. Jerry Rosen of the Philadelphia, Pennsylvania ADL office. He stated to that journalist that he and the ADL "solicit persons to utilize" derogatory materials they had prepared. Additionally, they contacted all area media in an effort to prevent any positive news coverage of Mr. LaRouche's campaign. (See attached affidavit of Giuliana Sammartino.) [Exhibit C]

Based upon the recent declarations of Mr. Perlmutter and Mr. Levine, as demonstrated in the Jewish World, as well as the historical pattern of other ADL officials intervening into the

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electoral process, I believe the Federal Election Commission must investigate and cause these persons and organizations to comply with the law. Further, I believe, in keeping with the ADL's past activities and Mr. Perlmutter's statements in the Jewish World, the ADL intends to persist in this electoral activity. Therefore, I request that the Commission take the appropriate steps to enjoin these prospective violations as well.

Signed: 
Edward Spannaus
Treasurer

Signed and sworn to
before me this 2nd day of April, 1986.


Notary

My Commission Expires
March 24, 1989

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BACKGROUND REPORT

LaRouche III. win: media, pols, Jews caught sleeping

By EDWIN BLACK

CHICAGO—Lyndon LaRouche won in Illinois March 18. And Jewish organizations, civil rights groups and the media are struck with a stunned, often deeply embarrassed, silence at the enormity of their oversight. Virtually without exception, they failed to foresee the outcome—or even detect and inform the public of the Larouchian backgrounds of the eventual winners.

In the wake of the debacle, a completely new strategy may be necessary for dealing with sophisticated political extremism such as that espoused by the paranoid right-wing millionaire who counts Russia, the Queen of England and Zionists among the members of a conspiracy out to thwart his political designs and eliminate him. Most people already know that LaRouchies Mark Fairchild and Janice Hart won Illinois' Democratic nominations for lieutenant governor and secretary of state, respectively, in the primary elections last week.

They did so not by rabbleroising and winning hearts for LaRouche, but by silently invading the political process. In doing so, they owe a debt of gratitude to the media, Jewish organizations and regular political forces, all of whom were asleep at the switch, though some Jewish organizations also cited the limitations on their involvement in elections imposed by their status as not-for-profit, tax exempt groups.

First, the explanation of why they were elected. Nobody knows.

Chicago has been reeling with Wednesday morning political analyses, and nearly everyone is pointing at the other guy. The truth is, few outside of Chicago can comprehend the bizarre character of Chicago politics. Phony candidates, Republicans posing as Democrats, phantom populations, firing shots into and burning down one's own campaign office—all this and more is so commonplace here, many are cynical about the very idea of elections.

Even in this election, reporters

yawned as candidates reported gunshots through their window and mysterious telephone threats. One local candidate had the misfortune of becoming the legitimate victim of a hit-and-run accident; the dazed teenage driver from the other side of town charged with the crime was immediately accused of fronting for an assassination.

More importantly, Chicago is notorious for negative voting. In a city where Mickey Mouse regularly scores a respectable write-in vote, and where the Communists give a hullava fight for the race to become a trustee of the Metropolitan Sanitary District, many people have been raised since childhood to blindly vote against, rather than for, candidates—especially candidates slated by political rivals.

What's more, the Democratic machine has been deliberately running silent, unknown and unpublicized candidates for generations. In fact, many prominent politicians began their careers by keeping their mouths shut, avoiding public appearances and simply waiting for the machine to deliver them into office.

The Ethnic Factor

In the absence of any real information about a candidate, primary election voters often vote their ethnicity. Hence Polish, Irish, Jewish and Italian names are carefully sprinkled throughout the ballot. And the opposite also occurs. People vote against ethnics.

LaRouche strategists undoubtedly understood much of this in slating Fairchild and Hart. In a state where whole stables of dark horses flourish

office without anyone noticing.

The insular complacency and internal rivalries of Illinois Democratic politics allowed several longshot political potentials to run wild.

First, Fairchild and Hart won big in Chicago's black wards, loyal to Chicago's first black mayor, Harold Washington.

In a city where Mickey Mouse regularly scores a respectable write-in vote, many people have been raised since childhood to blindly vote against, rather than for, candidates—especially candidates slated by political rivals.

Washington is engaged in a daily wrestling match with the regular and very white Democrats (with the striking exception of many Jewish ones). A leader of those white regulars is Alderman Roman Pucinski, whose daughter Aurelia was slated for secretary of state. Regardless of Aurelia's qualifications, "the name Pucinski is not one of our favorites," conceded Leroy Thomas, executive editor of Chicago's *Defender*, the main black daily.

Washington's black machine cranked up against the white machine, including Aurelia Pucinski. Fully 73 percent of Chicago's black

The only other candidate was Janice Hart. "But that 73 percent was not informed of who or what the other candidate was," asserted Thomas.

Although the black media knew Pucinski's opponent would be elected, no effort was made to discover Hart's plank or enlighten the black electorate on her extreme right-wing views. Editor Thomas conceded that his staff is handcuffed when it comes to political coverage. "At this newspaper, the chairman of the board is the political editor," he confessed. "Our chairman guided our activities prior to election." So the *Defender* was silent.

Mainstream Media Disinterest

The Chicago *Sun-Times*, one of two local dailies, can't boast of any better performance. Respected *Sun-Times* political reporter Basil Talbott confirmed that he was aware of the movement against Pucinski, and he knew Hart was a LaRouchie. But the *Sun-Times*, which boasts a black readership far in excess of the *Defender*, also failed to inform its audience.

"As a newspaper, we didn't run even one story on that race," said Talbott. He added, "No, I didn't even think of or offer to do an analysis story. And I can't give you an idea why."

The Chicago *Tribune*, the four television stations and several radio news departments performed about the same.

Chicago's two Jewish newspapers likewise missed the mark. The *Sentinel*, Chicago's major weekly, doesn't maintain reporters to cover local news. *JIF News*, published by

LaRouche

continued from page 6

The Chicago Federation, only appears once every five weeks and endures controversy in favor of light features. So Fairchild and Hart escaped local Jewish media notice as well. This reporter does not cover local politics but readily joins the list of those who didn't know.

However, press distortions in LaRouche campaigns is traditional. They are perennial fringe candidates, and as such, fall into the growing collection of clowns and oddballs that regularly run for office. They never get invited to major political debates, have no real popular support or political base and rarely receive news coverage.

The bottom line is that an apathetic press did not inform the black constituency that in voting against Pucinski they would be voting overwhelmingly for LaRouche candidate Janice Hart and her far right agenda, deeply hostile to traditional black interests.

Blacks also voted against the regular white Democratic choice for lieutenant governor, Harold Sangmeister, on similar grounds, with many aware the machine had passed up a well regarded black woman candidate to endorse this political unknown. They provided Fairchild, his only opponent, with 66,000 of his 336,000 votes.

But blacks were hardly the sole proponents. White liberals, political junkies and anyone else who reviles machine politics voted against the regulars Pucinski and Sangmeister. For example, the big thinkers in the University of Chicago's neighborhood voted for Fairchild two to one over Sangmeister.

The Downstate Factor

Downstate—a Chicago term for Illinois farmers and small town folk—also contributed to the LaRouche victory. "It's all Republicans down there," joked one Illinois Congressional aide. "Half the state is below the Mason-Dixon

line. The only thing that was worse than stickers and Jews is Democrats."

Voting against Chicago politicians is also a veritable passion downstate. Black primaries permit crossover voting, in which registered Republicans can freely vote in Democratic primaries and vice versa. Even in Chicago's Republican suburbs many people commonly vote in the Democratic primary just to cause mischief.

As can be expected, two ethnic sounding names such as Sangmeister—who is not Jewish, despite the connotation—and Pucinski didn't play well in Peoria. Roughly two-thirds of the downstate vote went to Fairchild and Hart. Even established downstate Democrats voted against the ethnic names. In Taylorville, Democrat Tim Sutton admitted to a *Times* reporter, "I voted for them because they had smooth-sounding names."

While the common wisdom is that Fairchild and Hart received downstate votes by accident, Jonathan Levine, director of the American Jewish Committee in Chicago, is accumulating a body of evidence indicating that LaRouchies actually campaigned in key central Illinois counties. For the past several weeks, the committee has had two investigators traveling throughout Illinois, keeping tabs on LaRouche candidates.

"In the three counties where they received the highest votes, we know they were there talking about farm foreclosures," said Levine. Levine plans to hold a press conference to announce the data in early April.

Democratic leaders irresponsibly. For whatever reason Democrats voted for LaRouche candidates, the Democratic Party itself clearly must assume the ultimate responsibility. Arrogant, factional and selfish, its leaders were so busy undermining their rivals they forgot about the public welfare. Chicago's county Democratic chairman, Edward (Fast Eddie) Vrdolyak, kingmaker of the state's regulars, only learned that Fairchild and Hart were LaRouchies after the election, when a reporter in-

formed him. "They were?" he said in chagrin.

Yet the politicians and the media both had ample warning. In Chicago's neighboring DuPage County, an affluent Republican stronghold, the stalwart Democratic Party was swept by unannounced LaRouchies during the last election. The surprise development was given prominent media play when discovered. Still, no one was on the alert this time around.

"The Democrats were vulnerable in DuPage," said Talbot, the *Star Times* political reporter. "One did not see that vulnerability in statewide races. But we were wrong. The assumption now is that the pattern

Even established downstate Democrats voted against the ethnic names. In Taylorville, Democrat Tim Sutton admitted, "I voted for them because they had smooth-sounding names."

will continue. We'll try to anticipate the next surprise."

Jewish Groups Didn't Know

The Jewish community has developed its own institutions for avoiding surprises. But these bodies were also caught off-guard. The premier defense group is the Anti-Defamation League of B'nai B'rith. Its Chicago director, Michael Kotzin, conceded, "We were not aware that these two candidates were LaRouchies. The media had not announced their affiliation, and they were not running publicly as LaRouchies."

Levine of the Chicago office of the American Jewish Committee added, "We didn't know either, and we clearly fell down." The American Jewish Congress' small Chicago operation, which rarely gets involved in such matters, issued no statement and could not be reached for comment.

One of the reasons Jewish groups were surprised was because LaRouche publications, which typically announce his candidates' names, were distributed and received only at the last minute. For example, the March 7 issue of *New Solidarity*, a LaRouche newsletter, made an almost imperceptible passing reference to Fairchild and Hart. But it was received in the Chicago office of the ADL only a few days before the election. And ADL staffers did

not place enough their mail stack until the day of the vote, March 18.

A two-page article on the Illinois primary in the March 14 issue of *LaRouche's Executive Intelligence Report* was not received by the New York office of the ADL until election day. The American Jewish Committee's Chicago office likewise did not receive its copy of *New Solidarity* until after the election.

Even if Jewish groups had learned of the LaRouche candidacies, they probably would not have been worried. "This victory was not based on any pattern," argued Kotzin of the ADL. "Do you have any idea how run many elections their people have run in? And did they get anywhere? No. This was a first."

Concern for Non-Profit Status Cited

Moreover, Kotzin contended that even if the ADL had become alarmed, there was little it could do officially during an election campaign. "Given our 501(c)3 tax status," explained Kotzin, "we are restricted from taking steps regarding candidates and being involved in political campaigns." This tax classification grants exemption from income tax to non-profit educational, charitable, religious and civic organizations. Those receiving it are prohibited from endorsing or opposing political candidates in an election.

ADL officials in New York echoed Kotzin on this point, noting that federal tax law restricts tax-exempt status to charitable and educational groups that do "not participate in or intervene in (including the publishing or distributing of statements) any political campaign on behalf of any candidate for public office."

Said Naps Perlmutter, national director of the ADL: "If 501(c)3 says we won't talk about Hart or Fairchild, it's not worth risking the tax-exempt status." But Perlmutter conceded his group could vigorously publicize information right-wing organizations tied to such candidates, as distinct from lobbying directly for or against the candidates. "Nothing in that law," he proclaimed, "alarms us from discussing the meaning of Lyndon LaRouche and his organization if we see their people running."

The fact is, the ADL has pounced on electoral candidates in the past. A notable example is the 1963 mayoral race in Miami Beach when, at the height of his campaign for reelection, incumbent Norman Cisneros declared he would erect roadblocks to keep out Cubans. The reference was to Mariel boatlift refugees, many of whom were indeed causing a crime panic in Miami Beach. Within hours of the comment, the Miami ADL office issued a stern letter of condemnation universally credited with causing the mayor to withdraw his candidacy. But in that

case, Cisneros had made a clear racist appeal. And the ADL's aim must only address his remarks—not his candidacy. The issue is delicate. ADL attorneys are consulted before any such action is taken during a campaign.

The ADL insisted that it meant to the tax statute. But other Jewish organizations are less willing if the "black candidates are anti-Jewish."

Informal, Publicity Permittee: "I'm not going to worry about 501(c)3," asserted Levine of the AJCommittee. "Even now a list being put together of all of the LaRouche candidates is circulating around the country. We are not trying people to vote for or against. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision. The more information people have, the better the democratic process will operate."

Ironically, Moral Majority leader Jerry Falwell, among others, has long deftly worked around the limitations cited by the ADL. His newsletter and other publications issue sharp pronouncements regarding the stands of various candidates on abortion, school prayer, aid to the Contras and other issues that court extreme endorsements and rejection of the candidates in all but name.

Recently, Falwell restructured Moral Majority, a 501(c)3 body, so can co-exist with the newly created Liberty Federation, a 501(c)4 entity. This classification is for civil organizations and political bodies that do political lobbying. Though non-profit, they are not tax-exempt. Falwell's Liberty Federation will actively lobby for and against candidates.

In devising a more militant Jewish response, speed is necessary because LaRouchies plan to infiltrate the Democratic Party throughout the nation, wherever the party is weak and vulnerable. In this same Illinois primary, for example, in addition to the celebrated Fairchild and Hart nominations, 11 other LaRouche candidates ran for Congressional seats in traditionally Republican districts; three did well, and two won the nomination. In Santa Ana Calif., another entrenched Republican area, Democrats have just discovered that 29-year-old A. Hoffman is a LaRouche candidate for State Assembly.

Hart's 1980 Campaign Infiltrated: "This tactic seems to be long in the making. According to a former organizer for Gary Hart's presidential campaign in Chicago, Hart people suspected some of their 1980 delegates were LaRouchies.

"They were originally (Florida governor) Reuben Askew delegates," she said, "and rumors to actually have been with LaRouche. First they tried to defect to John Glenn. But Glenn refused to back these dudes. So then they endorsed Hart. I felt terrible because I knew deep down I didn't want these guys in my campaign, but couldn't do anything to stop them."

Obviously, something must be done before LaRouchies infest the Democratic Party sufficiently to affect the next presidential election—their ultimate goal. Consequently, all candidates must now be checked and extremists exposed, especially where they stand a chance of benefiting from a backlash vote. Illinois must be LaRouche's first and last such victim. □

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ORIGINAL

UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

LYNDON H. LAROUCHE, JR.,

Plaintiff,

v.

NATIONAL BROADCASTING COMPANY,
INC., et al.,

Defendants.

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X
:
:
:
:
:
:
:
:
:
:
X

Civil Action No. 84-0136-A

Washington, D.C.

Tuesday, July 10, 1984

Deposition of:

IRWIN J. SUALL,

a defendant, was called for examination by counsel for the plaintiff pursuant to Notice and agreement of the parties as to time and date, beginning at approximately 11:40 o'clock, p.m., in the law offices of Arent, Fox, Kintner, Plotkin & Kahn, Esquires, 1050 Connecticut Avenue, Northwest, Washington, D.C. 20036 before Jody E. Goettlich, a Notary Public in and for the District of Columbia, when were present on behalf of the respective parties:

CAROL J. THOMAS
STENOTYPE REPORTING SERVICES, INC.
3162 MUSKET COURT
FAIRFAX, VIRGINIA 22030
273-9221 ... 273-9222

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1 Q When was the first such conversation you had with
2 Dennis King.

3 A I don't remember exactly.

4 Q Was it years ago?

5 A It was while he was writing his series, toward the
6 end of his series of articles in "Our Town" magazine.

7 Q By "Our Town magazine" you mean a weekly publication
8 that is distributed in Manhattan, New York City, called "Our
9 Town"?

10 A That is right.

11 Q Did you supply any information to Mr. King about
12 LaRouche for publication in that publication?

13 A No.

14 Q Did you call Dennis King or did he call you with
15 regard to the individuals you have just described?

16 A I called him.

17 Q. What did you say to him?

18 A I said: "The television program '60 Minutes' may be
19 interested in doing a program on the LaRouche cult. Do you
20 know some former members who would be willing to talk to them,
21 who would be willing to talk to a researcher for '60 Minutes'?"
22 And the consequence was this series of meetings.

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1 Q How did you know that "60 Minutes" might be
2 interested in doing such a program?

3 A We contacted "60 Minutes," indicating that we thought
4 there was a group that would be of interest to their viewers;
5 namely, the LaRouche outfit. And we told them a little of our
6 impressions as to what this organization was like. And they
7 did assign a researcher to work with us to see whether there
8 was a basis there for a program.

9 Q What was the name of the researcher, do you recall?

10 A It is on the tip of my tongue and I just can't
11 remember it at the moment.

12 Q If you do, you will supply it.

13 Mr. Suall, when you say you told them -- meaning CBS,
14 I take it -- about the LaRouche group or gang or however you
15 characterize it, what was it you told the people at CBS?

16 A "This is a bizarre cult that combines in its program
17 and activities anti-Jewish bigotry, character assassination,
18 cultlike characteristics, paramilitary training, violence
19 against its enemies, to name just a few."

20 Q What cultlike characteristics did you refer to?

21 A Do you mean: did I have in mind?

22 Q Yes.

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APPIDAVIT OF GIULIANA SAMMARTINO

STATE OF PENNSYLVANIA:

SS

COUNTY OF PHILADELPHIA:

2535

1. I am an Italian citizen presently visiting the United States. I reside in Milan, Italy. I am a journalist by occupation. I am the editor of War on Drugs Magazine in Italy, which is a publication founded by Lyndon B. LaRouche, Jr. Since arriving in the United States on February 26, 1984, I have been visiting with colleagues and studying, investigating, and observing the 1984 Presidential election process in the United States.

2. On March 23, 1984, in Philadelphia, Pennsylvania, I telephoned Jerry Rosen of the Philadelphia Anti-Defamation League (ADL) of B'nai B'rith. I called Mr. Rosen because Linda de Hoyos of the LaRouche Campaign asked me to investigate whether or not the ADL in Pennsylvania was engaged in partisan political activities against Mr. LaRouche in Pennsylvania. I am personally familiar with various defamations which have been circulated by the ADL against Mr. LaRouche, including the defamation that Mr. LaRouche is an anti-Semite. Since these defamations had been circulated in the press in Pennsylvania, Mrs. deHoyos, from the LaRouche Campaign, suspected that the ADL was attempting to influence the vote in Pennsylvania by campaigning against LaRouche. I was asked by Mrs. de Hoyos to approach the ADL as an Italian journalist and to discover the ADL's activities against LaRouche in Italy and Europe.

3. I called the ADL to inquire about a forum at the University of Pennsylvania, held by the ADL in collaboration with the Hillel Foundation, on extremist groups. I was referred to Mr. Jerry Rosen, who asked me to meet with him at the office of the ADL to discuss it. I told Mr. Rosen that my name was Anna Maria Levi and that I was a free-lance Italian journalist.

4. On March 30, 1984, I met with Mr. Rosen at 11:00 a.m. at the Philadelphia headquarters of the Anti-Defamation League of B'nai B'rith, which is at 225 South 15th Street, Suite 901, in Philadelphia. Jerry Rosen is the "community consultant" of the Philadelphia Anti-Defamation League.

5. The meeting began with a discussion of neo-Nazi organizations, in which Mr. Rosen and I traded information on neo-Nazi organizations in Western Europe, including the Gree Party of West Germany, and the MSI of Italy. In this context, I brought

up the issue of the LaRouche organization in Europe, the European Labor Party, and the discussion from then on centered on Mr. LaRouche and his organization and Presidential campaign in the United States. The meeting lasted one and a half hours.

6. In describing the ADL's activities against LaRouche and his personal function in these activities, Mr. Rosen stated that his duties in the ADL were "monitoring" Lyndon H. LaRouche, Jr., and the LaRouche for President campaign. He cited, as one example of his monitoring activities, the fact that he taped Mr. LaRouche's March 17th Pennsylvania television broadcast and sent the tape to the ADL office in New York.

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7. Mr. Rosen pointedly told me that the ADL's tax-exempt status prevented the ADL from doing anything in its own name and publicly against Mr. LaRouche or the LaRouche Presidential campaign in response to my entreaty as to why the ADL was not doing more against LaRouche. He then detailed for me what the ADL was actually doing against the LaRouche campaign in Pennsylvania.

8. Mr. Rosen stated that he and the ADL were in touch with all the media in Philadelphia, and that he personally was in touch with all the managers of Philadelphia television stations concerning Mr. LaRouche's Presidential campaign, and preventing any positive news coverage of the campaign. Mr. Rosen stated that he, on behalf of the ADL, had called the Manager of WPVI (Channel 6 television) to ask the station not to air a paid LaRouche political advertisement on Channel 6, an ABC affiliate. The broadcast did not air on Channel 6.

9. Mr. Rosen also stated that he and the ADL provide materials to people who are in a position to publicly campaign against the LaRouche Presidential candidacy. The ADL solicits persons to utilize these materials in public campaigns against LaRouche, according to Mr. Rosen. He solicited my cooperation in such efforts and asked that I conduct a publicity campaign against LaRouche in Italy utilizing ADL materials. Mr. Rosen said that this was an example of how the ADL functioned against LaRouche, by having journalists utilize materials they cannot utilize themselves.

10. Mr. Rosen and I traded information about LaRouche's activities in Italy and in Pennsylvania. In the course of this part of the discussion, Mr. Rosen informed me that the LaRouche campaign was targeting Pennsylvania for campaign activities, and a large vote, because LaRouche had support, influence and power in Pennsylvania. Mr. Rosen stated that this situation had occurred because people in Pennsylvania did not know who Mr. LaRouche was, and it was the ADL's job to remedy this. Mr. Rosen stated that one of the first things the ADL told people and attempted to publicize was that LaRouche was not a Democrat.

11. In describing activities of the LaRouche Campaign and her Federal candidates associated with Mr. LaRouche's policies in Pennsylvania, Mr. Rosen stated that a big issue was being made by Henry Kissinger. He said the primary thrust of the campaign seemed to be "vote for the man who hates Henry Kissinger." Mr. Rosen said that the Jewish Exponent had made a decision not to support Congressional candidate Susan Bowen and her intervention into the Jewish organizations because it would build support for her. Mr. Rosen was also aware of the fact that Mrs. Bowen was actively campaigning in the Jewish community, and that Mrs. Bowen had visited Jewish organizations on March 26 with an article by Anton Chaitkin, a historian who works with Mr. LaRouche. According to Mr. Rosen, the article claims that the B'nai B'rith had attempted to stop the American Jewish congress boycott against Nazi Germany in the 1930s. Mr. Rosen was concerned about the impact of the Chaitkin article in the Jewish community. He expressed his worry that the LaRouche organization would take advantage of the recent Goldberg Commission report to gain support in the Jewish community.

2537

12. Rosen stated that Lyndon LaRouche was very strange, he was "both left and right." Rosen said that War on Drugs Magazine was the source of a LaRouche statement that the Jewish people controlled the drug trade. I know that no such statement was ever made by War on Drugs magazine. Mr. Rosen also stated that in 1980, Lyndon LaRouche received \$1 million from the Federal government as a Presidential candidate.

13. In response to a specific inquiry by me concerning whether the ADL worked with any government intelligence agencies concerning Mr. LaRouche, Mr. Rosen bragged that the FBI worked with the ADL against Mr. LaRouche's campaign. He said that the FBI collaboration with the ADL began when the ADL and the FBI began to work together to track down Nazis. He said that he was personally in touch with the FBI concerning Mr. LaRouche's campaign, but when I asked whether or not I could speak to the FBI agent who would know about this, he said he would not allow this or give me the FBI agent's name. He said that he would speak to the agent and tell me what the agent said.

14. Mr. Rosen tried to make specific how I could work against Mr. LaRouche in Europe. He referred me to three people

to work with in the ADL New York headquarters: Nathan Foxman, Nathan Rapoport, and Frank Pels. He also referenced that the ADL had worked against Mr. LaRouche in Paris, France.

15. Mr. Rosen provided me with a copy of the August, 1982, ADL dossier on Lyndon LaRouche. It is entitled "The LaRouche Network: A Political Cult".

Giuliana Sammartino
GIULIANA SAMMARTINO

Sworn to and subscribed
before me this 9th day
of April, 1984.

Linda L. Ridley
Notary Public

2538

LINDA L. RIDLEY
Notary Public, Phila., Phila. Co.
My Commission Expires July 19, 1986

21040324312



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

Edward Spannaus, Treasurer
The LaRouche Democratic Campaign
P.O. Box 17068
Washington, D.C. 20042

MUR 2163

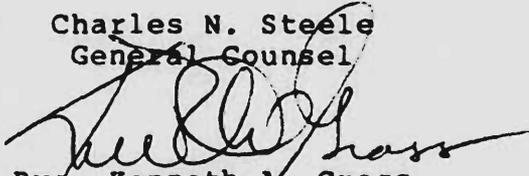
Dear Mr. Spannaus:

This letter will acknowledge receipt of a complaint filed by you which we received on April 14, 1986, which alleges possible violations of the Federal Election Campaign Act of 1971, as amended, (the "Act"), by the Anti-Defamation League of B'nai B'rith Chapters of New York and Chicago, and Nathan Perlmutter, National Director; the American Jewish Committee, and Jonathan Levine, Director. 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 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 procedures for handling complaints. We have numbered this matter under review MUR 2163. Please refer to this number in all future correspondence. If you have any questions, please contact Lorraine F. Ramos at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

21040324913



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

American Jewish Committee
55 East Jackson Street
Suite 1870
Chicago, Ill. 60604

Re: MUR 2163

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the American Jewish Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2163. 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 the American Jewish Committee in 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.

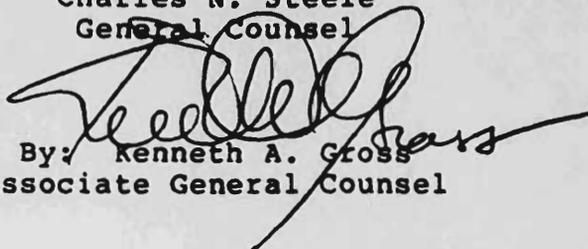
This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

91040324814

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200. 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

Enclosures
Complaint
Procedures
Designation of Counsel

21040324315



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

Anti-Defamation League of B'nai B'rith
823 United Nations Plaza
New York, NY 10017

Re: MUR 2163

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the Anti-Defamation League of B'nai B'rith may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2163. 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 the Anti Defamation League of B'nai B'rith in 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.

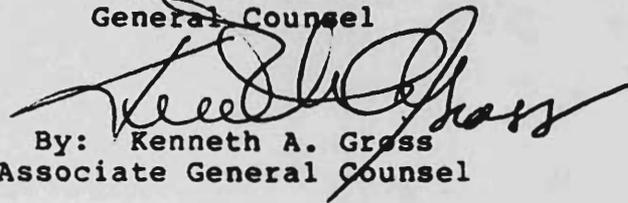
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

21040324316

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200. 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

Enclosures
Complaint
Procedures
Designation of Counsel

91040324817



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

Anti-Defamation League of B'nai B'rith
222 W. Adams Street #1449
Chicago, Il. 60606

Re: MUR 2163

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the Anti-Defamation League of B'nai B'rith may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2163. 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 the Anti Defamation League of B'nai B'rith in 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.

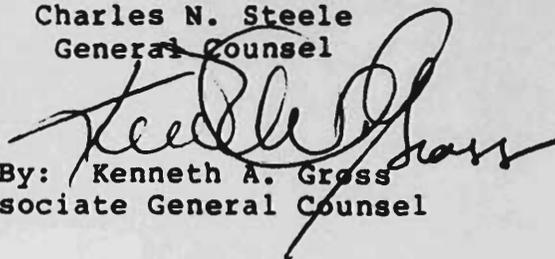
This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

91040324818

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200. 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

Enclosures
Complaint
Procedures
Designation of Counsel

91040324319



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

Nathan Perlmutter
National Director
Anti-Defamation League of B'nai B'rith
823 United Nations Plaza
New York, NY 10017

Re: MUR 2163

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the Anti-Defamation League of B'nai B'rith may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2163. 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 the Anti Defamation League of B'nai B'rith in 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.

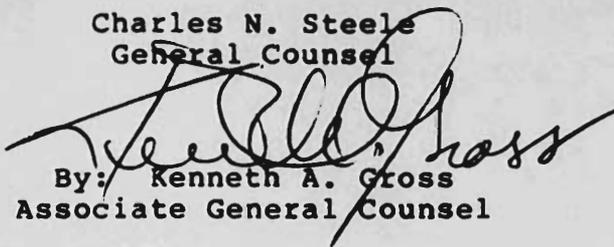
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

91040324820

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200. 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

Enclosures
Complaint
Procedures
Designation of Counsel

91040324821



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1986

Jonathan Levine, Director
American Jewish Committee
55 E. Jackson Street
Suite 1870
Chicago, IL 60604

Re: MUR 2163

Dear Sir:

This letter is to notify you that the Federal Election Commission received a complaint which alleges that the American Jewish Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2163. 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 the American Jewish Committee in 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.

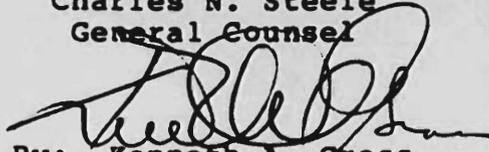
This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

91040324822

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200. 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

Enclosures
Complaint
Procedures
Designation of Counsel

21040324323

QCC# 341



The American Jewish Committee

Institute of Human Relations
165 East 56 Street
New York, New York 10022
212 751-4000

Howard I. Friedman
President
David M. Gordis
Executive Vice-President
Theodore Ellenoff
Chair, Board of Governors
Alfred H. Moses
Chair, National Executive Council
Robert S. Jacobs
Chair, Board of Trustees

Edward E. Elson
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Houston
Robert L. Pelz
Westchester
Idelle Rabin
Dallas
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Nathan Appleman
Martin Gang
Ruth R. Goddard
Andrew Goodman
Raymond F. Kravis
James Marshall
William Rosenwald

Max M. Fisher
Honorary Chair
National Executive Council
Executive Vice-Presidents Emeriti

John Slawson
Bertram H. Gold

April 23, 1986

86 APR 28 AM 10:45

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

John Drury, Esq.
Office of the General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: MUR 2163

Dear Mr. Drury:

I am an attorney with the American Jewish Committee. Our Chicago office forwarded to us a copy of the above-captioned complaint, which was received by that office on April 21, and forwarded to us on April 22.

Pursuant to our phone conversation on April 23, I am requesting a 10 day extension of time to file a response on behalf of the American Jewish Committee. This would postpone our time to submit a response from May 5 until May 16.

As you may be aware, the Jewish holiday of Passover is celebrated from the evening of April 23 until the evening of May 1. Consequently, our offices will be closed in observance of this holiday for the first two and the last two days of Passover -- April 24, April 25, April 30 and May 1. Taking into account the number of days our offices will be closed for religious observance and also for weekends, we believe we will not have sufficient time to prepare a response within the 15 day filing period.

Please notify me at your earliest convenience whether our request has been granted. Thank you for your attention to this matter.

Sincerely,
Andrea S. Klausner
Andrea S. Klausner, Esq.
Associate Legal Director

21040321324

ASK:1k

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 661-0900

TELEX 756-260

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 8101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3108
(817) 334-0701

*P.C. NEW YORK, WASHINGTON, D.C.
AND VIRGINIA ONLY

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ACC# 360

36 APR 29 11:25

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-9984
(415) 398-8585

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2801
(213) 556-8881

815 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 661-0588

April 25, 1986

Mr. John Drury
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2136

36 APR 29 13:13

RECEIVED
COMM-FED

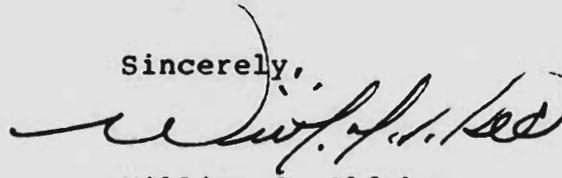
Dear Mr. Drury:

This is to request an extension of fifteen days to respond to the allegations lodged against the Anti-Defamation League of B'nai B'rith ("ADL") in the above-referenced matter. The complaint was received by the ADL on April 22, 1986, and a response thereto is currently due on May 7, 1986. We request that the ADL response to this complaint be extended until May 22, 1986.

An extension of fifteen days is necessary for us to be able to prepare an adequate response in light of the numerous allegations made by the LaRouche Democratic Campaign. In particular, though the complaint was forwarded to the ADL's office in New York, the complaint makes reference to activities of ADL chapters in Chicago and Philadelphia. The process of compiling information from the various ADL offices definitely will take more than fifteen days.

If you should have any questions, please do not hesitate to contact me.

Sincerely,



William C. Oldaker

WCO:kb

91040324825



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 6, 1986

William C. Oldaker, Esquire
1140 19th Street, N.W.
Washington, D.C. 20036-6601

Re: MUR 2163

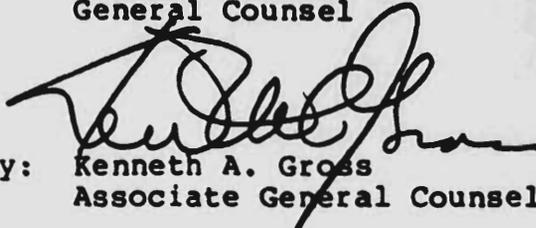
Dear Mr. Oldaker:

This is in reference to your letter dated April 25 1986, requesting an extension of 15 days until to respond to the Commission's notification that a complaint has been received alleging that your clients violated certain sections of the Federal Election Campaign Act. After considering the circumstances presented in your letter, the Commission has determined to grant you an extension of four days. Accordingly, your response will be due on May 11.

If you have any questions, please contact John Drury, the staff member assigned to this matter at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

21040324326

CC# 403
RECEIVED AT THE FEC

86 MAY 5 12:24

Institute of Human Relations
165 East 56 Street
New York, New York 10022
212 751-4000



The American Jewish
Committee

- Howard I. Friedman
President
- David M. Gordis
Executive Vice-President
- Theodore Ellenoff
Chair, Board of Governors
- Alfred H. Moses
Chair, National Executive Council
- Robert S. Jacobs
Chair, Board of Trustees
- Edward E. Elson
Treasurer
- Shirley M. Szabad
Secretary
- David H. Peirez
Associate Treasurer
- Rita E. Hauser
Chair, Executive Committee
- Vice-Presidents
- Norman E. Alexander
Westchester
- Howard A. Gilbert
Chicago
- Alan C. Greenberg
New York
- Robert H. Haines
New York
- Charlotte G. Holstein
Syracuse
- Ann P. Kaufman
Houston
- Robert L. Peiz
Westchester
- Idelle Rabin
Dallas
- Bruce M. Ramer
Los Angeles
- David F. Squire
Boston
- Richard L. Weiss
Los Angeles
- Honorary Presidents
- Morris B. Abram
- Arthur J. Goldberg
- Philip E. Hoffman
- Richard Maass
- Elmer L. Winter
- Maynard I. Wishner
- Honorary Vice-Presidents
- Nathan Appleman
- Martin Gang
- Ruth R. Goddard
- Andrew Goodman
- Raymond F. Kravis
- James Marshall
- William Rosenwald
- Max M. Fisher
Honorary Chair
National Executive Council
- Executive Vice-Presidents Emeriti
- John Slawson
- Bertram H. Gold

May 2, 1986

John Drury, Esq.
Office of the General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: MJR 2163

36 MAY 5 4:14

RECEIVED

01040324327

Dear Mr. Drury:

Per your direction, I enclose an executed copy of the
Statement of Designation of Counsel in the above-
captioned matter.

Sincerely yours,

Andrea S. Klausner
Andrea S. Klausner, Esq.
Associate Legal Director

ASK:ea
encl.

STATEMENT OF DESIGNATION OF COUNSEL

GC# 369
RECEIVED AT THE FEC

86 MAY 11 12:07

NR _____

NAME OF COUNSEL: Andrea Klausner and/or Samuel Rabinove

ADDRESS: The American Jewish Committee
165 E. 56th St.
New York, NY 10022

TELEPHONE: 212/PL-1 4000

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.

86 MAY 11 P 50

GENERAL INVESTIGATIVE DIVISION

28 April 1986
Date

Jonathan Levine
Signature

RESPONDENT'S NAME: Jonathan Levine

ADDRESS: The American Jewish Committee
55 E. Jackson Blvd., Suite 1870
Chicago, IL 60604

HOME PHONE: 312/674-4419

BUSINESS PHONE: 312/663-5500

cc: Andrea Klausner

21040324828

Our objects are to secure and protect the civil and religious rights of Jews throughout the world. A vital part of our mission is to combat anti-Semitism, wherever it may be found, through public education and intergroup relations. To accomplish this, we must identify and expose those groups and individuals who appear to be anti-Semitic extremists, whether on the "left" or the "right" of the political spectrum.

This function does not and, we believe, legally need not, cease merely because some such persons may be running for political office. This does not mean that we oppose any particular candidates for public office. But we would serve the educational function of publicizing the backgrounds and beliefs of candidates whose campaigns appear to contain overt or covert anti-Semitic themes, to enable the public to make informed voting decisions based upon all of the relevant facts concerning such candidates. From the materials that AJC has reviewed concerning Lyndon H. LaRouche and the LaRouche Democratic Campaign, we believe that Mr. LaRouche and his organization fall within the rubric of anti-Semitic extremists. We have an interest, therefore, in seeing to it that all of the facts surrounding this individual and his organization are publicly aired.

We also wish to correct a statement attributed to Jonathan Levine in Exhibit A. The author of that article, Mr. Edwin Black, reported that Mr. Levine was "accumulating a body of evidence indicating that LaRouchies actually campaigned in key central Illinois counties." Mr. Black goes on to report that: "For the past several weeks, the committee has had two investigators traveling throughout Illinois, keeping tabs on LaRouche candidates."

This latter statement misquotes Mr. Levine. What Mr. Levine actually stated was that his office had sent two researchers downstate for a few days after the election to try to determine why people voted the way they did. Mr. Black promised to send out a correction, but apparently this was not done. Moreover, as is obvious from a later statement attributed to Mr. Levine which was correctly quoted, the AJC did not even know who the candidates were before the election. States Mr. Levine in Exhibit A, "We didn't know either /candidate/, and we clearly fell down."

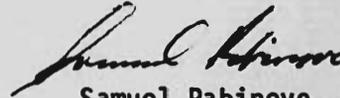
Finally, we would like to summarize by repeating and emphasizing another statement made by Mr. Levine in Exhibit A, which was also accurately reported and which accurately reflects the philosophy and activities of the AJC:

"We are not urging people to vote for or against /LaRouche candidates/. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision. The more information people have, the better the democratic process will operate."

9104034350

Mr. Levine would be glad to provide an affidavit clarifying any of his statements in Exhibit A and the activities of his office concerning the complainant, if the Commission so requests.

Submitted by



Samuel Rabinove, Esq.
Legal Director
Counsel for the American
Jewish Committee

SR:1k

21040324351

STATEMENT OF DESIGNATION OF COUNSEL

NO. 2163

NAME OF COUNSEL: Samuel Rabinove, Esq., Legal Director

ADDRESS: American Jewish Committee
165 East 56th Street
New York, New York 10022

TELEPHONE: (212) 751-4000

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. Counsel is also designated on behalf of our Chicago office,
which is an unincorporated affiliate of the national organization,
and Jonathan Levine, an employee of the national organization.

5/2/86
Date

David M. Gordis
Signature

RESPONDENT'S NAME: David M. Gordis, Executive Director

ADDRESS: American Jewish Committee
165 East 56th Street
New York, New York 10022

HOME PHONE: _____

BUSINESS PHONE: (212) 751-4000

21040324832

QCC# 432

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 661-0900

TELEX 756-260

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334-0701

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-8565

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2901
(213) 556-8651

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

*P.C. NEW YORK, WASHINGTON, D.C.
AND VIRGINIA ONLY

May 5, 1986

86 MAY 8 P12:49

RECEIVED
COMMUNICATIONS
SECTION

Charles N. Steele, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

Re: MUR 2163

Dear Mr. Steele:

This letter will acknowledge receipt of your April 18, 1986 letter to the Anti-Defamation League of B'nai B'rith concerning the captioned matter.

Please be advised that our law firm has been retained to represent the Anti-Defamation League in this matter. In accordance with 2 U.S.C. § 437g(a)(12)(A), we hereby waive the confidentiality requirement of your investigation on behalf of our client.

Sincerely,

EPSTEIN BECKER BORSODY & GREEN, P.C.

By: *William C. Oldaker*
William C. Oldaker

By: *Stuart M. Gerson*
Stuart M. Gerson

cc: Kenneth A. Gross, Esq.

WCO:LCR:cb

21040324333

STATEMENT OF DESIGNATION OF COUNSEL

NR 2163

NAME OF COUNSEL: William Oldaker, Stuart Gerson, Esqs.

ADDRESS: Epstein Becker Borsody Green, P.C.
1140 19th St. N.W. - 9th Fl.
Washington, D.C. 20036

TELEPHONE: 202-861-0900

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.

9
1
0
4
0
3
2
4
3
3
4

5-2-86
Date

William Oldaker
Signature

RESPONDENT'S NAME: Anti-Defamation League of B'nai B'rith et al

ADDRESS: 823 United Nations Plaza
New York, N.Y. 10017

HOME PHONE: _____

BUSINESS PHONE: 212-490-2525

acc# 474

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-8601*

(202) 861-0900

TELEX 756-260

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334-0701

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-9964
(415) 398-8885

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2901
(213) 556-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 861-0686

May 14, 1986

*P.C. NEW YORK, WASHINGTON, D.C.
AND VIRGINIA ONLY

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

Re: MUR 2163

Dear Mr. Steele:

This letter constitutes the response of the Anti-Defamation League of B'nai B'rith ("ADL") to a complaint, MUR 2163, filed with the Commission by the LaRouche Democratic Campaign. The LaRouche complaint erroneously alleges that ADL has publicly stated that it is actively engaged in opposing the candidacy of Lyndon H. LaRouche for the Democratic presidential nomination. Accordingly, the LaRouche campaign inaccurately alleges that ADL has violated 2 U.S.C. § 433 by failing to register and report to the Commission as a federal political committee.

While ADL has and will continue to expose patently anti-Semitic and extremist activities of organizations and individuals, including those of Lyndon LaRouche and his various affiliated organizations, ADL does not participate in the electoral process and espouses no position regarding voting choices.

Therefore, as we demonstrate herein, the complaint is meritless, replete with baseless allegations, misinterpretations and flawed legal conclusions. The LaRouche complaint does not provide the FEC with even a scintilla of evidence that the ADL is making contributions or expenditures under the purview of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq. ("the Act"). Significantly, there is no evidence of any wrongdoing to provide. On the contrary, the materials submitted to the Commission by the Complainant underscore the efforts undertaken by ADL to ensure that it does not engage in partisan political activity. Accordingly, this meritless complaint, filed as part of the

36 MAY 14 P 5:01

RECEIVED

21040324335

Charles N. Steele, Esquire
May 14, 1986
Page Two

LaRouche campaign's continual but unavailing harassment drive against ADL, should be dismissed forthwith.

FACTS

The ADL, founded in 1913, is one of the nation's oldest human relations agencies. A non-profit corporation which is exempt from federal income taxation under 26 U.S.C. § 501(c)(3), the ADL is dedicated to the eradication of bigotry and prejudice at all levels of society. A primary objective of the ADL is to counter anti-Semitism and extremism. Through educational studies, fact finding and research operations, the ADL publishes documents and conducts forums which discuss the roots and sources of anti-Semitism and explore methods of counteracting anti-Semitic activities. (For a more in-depth discussion of ADL's activities, two descriptive brochures are attached hereto as Exhibits A and B).

ADL has not, and will not, endorse, support or oppose candidates for party or political office. Significantly, ADL takes great precautions to ensure that it does not engage in partisan political activity, including pre-publication review by legal counsel of its pamphlets. Indeed, the media often ask ADL representatives why the organization does not engage in electioneering, to which ADL representatives routinely state that the organization is ". . . restricted from taking steps regarding candidates and being involved in political campaigns" due to its § 501(c)(3) status as well as federal election laws. See Article in the Jewish World (March 28 - April 8, 1986 edition) submitted by Complainant.

ADL's exposure of those individuals who repudiate democratic concepts and have an affinity for anti-Semitism, regardless of their political affiliation, is clearly a permissible activity of a § 501(c)(3) organization. See Federal Election Commission v. Massachusetts Citizens for Life, Inc., 769 F.2d 13 (1st Cir. 1985); Federal Election Commission v. Central Long Island Tax Reform Immediately Committee, 616 F.2d 45 (2d Cir. 1980). Accordingly, ADL is not a political committee as defined by 2 U.S.C. § 431(4), and its activities do not contravene the Act as amended, or the regulations thereunder.

THE ALLEGATIONS MADE BY THE LAROCHE
DEMOCRATIC CAMPAIGN ARE MERITLESS.

The Complainant, the LaRouche Democratic Campaign, alleges in MUR 2163 that ADL is actively engaged in opposing the

21040324336

Charles N. Steele, Esquire
May 14, 1986
Page Three

candidacy of Lyndon H. LaRouche for President as well as opposing other candidates for federal office who consider themselves "LaRouche Democrats." The Complainant, however, offers no evidence at all to support this claim.

While the reports of individuals affiliated with the LaRouche organization who have approached staff members of ADL under false pretenses provide the Commission with a substantial amount of information concerning personal conversations and correspondence between ADL staffers and volunteers, as well as other extraneous information gathered by the LaRouche "spies," the Complainant does not present any evidence that activities undertaken by ADL were focused upon opposing political candidates for federal office or in any way upon intervening in the electoral process. Complainant fails to provide any evidence because there is none. ADL has done nothing wrong.

A. Allegations Concerning Irwin J. Suall
(Complaint at paragraph 3).

According to the very transcript submitted by the Complainant, Irwin Suall never contacted staff of CBS' 60 Minutes to solicit any electoral response against Lyndon LaRouche's 1980 campaign for the Democratic Party presidential nomination. Furthermore, merely contacting the media has nothing to do with electioneering. Irwin Suall did no more than call the program's attention to a matter he believed might be of news interest. His contacting CBS was the result of an ongoing concern of ADL's to expose the LaRouche organization's anti-Semitic and extremist activities and had nothing to do with influencing an election. Indeed, this contact was made nowhere near an election. Complainant offers no evidence in support of this allegation to the contrary, and there is none.

B. Allegations Concerning Rosen and Sammartino
Interview (Complaint at paragraph 3).

The Complainant falsely alleges that ADL solicits persons to distribute derogatory materials and that ADL contacted Pennsylvania media in order to prevent any positive news coverage of Lyndon H. LaRouche's campaign. (See affidavit of Giuliana Sammartino -- Exhibit C). This allegation is based on statements by Giuliana Sammartino, a LaRouche supporter who used a false identity to deceive ADL staff member, Jerry Rosen. According to the evidence, Mr. Jerry Rosen never represented to Ms. Sammartino that it was ADL's policy to undertake such activity. In addition, Mr. Rosen never asked Ms. Sammartino to assist in such tactics. At no time during the interview were

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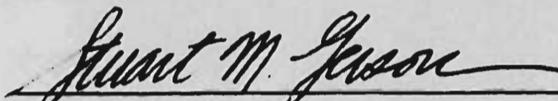
Charles N. Steele, Esquire
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Page Four

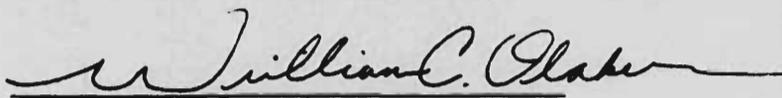
any of Mr. Rosen's actions or statements violative of the Act.
(See letters of Jerry Rosen -- April 10, 1984, Exhibit D --
written two years prior to the filing of this complaint).
Accordingly, Complainant's allegation is false.

III. CONCLUSION

Based on the reasons discussed above, the complaint
should be dismissed forthwith.

Sincerely,


Stuart M. Gerson


William C. Oldaker

Counsel for Anti-Defamation
League of B'nai B'rith

SMG:LCR:cb

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DUE TO THEIR LENGTH, EXHIBITS A AND B TO ADL'S
MAY 14, 1986, RESPONSE HAVE BEEN DELETED FROM
THE FILE. UPON REQUEST, THEY WILL BE MADE
AVAILABLE FOR REVIEW AND COPYING.

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AFFIDAVIT OF GIULIANA SAMMARTINO

STATE OF PENNSYLVANIA:

SS

COUNTY OF PHILADELPHIA:

1. I am an Italian citizen presently visiting the United States. I reside in Milan, Italy. I am a journalist by occupation. I am the editor of War on Drugs Magazine in Italy, which is a publication founded by Lyndon H. LaRouche, Jr. Since arriving in the United States on February 26, 1984, I have been visiting with colleagues and studying, investigating, and observing the 1984 Presidential election process in the United States.

2. On March 23, 1984, in Philadelphia, Pennsylvania, I telephoned Jerry Rosen of the Philadelphia Anti-Defamation League (ADL) of B'nai B'rith. I called Mr. Rosen because Linda de Hoyos of the LaRouche Campaign asked me to investigate whether or not the ADL in Pennsylvania was engaged in partisan political activities against Mr. LaRouche in Pennsylvania. I am personally familiar with various defamations which have been circulated by the ADL against Mr. LaRouche, including the defamation that Mr. LaRouche is an anti-Semite. Since these defamations had been circulated in the press in Pennsylvania, Mrs. deHoyos, from the LaRouche Campaign, suspected that the ADL was attempting to influence the vote in Pennsylvania by campaigning against LaRouche. I was asked by Mrs. de Hoyos to approach the ADL as an Italian journalist and to discover the ADL's activities against LaRouche in Italy and Europe.

3. I called the ADL to inquire about a forum at the University of Pennsylvania, held by the ADL in collaboration with the Hillel Foundation, on extremist groups. I was referred to Mr. Jerry Rosen, who asked me to meet with him at the office of the ADL to discuss it. I told Mr. Rosen that my name was Anna Maria Levi and that I was a free-lance Italian journalist.

4. On March 30, 1984, I met with Mr. Rosen at 11:00 a.m. at the Philadelphia headquarters of the Anti-Defamation League of B'nai B'rith, which is at 225 South 15th Street, Suite 901, in Philadelphia. Jerry Rosen is the "community consultant" of the Philadelphia Anti-Defamation League.

5. The meeting began with a discussion of neo-Nazi organizations, in which Mr. Rosen and I traded information on neo-Nazi organizations in Western Europe, including the Gree Party of West Germany, and the MSI of Italy. In this context, I brought

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up the issue of the LaRouche organization in Europe, the European Labor Party, and the discussion from then on centered on Mr. LaRouche and his organization and Presidential campaign in the United States. The meeting lasted one and a half hours.

6. In describing the ADL's activities against LaRouche and his personal function in these activities, Mr. Rosen stated that his duties in the ADL were "monitoring" Lyndon H. LaRouche, Jr., and the LaRouche for President campaign. He cited, as one example of his monitoring activities, the fact that he taped Mr. LaRouche's March 17th Pennsylvania television broadcast and sent the tape to the ADL office in New York.

7. Mr. Rosen pointedly told me that the ADL's tax-exempt status prevented the ADL from doing anything in its own name and publicly against Mr. LaRouche or the LaRouche Presidential campaign in response to my entreaty as to why the ADL was not doing more against LaRouche. He then detailed for me what the ADL was actually doing against the LaRouche campaign in Pennsylvania.

8. Mr. Rosen stated that he and the ADL were in touch with all the media in Philadelphia, and that he personally was in touch with all the managers of Philadelphia television stations concerning Mr. LaRouche's Presidential campaign, and preventing any positive news coverage of the campaign. Mr. Rosen stated that he, on behalf of the ADL, had called the Manager of WPVI (Channel 6 television) to ask the station not to air a paid LaRouche political advertisement on Channel 6, an ABC affiliate. The broadcast did not air on Channel 6.

9. Mr. Rosen also stated that he and the ADL provide materials to people who are in a position to publicly campaign against the LaRouche Presidential candidacy. The ADL solicits persons to utilize these materials in public campaigns against LaRouche, according to Mr. Rosen. He solicited my cooperation in such efforts and asked that I conduct a publicity campaign against LaRouche in Italy utilizing ADL materials. Mr. Rosen said that this was an example of how the ADL functioned against LaRouche, by having journalists utilize materials they cannot utilize themselves.

10. Mr. Rosen and I traded information about LaRouche's activities in Italy and in Pennsylvania. In the course of this part of the discussion, Mr. Rosen informed me that the LaRouche campaign was targeting Pennsylvania for campaign activities, and a large vote, because LaRouche had support, influence and power in Pennsylvania. Mr. Rosen stated that this situation had occurred because people in Pennsylvania did not know who Mr. LaRouche was, and it was the ADL's job to remedy this. Mr. Rosen stated that one of the first things the ADL told people and attempted to publicize was that LaRouche was not a Democrat.

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11. In describing activities of the LaRouche Campaign and other Federal candidates associated with Mr. LaRouche's policies in Pennsylvania, Mr. Rosen stated that a big issue was being made of Henry Kissinger. He said the primary thrust of the campaign seemed to be "vote for the man who hates Henry Kissinger." Mr. Rosen said that the Jewish Exponent had made a decision not to cover Congressional candidate Susan Bowen and her intervention into the Jewish organizations because it would build support for her. Mr. Rosen was also aware of the fact that Mrs. Bowen was actively campaigning in the Jewish community, and that Mrs. Bowen had visited Jewish organizations on March 26 with an article by Anton Chaitkin, a historian who works with Mr. LaRouche. According to Mr. Rosen, the article claims that the B'nai B'rith had attempted to stop the American Jewish congress boycott against Nazi Germany in the 1930s. Mr. Rosen was concerned about the impact of the Chaitkin article in the Jewish community. He expressed his worry that the LaRouche organization would take advantage of the recent Goldberg Commission report to gain support in the Jewish community.

12. Rosen stated that Lyndon LaRouche was very strange, he was "both left and right." Rosen said that War on Drugs Magazine was the source of a LaRouche statement that the Jewish people controlled the drug trade. I know that no such statement was ever made by War on Drugs magazine. Mr. Rosen also stated that in 1980, Lyndon LaRouche received \$1 million from the Federal government as a Presidential candidate.

13. In response to a specific inquiry by me concerning whether the ADL worked with any government intelligence agencies concerning Mr. LaRouche, Mr. Rosen bragged that the FBI worked with the ADL against Mr. LaRouche's campaign. He said that the FBI collaboration with the ADL began when the ADL and the FBI began to work together to track down Nazis. He said that he was personally in touch with the FBI concerning Mr. LaRouche's campaign, but when I asked whether or not I could speak to the FBI agent who would know about this, he said he would not allow this or give me the FBI agent's name. He said that he would speak to the agent and tell me what the agent said.

14. Mr. Rosen tried to make specific how I could work against Mr. LaRouche in Europe. He referred me to three people

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to work with in the ADL New York headquarters: Abraham Foxman, Marion Rappoport, and Frank Reis. He also referenced that the ADL had worked against Mr. LaRouche in Paris, France.

15. Mr. Rosen provided me with a copy of the August, 1982, ADL dossier on Lyndon LaRouche. It is entitled "The LaRouche Network: A Political Cult".

Giuliana Sammartino
GIULIANA SAMMARTINO

Sworn to and subscribed
before me this 9th day
of April, 1984.

Notary Public

LINDAL R. DEVEY

New York State, Notary Public

My Commission Expires July 13, 1984

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CONFIDENTIAL

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TO: Justin Finger
FROM: Jerry M. Rosen *Jerry*
DATE: April 10, 1984
SUBJECT: Affidavit of Giuliana Sammartino
LR v ADL

On Thursday evening, March 22, I appeared on the University of Pennsylvania campus as a panelist to address the issue of "Extremism in America." The program was co-sponsored by both the University of Pennsylvania Hillel and by the Anti-Defamation League. Prior to the activity, two members of the Lyndon LaRouche campaign were outside the building distributing LaRouche's material. LaRouche was never discussed that evening.

As stated in paragraph 2 of Guiliiana Sammartino's affidavit, I received a telephone call from Ms. Anna Maria Levi (471-5508) describing herself as an Italian Jew, who was visiting the United States for two weeks. Ms. Sammartino, alias Ms. Levi, expressed much disappointment because she did not hear my presentation the previous night. She was very interested in learning about the differences and similarities between American extremist groups and European extremist groups. A meeting was scheduled for Friday, March 30 to discuss this matter in further detail. (Note: It is my usual practice to request face-to-face meetings regarding such matters to dispel any misunderstanding that occur via the phone.)

Sammartino informed me during the Friday meeting that she was an Italian journalist who only covered cultural events for her newspaper and that our discussion would not be used as a story. Her interest in our meeting was purely as a Jew and not as a reporter.

The thrust of our discussion, as noted in paragraph 5 of the affidavit, centered on extremist hate groups in America, i.e. KKK and neo-Nazi organizations. Ms. Sammartino initiated the conversation about extremist groups in Western Europe. A lengthy discussion followed about Giorgio Almirante, member of the Italian parliament. I apprised her about Mr. Almirante's October visit to Philadelphia as well as his denial of being anti-Semitic. I also informed her of his party's support for Israel. Sammartino rejected his statements by declaring that Almirante is extremely anti-Semitic and that the MSI is responsible for much of the anti-Semitic graffiti in Italy. Ms. Sammartino remarks lead me to believe that she truly cared about European Jewry and that she wanted to help any way she could. A brief commentary about the Green Party and similar groups in Europe was offered in response to a question raised by Ms. Sammartino regarding extremist groups in Europe.

Omitted in paragraph 6 of Sammartino's affidavit is the entire description of my duties as characterized. "Monitoring LaRouche" also included monitoring anyone of interest to the ADL.

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April 10, 1984

At no time did our discussion focus on ADL's campaign against LaRouche in Pennsylvania as stated in paragraph 7.

Contact with the media was not as extensive as described in paragraph 8. Several individuals in the media were called in order to obtain the exact language of Mr. LaRouche's radio and television ads as well as to learn the frequency with which the commercials would be aired. Censorship was never advocated throughout my encounters with the media. While speaking to the program director of WPVI-TV 6, the following questions were posed:

1. "Is the LaRouche half-hour ad produced by Channel 6?"
2. "Are you familiar with Lyndon LaRouche?"
3. "How often will the ad be aired?"

The program director voluntarily informed me that WPVI opted not to air an upcoming half-hour spot broadcasted nationally because they had to provide him with air time only once, as intentionally left out in paragraph 6. The majority of my conversation with the television official centered on ADL's position regarding the FCC's deregulation efforts.

Paragraph 9 is completely false. It appears that Ms. Sammartino was reporting about the tactics used by the Lyndon LaRouche campaign as evidenced by the numerous LaRouche materials distributed throughout Philadelphia these past few months. It has never been our policy in Philadelphia to undertake such activity. Thus, there was never any reason to ask Ms. Sammartino to assist in this campaign.

The actual conversation that ensued relating to paragraph 10 follows:

Sammartino - "In Europe, LaRouche claims he is very strong in the United States. Is that true?"

Rosen - "I cannot speak about LaRouche's overall support, however it is apparent that he is targeting Pennsylvania with his presidential campaign."

Sammartino - "Do you know why?"

Rosen - "I imagine he believes he has a significant amount of support in Pennsylvania."

Sammartino - "Why is that?"

Rosen - "Probably because people do not know who he really is."

I informed Ms. Sammartino that the ADL is always prepared to correct this by providing background on individuals to those who request it.

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April 10, 1984

Regarding the "Jewish Exponent's decision not to cover congressional candidate Susan Bowan," our office was never notified by the Exponent of their position. Furthermore, the League was never asked to provide input in the newspaper's decision. Only on Tuesday, April 3, did I become familiar with Mr. Anton Chaitkin and his article. Upon learning about the article, I immediately telephoned David Lowe to discuss ADL's position. I was instructed by David to ignore his (Chaitkin's) allegations. While discussing the Goldberg Commission, I expressed concern about the shifting of blame to the Jews and the possible impact it may have on the Jewish community. There was never any mention of LaRouche and/or his followers.

Paragraph 12's inaccuracies are the result of the elimination of key words. For example, I mentioned to Sammartino that "I believe I once read somewhere that LaRouche received approximately one million dollars in matching funds in the 1980 presidential campaign." I did stress however that the figure may be exaggerated.

The only mention of ADL's association with the FBI, as alluded to in paragraph 13, was in describing a "briefing" Irwin Suall gave last summer to over twenty FBI agents in Philadelphia. Suall's presentation focused on extremist groups in America.

Believing that Ms. Sammartino could be a possible Italian contact for Shimon Samuels, I offered to arrange a meeting for her with those named in paragraph 14. In a subsequent conversation with Irwin Suall, Sammartino appeared to have contacted Irwin without my knowledge.

It is my opinion that Ms. Sammartino's affidavit is 90-95 percent inaccurate and fraudulent.

If you need any additional background, do not hesitate call.

JMF:fa

cc: Jeff Stransky
Barry Morrison

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The
LaRouche Democratic
Campaign

P.O. Box 17068, Washington, D.C. 20041

June 3, 1986

Mr. Kenneth Gross & Ms. Lorraine Ramos
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 2163
Supplement to Original Complaint

Dear Mr. Gross & Ms. Ramos:

This is a supplement to my April 2nd, complaint received by you on April 14, 1986 according to your April 18th acknowledgment letter. That complaint and this supplement is against the national Anti-Defamation League of B'nai B'rith (ADL), its chapter in Chicago, Illinois, the American Jewish Committee in Chicago, Illinois, Nathan Perlmutter national director of the ADL and Jonathan Levine director of the American Jewish Committee in Chicago, for failing to register and report to the Federal Election Commission as political committees as provided for in 2 U.S.C. sec. 433 et seq.

My original complaint stated that the above named individuals and organizations have publically stated that they are actively engaged in opposing the candidacy of Lyndon H. LaRouche, who is running for the Democratic Party nomination for president. Since the filing of that complaint the following event occurred, confirming my allegations.

On Wednesday, May 21st, respondent Nathan Perlmutter was accompanied by Mr. Kenneth Bialkin, the national chairman of the Anti-Defamation League of B'nai B'rith, held a press conference in New York to:

- 1) release its response to a LaRouche complaint to the Federal Election Commission.
- 2) release an ADL report on candidate LaRouche
- 3) announce that the LaRouche Democratic Campaign's complaint to the FEC "will not discourage (their) organization from fighting Mr. LaRouche, and
- 4) "(intensify) its campaign against Lyndon H. LaRouche's political movement."

Quite clearly, each of these actions constitutes participation on the part of the ADL of B'nai B'rith and its officials, in actions opposing a federal candidate seeking election. The expenditure of money to hold the press conference, to publish its report on candidate LaRouche, and to distribute 100,000

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copies of said report is an overt violation of the FECA. The ADL of B'nai B'rith is not a registered political action committee, but rather a tax-exempt organization.

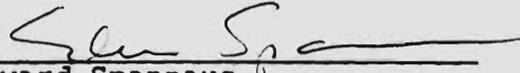
According to press reports of the news conference, Mr. Perlmutter and Mr. Bialkin also confirmed my original allegations that there is a "historical pattern" of ADL officials "intervening into the electoral process," to oppose presidential candidate Lyndon LaRouche. While the media reports state that Mr. Bialkin said that his organization often abstains from public scrutiny of what he considers a "fringe group", it was also stated that the ADL's report on candidate LaRouche, is that organization's third such report since 1979. Mr. LaRouche was a declared candidate for president in 1979 as well.

Likewise, my April 2nd complaint pointed out that "Mr. Perlmutter's statements in the Jewish World" show, "the ADL intends to persist in this electoral activity." The May 21st press conference by Mr. Perlmutter and ADL national director Bialkin, was precisely such prospective activity as I referenced.

Therefore, I reiterate that the Federal Election Commission must investigate and cause these persons and organizations to comply with the law. I have attached a copy of the table of contents to the ADL's latest report. Section three is titled, "The LaRouchian Candidate" with subtitles, "1984 Presidential Election," "1985 Elections," and "1986 Elections."

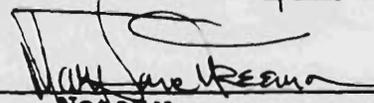
Also attached are news articles revealing the content of the ADL's May 21st press conference and one article confirming my original allegation that the ADL is engaged in opposing other candidates for federal office who consider themselves "LaRouche Democrats." These items are identified as follows:

- Exhibit A = ADL special report, "The LaRouche Cult: Packaging Extremism"
- Exhibit B = 'Albuquerque Journal' May 22, "Jewish Foes Blast 'LaRouche Cult'"
- Exhibit C = 'Newark Star Ledger' May 22, "ADL again levels blast at LaRouche"
- Exhibit D = 'Washington Times' May 22, "LaRouche 'Cult' called anti-semitic"
- Exhibit E = 'Jewish News' week of May 19 edition, "ADL Applauds Berman."

Signed: 

Edward Spannaus
Treasurer

Signed and sworn to
before me this 4th day of June, 1986.


Notary

My Commission Expires
March 24, 1989

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An ADL Special Report

**The
LaRouche
Political Cult:
Packaging Extremism**

A case study



Anti-Defamation League of B'nai B'rith
Spring 1986

- Exhibit A -

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Jewish Foes Blast 'LaRouche Cult'

THE ASSOCIATED PRESS

A/S. 5/22/86 DS

NEW YORK — The Anti-Defamation League of B'nai B'rith intensified its campaign against Lyndon H. LaRouche's political movement, Wednesday calling the group a devious cult.

The ADL, long a foe of LaRouche and four times a defendant in unsuccessful libel suits filed by his organization, also said it would circulate 100,000 copies of a pamphlet on "the LaRouche cult's fantasy world."

Included are quotes from LaRouche publications that tie Queen Elizabeth II to the drug trade, describe Soviet dissident Andrei Sakharov as a KGB agent, and suggest that jazz was "foisted on black Americans by the same oligarchy which had run the U.S. slave trade."

These statements, said ADL national chairman Kenneth Bialkin at a news conference, are representative of LaRouche's political thought, which he said was "fundamentally gibberish, it's anti-social, it doesn't make sense."

The organization often abstains from this kind of scrutiny of a fringe group because it does not want to give that group publicity, Bialkin said, but the group's recent political success in Illinois was attributable to public ignorance, and "we think we're helping to sink them by exposing them."

Candidates for lieutenant governor and secretary of state won the Democratic primary in Illinois.

In its report, the ADL charged LaRouche's group often hides its anti-Semitic and extremist tendencies behind popular causes and legitimate-sounding fronts like the "National Anti-Drug Coalition."

It cited statements by LaRouche and his publications as manifestations of anti-Semitism, including the singling out of prominent Jews, Jewish families and

Jewish organizations for abuse, charging that prominent Jewish families were instrumental in bringing Hitler to power, and charging that the Holocaust was a hoax.

The report also accuses LaRouche's group of "skulduggery" in gaining loans and contributions, and using "dirty tricks, or worse," including harassment, threats and slurs.

In Leesburg, Va., where LaRouche has his headquarters, LaRouche followers have "engaged in a general pattern of intimidation against critics," the ADL report said.

The LaRouche threat "derives from the movement's thriving on secrecy, deception, disruption, fear and hostile confrontations, and its peculiar brand of erratic, bigotry-laced extremism, cunningly camouflaged by the outward respectability of front groups and business suits," the report said.

Donna Scanlon, spokeswoman for LaRouche, called the allegations "a combination of wild distortions and lies."

She went on to accuse Bialkin of being an associate of fugitive financier Robert Vesco; she said the ADL was "intimately associated" with the network of Sikh terrorists who killed Indian Prime Minister Indira Gandhi; and she referred to charges that the ADL was tied to "gangsters and organized crime."

ADL spokeswoman Lynne Ianniello said the LaRouche charges were "totally false."

The report issued Wednesday was the ADL's third on the movement since 1979, and LaRouche's group has responded by charging that the ADL controls "a number of neo-Nazi, anti-Semitic organizations."

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ADL again levels blast at LaRouche

NEW YORK (AP)—The Anti-Defamation League (ADL) of B'nai B'rith intensified its campaign against Lyndon H. LaRouche's political movement yesterday, calling the group a devious cult.

The ADL, long a foe of LaRouche and four times a defendant in unsuccessful libel suits filed by his organization, also said it would circulate 100,000 copies of a pamphlet on "the LaRouche cult's fantasy world."

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The report also accuses LaRouche's group of "skulduggery" in gaining loans and contributions, and using "dirty tricks, or worse," including harassment, threats and slurs.

In Leesburg, Va., where LaRouche has his headquarters, LaRouche followers have "engaged in a general pattern of intimidation against critics," the ADL report said.

The LaRouche threat "derives from the movement's thriving on secrecy, deception, disruption, fear and hostile confrontations, and its peculiar brand of erratic, bigotry-laced extremism, cunningly camouflaged by the outward respectability of front groups and business suits," the report said.

Donna Scanlon, spokeswoman for LaRouche, called the allegations "a combination of wild distortions and lies."

She went on to accuse Bialkin of being an associate of fugitive financier Robert Vesco; she said the ADL was "intimately associated" with the network of Sikh terrorists who killed Indian Prime Minister Indira Gandhi; and she referred to charges that the ADL was tied to "gangsters and organized crime."

The report issued yesterday was the ADL's third on the movement since 1979, and LaRouche's group has responded by charging that the ADL controls "a number of neo-Nazi, anti-Semitic organizations."

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LaRouche 'cult' called anti-Semitic

NEW YORK (AP) — The fringe political movement of Lyndon H. LaRouche is a cult that cloaks anti-Semitic extremism in a "secretive strategy of deception," a Jewish group said yesterday.

The Anti-Defamation League of B'nai B'rith, in its latest study of the LaRouche organization, said Mr. LaRouche and his followers use deception involving:

- Popular causes and legitimate-sounding fronts with public appeal, such as its "National Anti-Drug Coalition," support for strong national defense and opposition to the Soviet Union.

- "Dirty tricks, or worse," including personal harassment, threats against and slurs of public officials and other adversaries.

- Alleged "skulduggery" in gaining loans and contributions from people.

"LaRouche is a phenomenon on the political and ideological scene that attracts attention far beyond

any possible appeal of his philosophy, which remains bizarre and often incoherent," the report said. "The most insidious aspect of his movement is a secretive strategy of deception that can be seen in virtually all of its operations."

The ADL report, "The LaRouche Political Cult: Packaging Extremism," was released yesterday at a news conference by Kenneth J. Bialkin, chairman, and Nathan Perlmutter, national director of the ADL.

Mr. Bialkin said his organization often abstains from this kind of scrutiny of a fringe group because it does not want to give that group publicity, but that the ADL believed that Mr. LaRouche's recent success in Illinois was attributable to public ignorance.

"We think we're helping to sink them by exposing them," he said, adding that the LaRouche message was "fundamentally gibberish; it's anti-social, it doesn't make sense."

As part of the report, the ADL also

released its response to a LaRouche complaint to the Federal Election Commission that the ADL had violated law by intervening against LaRouche candidates. The complaint is meritless, the organization said in a letter to the FEC.

Mr. Perlmutter said such complaints will not discourage his organization from fighting Mr. LaRouche.

"The ADL will not stop calling bigots bigots, racists racists and anti-Semites anti-Semites," he said.

The report cited statements by Mr. LaRouche and his publications in recent years as manifestations of anti-Semitism, including the singling out of prominent Jews, Jewish families and Jewish organizations for abuse, charging that prominent Jewish families were instrumental in bringing Hitler to power, and charging that the Holocaust was a hoax.

Contacted by telephone, Mr. LaRouche's press spokesman,

Christina Huth, declined to comment on the report.

The study is the third the ADL has done since 1979 on the frequent fringe presidential candidate. Mr. LaRouche or his organizations have unsuccessfully sued the ADL four times, the group said.

Mr. LaRouche voices what the report calls "a paranoid theory of history" based on worldwide conspiracies by, among others, the International Monetary Fund, former Secretary of State Henry Kissinger, syndicated columnist William F. Buckley, the Jesuits and the ADL.

Mr. LaRouche's National Democratic Policy Committee stunned Democratic Party leaders by winning primaries for two statewide offices in Illinois earlier this year. It has about 700 candidates for public office around the country this year, the report said.

The report lists 27 LaRouche organizations and publishing concerns that it describes as fronts, and says they own more than \$4 million in property.

Washington Times

May 22, 1986

Exhibit D

ADL Applauds Berman



Gov. James Blanchard and Rep. Maxine Berman confer over some legislative business.

The Michigan Anti-Defamation League publicly thanked Rep. Maxine Berman (D-64th District) for her House Bill 4513 signed into law May 1.

The bill requires colleges to disclose grants and contracts in excess of \$100,000, and to disclose conditions, subjects, persons or groups benefiting, where those funds come from foreign entities (persons, corporations, foundations, associations or governments). Co-sponsors of the bill were: Representatives Leland, Gubow, Honigman, Brotherton, Miller, Cherry, Jondahl, Hickner and Emerson. Rep. Berman thanked Flint Sen. Joseph Conroy for his help in getting the bill through the State Senate.

ADL's presentation took place in connection with the first annual "official" Legislative Day, held in Lansing, attracting more than 75 legislators, aides, department heads and executive office staff.

Stuart M. Lockman, president of the Michigan Regional Advisory Board, welcomed the assembled legislators. In remarks delivered to the assembly, Lockman said "There probably is not a school system in the state which does not or has not used ADL materials. We are without doubt best known for fact-finding and information on extremist, hate and anti-democratic forces in the country; ADL is clearly identified as an opponent of the National Democratic Policy Committee — the LaRouchites of the old U.S. Labor Party — and virtually all of the public exposure of that group is either ADL produced or generated. There will be not less than ten LaRouchites running for Congress and governor.

"We care about Israel, about separation of church and state, about human rights, about human welfare, and of course civil rights. We train police officers, clergy, public school teachers and administrators, university faculty, corporate presidents and officials, government functionaries and students and parents.

ADL Annual Legislative Day was coordinated by Deena Lockman and Gene Farber. Board members came from Detroit, Lansing, Greenwood, Grand Rapids, Kalamazoo, Saginaw, Flint and other suburban Oakland County communities.

The
LaRouche Democratic
Campaign

P.O. Box 17068, Washington, D.C. 20041

RECEIVED AT THE FEC
G004993
86 JUL 21 P 3: 43

July 17, 1986

Federal Election Commission
Ms. Lorraine F. Ramos
Office of General Counsel
Washington, DC 20463

MUR 2163
Complaint -- Second Supplement
vs. Anti-Defamation League of B'nai B'rith

Dear Ms. Ramos:

I initiated a complaint with your offices by letter dated April 12, 1986, against the Anti-Defamation League of B'nai B'rith. In the acknowledgement of my original complaint it was stated that whenever I have additional information, I should provide this to you in the form of a sworn statement. On June 3, 1986 I forwarded to you such a sworn statement as a supplement to my complaint which you designated MUR 2163. As stated in my subsequent letter to you dated, June 25, received no acknowledgement from you that you received my supplemental complaint. I again request acknowledgement from you.

What follows is my second supplement to the original complaint in this matter.

Sincerely,


Edward Spannaus

21040324355

86 JUL 22 AM 11: 18

GENERAL COUNSEL

STATE OF VIRGINIA)
) ss. :
COUNTY OF LOUDOUN)

EDWARD SPANNAUS, being duly sworn, deposes and says:

1. I am the treasurer for declared presidential candidate Lyndon H. LaRouche's 1988 principle campaign committee, "The LaRouche Democratic Campaign" (LDC).

2. As cited in my letters of April 2nd and June 3rd, 1986 officials of the Anti-Defamation League of B'nai B'rith have publically advocated the defeat of presidential candidate Lyndon LaRouche and other Federal candidates associated with LaRouche's ideas and programs.

3. The Anti-Defamation League of B'nai B'rith is not a duly registered political action committee with the Federal Election Commission. Its advocacy of the defeat of candidates, is a violation of 2 U.S.C. sec. 433 et seq.

4. Recently the Anti-Defamation League of B'nai B'rith has caused to be published, mailed and otherwise distributed a solicitation letter seeking funds to "counter and expose LaRouche...." [See Exhibit A -- copy of solicitation letter and "Sampler."]

5. The letter states that "ADL has launched a massive campaign ... through its network of regional offices" demonstrating that this is not merely an "educational" effort.

6. The letter further states, "For we'll be working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using -- and misusing -- the democratic process."

7. The combination of their advocacy of the defeat of candidates, and their active solicitation of funds, clearly defines their activity as that of a political action committee, as defined by the FECA.


EDWARD SPANNAUS

Sworn to before me this
17th day of July, 1986.


NOTARY PUBLIC Commission Expires
March 24, 1989

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Burton S. Levinson
National Chairman

Dear Friend:

This is the time when most people start looking forward to a vacation break from their work.

But ADL's vacation plans are presently on hold.

For we'll be working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using--and misusing--the democratic process.

High on his enemies list: ADL, which he holds responsible for, among other things, the assassination of Indira Ghandi, the "Zionist octopus" and the expansion of Soviet power. He and his followers are spending millions of dollars running for scores of political offices on platforms filled with paranoid, slanderous anti-Semitic poison. Typical LaRouche rhetoric:

- "At its inception, to the present day, B'nai B'rith has been a treasonous conspiracy against the United States."
- "Israel is ruled from London as a zombie nation..."
- "...The ADL is only a group of self-hating anti-Semites with Jewish names, eager to do any dirty deed that their controllers, the Morgans, Rockefellers, and others of the Anglo-Episcopalian elite demand."

ADL has launched a massive campaign to counter and expose LaRouche and his fanatic followers...amassing, through its network of regional offices, facts and figures that help the media alert Americans to the LaRouche cult. But our resources are stretched.

At this moment, we're fighting the battle of the budget--wondering and worrying if we'll have to make some painful choices.

continued...

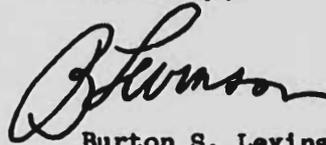
7 5 8 4 2 3 0 4 1 2

Must we cut back on our complex, costly legal battle to once and for all affirm the unconstitutionality of legislation that allows religious activities in public high schools? Or weaken our efforts to teach school children the meaning of the Holocaust--at a time when opinion polls showed that people would be content to forget about Nazi war criminals?

We need your support, your commitment to continue to safeguard the American Jewish community, and to maintain mutual understanding and tolerance among Americans.

Your contribution is vitally important at this time. Please give now, today, and give generously.

Sincerely,



Burton S. Levinson

BSL:lw

21040324358

...who, upon emigration from Eastern Europe and Russia to the United States, became the basis for modern organized crime (Samuel Bronfman, Meyer Lansky, Louis 'Lepke' Buchalter, et al.). In Palestine, they were called the brigas. In New Orleans and New York, they were called the Mafia...

"The United States? It is a nation of gnomes, to be used when useful."

—New Solidarity, March 10, 1976

- "Israel is ruled from London as a zombie nation... Zionism [is] the state of collective psychosis through which London manipulates most of the international Jewry... If international Jewry were significantly freed of the grip of the Zionist psychosis, Israel would cease to be a puppet of London [and] then the problems of the Middle East could be resolved."

—New Solidarity, December 8, 1978

- "The grain trading families of Odessa, Solowita (Greece), and Aleppo (Syria) were the principals in the Jewish component of a financial network centered in Venice, known as the *Trant*. Their instruments... were deployed in a Trant project known as the *Baldwin* Foundation in Russia. Shortly after the revolution, helped reorganize the Trant as an East-West financial network..."

—New Solidarity, March 10, 1976

- "If you say, 'As a Jew, I must be concerned primarily with what is good for Jews,' you are already on the pathway to becoming a Nazi. You were better advised to ask yourself, 'What is a Jew good for? What can a Jew contribute to humanity generally which obliges humanity to value the Jew?'"

—New Solidarity, December 8, 1978

- "... We know that Zionism today is a parody more hideous than what it imitates from the worst evil period of Ptolemaic Egypt and the Roman Empire. You cannot be a Zionist and also a Jew."

—New Solidarity, December 8, 1978

- "In short, anyone professing Zionist loyalties is by definition incapable of being loyal to the interests of the United States. He is, by definition, a national security risk."

"The Zionist octopus must be eliminated."

—New Solidarity, September 5, 1978

Anti-Defamation League of B'nai B'rith
823 United Nations Plaza, New York, N.Y. 10017

The LaRouche Cult's Fantasy World



A Sampler of bigotry, hate, slander and anti-Semitism

Distributed to help alert and defend Americans against the politics of hate.

— Exhibit A -- Sampler



On Jews and American History

- "Rothschild agent, Bernard Baruch, Sr., helped arrange the assassination of President Lincoln and then laundered the funds from London banks that were used to found the first Ku Klux Klan immediately after the Civil War's conclusion."

—New Solidarity, July 17, 1978

On U.S. Public Figures and the Soviet Union

- "Walter F. Mondale, [LaRouche] said, is an 'agent of influence' of the KGB, the Soviet secret police. So are Kissinger and McGeorge Bundy, the former Ford Foundation president and presidential adviser..."

—From an interview with Lyndon LaRouche, *Washington Post*, January 13, 1985

- "[U.S. Senator Charles] Mathias gets marching orders from Gromyko

"Apparently, when Gromyko speaks, Mathias clicks his heels."

—*Executive Intelligence Review*, February 19, 1985

On Queen Elizabeth II

- "Of course she's pushing drugs... that is in a sense of a responsibility—the head of a gang that is pushing drugs; she knows it's happening and she isn't stopping it."

—Transcript of interview with Lyndon LaRouche, NBC's "First Camera," March 4, 1984

On British "Control"

- "At almost the same time as the U.S. State Department orchestrated the overthrow of Philippine President Marcos, the Queen of England was in New Zealand helping to hand the Pacific over to the Soviets..."

"The British monarchy, since the turn of the century, has been at the core of the complex of institutions used to create the Bolshevik Revolution..."

—*Executive Intelligence Review*, March 14, 1986

- "Sen. Joseph McCarthy was controlled largely by three British networks: the Kennedy family—parvenus to the Clivedon Set and the British Fabian Society—through Robert Kennedy, assistant counsel for McCarthy's Subcommittee; the Buckley family through I. Brent Bozell, McCarthy's ghost-writer and William F. Buckley's brother-in-law—with whom Bozell would later write the definitive

cover story on British support for McCarthy's meteoric rise to power, and the Zionist Lobby directly via Ros Cohn, McCarthy's chief counsel.

—*New Solidarity*, July 28, 1978

On Henry Kissinger

- "Henry Kissinger, since the early 1950s, has been a British agent and traitor to the United States. Kissinger has subverted the U.S., has attempted to destroy its constitutionally established political institutions and government, and has worked consciously to undermine the U.S. economy. For these crimes Henry Kissinger is indictable for treason."

"A close look at Kissinger and his counterparts—Schlesinger and Brzezinski reveal insanity of stupidity..."

"... London felt it could attempt to place into a highest security position in the U.S. government a raving psychotic whose only claim to notoriety that time was his 'insanity doctrine.'... Once the foot in the door was accomplished, other marauders from the same school—Schlesinger, Brzezinski, Alexander Haig—followed..."

—*Campaigner Special Report #13: "Expel Britain! Kissinger for Treason" (1978)*

On Organized Labor

- "The AFL-CIO Executive Council meeting in Bal Harbor, Fla., the week ending Feb. 21, was the center of a storm of controversy, as Trilateral Commission agent and AFL-CIO head Lane Kirkland announced the agenda for labor, in the age of deindustrialization and depression which his controllers have created..."

"The 'industrial labor strategy' put forth by Kirkland in response to the storm confronting labor in America was dictated by the Trilateral Commission and the international bankers who control it. The policy is, simply put, bailing out the banks..."

—*New Solidarity*, February 28, 1986

On Indira Gandhi's Assassination

- "ADL, Heritage Foundation Tied to Gandhi's Killers..."

[Headline]
"LaRouche assigned major responsibility for the plot to assassinate Indira Gandhi to a faction of British Intelligence. But the job was actually done on

...from the Soviet Union," LaRouche continued."

—*New Solidarity*, November 8, 1984

On Terrorism

- "Although the threat to the life of Prime Minister Gandhi, and the destabilization of India through communal strife, is orchestrated on behalf of Moscow, Sikh terrorism could not function as effectively as it has without the winking cooperation of the FBI, the U.S. State Department, and the Canadian Ministry of External Affairs."

—*Executive Intelligence Review*, September 27, 1985

On Drugs

- "NBC-TV News Fronts For Dope Pushers' Lobby"
—1984 flyer published by "The LaRouche Campaign"

"In a vast division of labor, the U.S. State Department, the International Monetary Fund, and the Anti-Defamation League (ADL) of B'nai B'rith have worked out an arrangement to hand Israel's economy over to the Dope, Inc. narcotics-trafficking cartel."

—*Executive Intelligence Review*, March 26, 1985

On Democratic Party Figures

- "Get That Nazi Averell Harriman Out of the Democratic Party..."

"Harriman, along with his wife, Pamela Churchill Harriman, is presently devoted to turning the Democratic Party of Franklin Roosevelt into the vehicle for carrying out racist policies of mass extermination on a scale 100 times greater than the slaughter of 20 million accomplished in the death camps of Adolf Hitler..."

"Either we Americans mobilize now, to kick the Nazi Averell Harriman out of the Democratic Party, or there will be no possibility of stopping a new Holocaust more terrible than any in human history."

—National Democratic Policy Committee document, 1982 New York State Democratic primary campaign for U.S. Senate by NDPC candidate Mel Klevenzky

"Mel Klevenzky Says: Moyzish Follows Nazi Harriman in Hitleric Policies and Tactics!"

—*Ibid.*

On B'nai B'rith and the Anti-Defamation League

- "At its inception, to the present date, B'nai B'rith has been a treasonous conspiracy against the United States, a treasonous conspiracy working in the interest of the United States' most consistent and dedicated adversary, Great Britain, and working also in the interest of the oligarchical interests centered around the British monarchy, the Hospitallers, and the Isis-centered cultism of Scottish Freemasonry."

—*New Solidarity*, December 8, 1978

"...The ADL is only a group of self-hating anti-Semites with Jewish names, eager to do any dirty deed that their controllers, the Morgans, Rockefellers, and others of the Anglo-Episcopalian elite demand."

—*New Solidarity*, February 14, 1982

On Music

- "Jazz was foisted on black Americans by the same oligarchy which had run the U.S. slave trade, with the help of the classically trained but immoral George Gershwin and the Paris-New York circuit of drug-taking avant-garde artists."

—*Campaigner*, September/October 1980

On Women and Politics

- "Concretely, all across the U.S.A., there are workers who are prepared to fight. They are held back, most immediately, by pressure from their wives..."

"If the worker rejects this pressure from his wife, she then bursts into tears or threatens to leave him, wailing..."

"Has that wretched woman, his wife, any legitimate right to demand that her husband give up politics out of respect for his 'personal responsibilities'?"

"What are his 'personal responsibilities'? To feed his family? How, in a worldwide, capitalism-caused food crisis, unless he ends capitalism? To protect them from unemployment-caused deprivation? How, unless he ends the capitalist depression by ending capitalism?..."

"Is it not clear that his wife is, in a practical sense, insane; is not clear that if he gives in to his wife's neurotic fears he is willfully murdering his children?..."

—*Editorial, Campaigner*, September/October 1973

On the Jesuits

- "The Society of Jesus has been predominantly evil throughout its history since the founding of the order at Venice. It is essentially a revival of the Delphi Cult of Apollo, which professes its method to be the delphic method, which has functioned as the political-intelligence service for the same gang of oligarchs which have created most of the inquisitions and related horrors Europe has suffered since the order was created. Its predominant role in the world today is on the side of wickedness."

—LaRouche "Special Memorandum," October 1981

On the Bahai Faith

"'Faith' is scarcely the proper term for that wicked cult..."

—LaRouche, "Special Memorandum," October 1981

On Karl Marx

- "Karl Marx, in this respect somewhat like myself, was a well-developed thinker by the time he completed secondary school... To assess Marx's intellectual powers as an adult, it is no exaggeration to say that his mental development was considerably inferior to my own... To say that the writer [LaRouche] constructed an economic science through correcting Marx's crucial blunders is an accurate, if somewhat oversimplified view..."

—*The Power of Reason* (LaRouche's autobiography), 1978

On the "Forces of Evil"

- "I was regarded by the British as a 'potential danger'... and thus they aimed at eliminating me in the course of any handy general terrorist deployment... All international terrorism is deployed by networks coordinated by the British monarchy... The discovered dominant function of the 'Black' networks of the Maltese Order provided the most efficient means for tracing the direct, unbroken links between today's British-Maltese Zionist forces of evil and the ancient oligarchist faction which the New Testament identifies as the 'Whore of Babylon'..."

—*The Power of Reason* (LaRouche's autobiography), 1978

On Andrei Sakharov

- "Dissident Soviet scientist Andrei Sakharov acts as an agent of the KGB, the Soviet Union's secret police force, and is part of an effort to manipulate the United States, independent presidential candidate Lyndon H. LaRouche said yesterday"

—Richmond (VA) *Times-Dispatch*, October 5, 1984

Anti-Semitism/Anti-Zionism

- "It was the Jewish Sadducees who crucified Christ and the same faction in Rome who prompted Emperor Nero to launch the centuries-long 'holocaust' against the Christians..."

—*New Solidarity*, December 8, 1978

"The fallacy of the 'Protocols of Zion' is that it misattributes the alleged conspiracy to Jews generally to Judaism. A corrected version of the 'Protocols' would stipulate that the evil paths cited were actually the practices of... B'nai B'rith..."

—*New Solidarity*, December 8, 1978

"The Zionist Lobby is a major power within the three TV networks, and especially NBC which televised 'Roots' and 'Holocaust' to build racial tension for a 'long, hot, summer'..."

—*New Solidarity*, July 17, 1978

- "The contemptible but impressionable sophistry which the Zionist demagogue offers to all foolish enough to be impressed with such hoaxes is the 'holocaust' thesis. It is argued that the culmination of the persecution of the Jews in the Nazi holocaust proves Zionism is so essential to 'Jewish survival' that anti-Zionism is therefore not only an anti-Semite, but that any sort of criminal action is excusable against anti-Zionists in memory of the mythical 'six million Jewish victims' of the Nazi 'holocaust'."

"This is worse than sophistry. It is a lie. True, about a million and a half Jews did die as a result of the Nazi policy of labor-intensive 'appropriate technology' for the employment of 'inferior races'... The point is that Adolf Hitler was put into power largely on the initiative of the Rothschilds, Warburgs and Oppenheimers, among other Jewish and non-Jewish financial interests centered in the city of London..."

—*New Solidarity*, December 8, 1978



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 5, 1986

Edward Spannaus
P.O. Box 17068
Washington, DC 20041

RE: MUR 2163

Dear Mr. Spannaus:

This is in response to your letter of July 17, in which you request information pertaining to the complaint which you filed with the Commission.

The Federal Election Campaign Act prohibits any person from making public the fact of any notification or investigation by the Commission unless the party being investigated has agreed in writing that the matter be made public. (See 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(a)) Because there has been no written agreement that the matter be made public, we are not in a position to release any information at this time.

As you were informed by letter of April 18, 1986, we will notify you as soon as the Commission determines what action should be taken.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosure

91040324361

The
LaRouche Democratic
Campaign

P.O. Box 17068, Washington, D.C. 20041

RECEIVED AT THE FED
C. C. # 1
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86 AUG 18 P 2: 58

RECEIVED
GENERAL COUNSEL

August 12, 1986

Federal Election Commission
Mr. Lawrence M. Noble
Deputy General Counsel
Washington, DC 20463

Re: FEC August 5, 1986 Response
Letter
In the MUR 2163

Dear Mr. Noble:

Either you or Ms. Lorraine F. Ramos have misinterpreted both my July 17th letter and, even though you make no reference to it, my June 25th letter. Both letters merely asked for acknowledgement of receipt of supplemental information to my original complaint. As of now I still do not know whether your offices have received my first supplement dated June 3rd. Would you please notify me whether or not you received my first supplemental complaint in MUR 2163 dated June 3rd?

I would also like clarification on your statement, "Because there has been no written agreement that the matter be made public...." Via an FOIA release, I am aware of a letter dated May 5, 1986 from respondent ADL's counsel William Oldaker waiving confidentiality as to the ADL in MUR 2163. Please explain how the waiver effects the release of information in this MUR with respect to the ADL?

I thank you in advance for your prompt attention to these questions.

Sincerely,



Edward Spannaus
Treasurer

21040324352



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 23, 1986

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

William Oldaker, Esquire
1140 19th Street, N.W. - 9th Floor
Washington, D.C. 20036

Re: MUR 2163

Dear Mr. Oldaker:

On April 18, 1986, you were notified that the Federal Election Commission received a complaint from Edward Spannaus of the LaRouche Democratic Campaign alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

The Commission has subsequently received a letter from the complainant pertaining to the allegations in the complaint. We are enclosing a copy of this letter. As this letter is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact John Drury, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: *Lois G. Lerner (RW7)*
Lois G. Lerner
Associate General Counsel

Enclosure

21040324363



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 23, 1986

SPECIAL DELIVERY
RETURN RECEIPT REQUESTED

Samuel Rabinove, Esquire
165 East 56 Street
New York, NY 10022

Re: MUR 2163

Dear Mr. Rabinove:

On April 18, 1986, you were notified that the Federal Election Commission received a complaint from Edward Spannaus of the LaRouche Democratic Campaign alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. You were also given a copy of the complaint and informed that your response to the complaint should be submitted within fifteen days of your receipt of the notification.

The Commission has subsequently received a letter from the complainant pertaining to the allegations in the complaint. We are enclosing a copy of this letter. As this letter is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact John Drury, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

By: *Lois G. Lerner (RLH)*
Lois G. Lerner
Associate General Counsel

Enclosure

21040324364

FEDERAL ELECTION COMMISSION
999 E. STREET N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

MUR #2163
DATE COMPLAINT RECEIVED:
April 7, 1986
DATE OF NOTIFICATION TO
RESPONDENT: April 18, 1986
STAFF MEMBER: John Drury

APR 15 1986
RECEIVED
GENERAL COUNSEL'S OFFICE
FEDERAL ELECTION COMMISSION

COMPLAINANT'S NAME: Edward Spannaus, Treasurer
The LaRouche Democratic Campaign

RESPONDENTS' NAMES: Nathan Perlmutter, National Director,
Anti-Defamation League
Anti-Defamation League of B'nai B'rith
National Headquarters, New York ("ADL")
Anti-Defamation League, Chicago
Jonathan Levine, Director
American Jewish Committee
American Jewish Committee ("AJC")

RELEVANT STATUTES: 2 U.S.C. § 441b(a), §433, and §434

INTERNAL REPORTS
CHECKED: None

FEDERAL AGENCIES
CHECKED: Internal Revenue Service

SUMMARY OF ALLEGATIONS

In presenting his complaint to this Office, Edward Spannaus, treasurer of the LaRouche Democratic Campaign, states the following:

The above named individuals and organizations have publically [sic] stated that they are actively engaged in opposing the candidacy of Lyndon H. LaRouche, running for the Democratic Party nomination for president....

21040324365

Furthermore, these individuals and organizations are engaged in opposing other candidates for federal office who consider themselves "LaRouche Democrats." Upon information and belief similar activities are being done by other chapters of the ADL as well.

For these reasons, Mr. Spannaus alleges, the respondents should be found to have violated the Act by "failing to register and report to the Federal Election Commission as political committees as provided for in 2 U.S.C § 433 et seq." (See Attachment I-1).^{1/}

FACTUAL AND LEGAL ANALYSIS

Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution or expenditure in connection with any federal election. The Anti-Defamation League of B'nai B'rith and the American Jewish Committee are corporations.^{2/} Information supplied by the complainant indicates that there is a question as to believe whether the respondents have violated § 441b(a).

^{1/} Although the complainant cites possible violations of §§ 433 and 434, these sections are inapposite. When addressing similar matters in the past, the Commission has usually chosen to find the respondents in violation of § 441b(a). This has been considered preferable to the alternative: compelling organizations such as the AJC and ADL to convert themselves into political committees subject to the ongoing reporting requirements of the Act.

^{2/} In a letter dated May 2, 1986, counsel for the American Jewish Committee stated: "The American Jewish Committee is a membership organization founded in 1906 and incorporated under the laws of New York." (Attachment II-1). In a letter dated May 14, 1986, the Anti-Defamation League described itself as a "non-profit corporation." (Attachment III-2).

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In documents filed with this Office, counsel for the American Jewish Committee identified Jonathan Levine as director of the Chicago affiliate of the AJC. (Attachment II-1). In a newspaper article attached to the complaint, Mr. Levine is quoted as saying:

Even now a list is being put together of all of the LaRouche candidates in races around the country. We are not urging people to vote for or against. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision.

(Attachment I-4). However, this statement seems misleading. If the American Jewish Committee wished only to inform Americans of its ideological disagreements with Lyndon LaRouche, then it would be unnecessary to go to the considerable effort required to discover all of the typically inconspicuous LaRouche candidates running for office across the U.S., identify them as such to the voters in the candidates' respective districts, and provide those voters with information on the candidates' political beliefs. Notwithstanding Mr. Levine's statement to the contrary, it appears that the actual purpose of AJC's compilation and dissemination is to influence these candidate's chances of election.

Some of the individuals involved were candidates for federal office. Given that the American Jewish Committee has apparently

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made expenditures in connection with the election of one or more federal candidates, it appears possible that the American Jewish Committee has violated § 441b(a).

The complainant also alleges that on May 21, 1986, respondent Nathan Perlmutter held a press conference at which the Anti-Defamation League released a report on Lyndon LaRouche. The cover page and table of contents of this report were forwarded to this Office. (Attachment IV). 3/

Examination of the table of contents shows that Part III is entitled "The LaRouchian Candidate." Pages 20 through 23 appear to contain material pertinent to the issue of violations, for here the Anti-Defamation League discusses LaRouche federal candidates in the context of the "1986 Elections." (Attachment IV-4). Moreover, it seems a virtual certainty that the report discusses the candidacy of Lyndon LaRouche. LaRouche is a candidate for the 1988 Democratic presidential nomination. 4/

While corporations may expend funds on discussions of ideology without violating the Act, they are prohibited from publishing material which is designed to precipitate the

3/ The complainant did not forward any other portions of the report.

4/ On October 16, 1985, Mr. LaRouche filed his Statement of Candidacy with the Commission. (Attachment V).

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election or defeat of a candidate for federal office. Expending funds on the publication of such materials constitutes a violation of § 441b(a). According to an Associated Press report of May 22, 1986, the Anti-Defamation League stated that its intentions were to distribute 100,000 copies of the report. Thus, there is a question as to whether the Anti-Defamation League has violated 2 U.S.C. § 441b(a).

In summary, evidence submitted with respect to the American Jewish Committee indicates that the AJC has made expenditures on compiling a list of LaRouche supporters running for office across the United States. Some of these individuals were federal candidates. It appears that the purpose of compiling and disseminating the information on these candidates was to discourage the public from voting for them, rather than to express an ideological difference of opinion. Such compilation and dissemination entails the expenditure of funds, raising the issue of whether the American Jewish Committee has violated 2 U.S.C. § 441b(a).

Furthermore, the available evidence suggests that the Anti-Defamation League has made expenditures in connection with a federal election by publishing a report discussing Lyndon LaRouche and LaRouche candidates who have run for office in 1986. Such discussion appears to transcend ideological argument and comprise advocating the defeat of these candidates and raises the possibility that the ADL has violated § 441b.

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The complainant has forwarded additional materials in support of his complaint. This Office has transmitted these to the respondents for their response. This Office will circulate a report with appropriate recommendations after the fifteen day response period elapses.

Charles N. Steele
General Counsel

12/20/86
Date

By: Lois G. Lerner (RLP)
Lois G. Lerner
Associate General Counsel

Attachments

- I. Complaint
- II. Reply of AJC
- III. Reply of ADL
- IV. Supplemental Information
- V. Lyndon LaRouche's Statement of Candidacy
- VI. Second Supplemental Information

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: *WDE* MARJORIE W. EMMONS/CHERYL A. FLEMING *CAF*

DATE: JANUARY 5, 1987

SUBJECT: MUR 2163 - FIRST GENERAL COUNSEL'S REPORT
SIGNED DECEMBER 22, 1986

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The above-captioned matter was received in the Office of the Secretary of the Commission Tuesday, December 23, 1986 at 10:40 A.M. and circulated to the Commission on a 24-hour no-objection basis Tuesday, December 23, 1986 at 4:00 P.M.

There were no objections received in the Office of the Secretary of the Commission to the First General Counsel's Report at the time of the deadline.

(Please note that due to suspension of deadlines on voting, the deadline for this matter was at 4:00 p.m. on Monday, January 5, 1987.)

CCC# 2535

EPSTEIN BECKER BOESODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 681-0900

TELEX 756-260

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 8101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 884-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3108
(817) 334-0701

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-8865

1878 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0598

January 21, 1987

*P.C. NEW YORK, WASHINGTON, D.C.
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HAND-DELIVERED

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

Re: MUR 2163

Dear Mr. Steele:

This letter constitutes the response of the Anti-Defamation League of B'nai B'rith ("ADL") to the amendment to the original complaint, MUR 2163, filed with the Federal Election Commission ("Commission" or "FEC") by the LaRouche Democratic Campaign ("LDC") on June 3, 1986. The amendment to the complaint erroneously alleges that ADL has violated the Federal Election Act of 1971, as amended, 2 U.S.C. § 431 et seq. ("the Act") by engaging in electoral activities, e.g., by "opposing a federal candidate seeking election" and by making expenditures under the purview of § 431 et seq. of the Act.

As ADL stated in its response to the original complaint, ADL neither participates in the electoral process nor espouses a position regarding voting choices. Rather, the primary objective of the ADL is to counter anti-Semitism and extremism and to do so by exposing organizations and/or individuals engaged in such activities, including Lyndon LaRouche and his various affiliated organizations.

In support of its amended complaint, LDC relies on a press conference held by the ADL on May 21, 1986. LDC maintains that since the filing of its complaint, its original allegations have been confirmed by the following ADL actions taken at the press conference: (1) release of ADL's response to the LaRouche complaint filed with the FEC; (2) release of an ADL report on LaRouche; (3) ADL's announcement that the complaint would not discourage it from fighting Lyndon LaRouche; and (4) an excerpt from a news story asserting that ADL was intensifying its campaign against Lyndon LaRouche's political movement. In

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addition, the LDC reiterates its former allegation that ADL has a history of intervening in the electoral process, and attempts to support this allegation by inaccurate and misleading excerpts from a newspaper article.

A. Release of ADL Response to LDC Complaint

The Complainant alleges in its amendment to MUR 2163 that the ADL's release to the public of its response to the LaRouche complaint constitutes participation in opposing a federal candidate seeking election. However, by merely defending its actions in the public eye against a meritless complaint, ADL clearly has not engaged in political activity. Moreover, as the respondent in this proceeding, ADL has the sole discretion to make public any information related to the filing of the complaint, including its response to the complaint.

B. ADL Report on LaRouche Activities

The Complainant further alleges that by releasing an ADL report on Lyndon LaRouche, the ADL actively opposed a federal candidate seeking election. This allegation is also patently false.^{1/} Like all previous publications on the LaRouche organization, the intent behind dissemination of the report was to expose the LaRouche organization's anti-Semitic and extremist activities and had nothing to do with influencing an election. The report was part of ADL's ongoing effort to educate the public on new matters concerning LDC's activities. Such efforts were in no way timed for a particular election, as evidenced by prior ADL reports on LDC. Merely because Lyndon LaRouche is a candidate for federal office does not make him immune from such exposure. Clearly, ADL has the right to provide the public with information concerning activities of Lyndon LaRouche and his followers that is purely educational and neither promotes nor opposes LaRouche's candidacy or any other candidacy for federal office.

Furthermore, the costs of publishing and distributing the report as well as holding the press conference would not be considered impermissible "expenditures" under the Act, as LDC alleges. The Act defines an expenditure as relating to payments

^{1/} LDC's assertion as to the number of reports distributed is not only grossly exaggerated, but totally irrelevant. Because the report contains nothing that violates the Federal Election Commission Act ("FECA"), it makes no difference as to the number of reports distributed.

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made "for the purpose of influencing any election for federal office..." 2 U.S.C. § 431(9)(A)(i). In the instant case, the ADL report and press conference were devoted exclusively to subjects other than the express advocacy of the election or defeat of Lyndon LaRouche. Thus, any costs incurred in publishing the report or holding the press conference cannot be considered "expenditures" as that term is defined in the Act. With respect to those sections of the report with subtitles "1984 Presidential Election," "1985 Elections" and "1986 Elections" to which LDC makes reference in its amendment, ADL simply states the facts surrounding the elections. At no point whatsoever does ADL reach any conclusions as to Mr. LaRouche's or his followers' political chances, nor does ADL espouse any position regarding voting choices.

C. Washington Times Excerpt

The Complainant submits an excerpt from the Washington Times, May 22, 1986, in which reference is made to a statement by Nathan Perlmutter, national director of ADL, that the ADL would not be discouraged from fighting Mr. LaRouche. This statement is true and undisputed. As evidenced from its prior exposure activities, ADL has and will continue to take forceful action against the anti-Semitic statements and personal attacks made by Lyndon LaRouche and LDC members.

Notwithstanding its tax-exempt status, ADL clearly has a right to defend itself against continual harrassment and threats against its members and to expose racists, bigots and/or anti-Semites. Such activities are neither intended to support or oppose any candidates running for political office, nor should they be perceived as anything more than what they are -- simply self-defense and educational. Assuming, arguendo, there is any damage to Mr. LaRouche's political aspirations in the course of such exposure, it is, at most, indirect and not violative of § 431 et seq. of the Act.

D. ADL "Campaign" Against LDC

Complainant alleges that ADL stated its intent at the press conference to intensify its campaign against Lyndon LaRouche's "political movement". Support for this allegation consists of another tangled web of excerpts taken out of context by LDC from a news article. The misquoted material is nothing more than a reporter's opinion that ADL was intensifying its efforts against Lyndon LaRouche's "political movement".^{2/}

^{2/} According to the statement by an Associated Press reporter, "The Anti-Defamation League (ADL) of B'nai B'rith intensified its campaign against Lyndon H. LaRouche's political movement yesterday, calling the group a devious cult." Newark Star Ledger, May 22, 1986.

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Charles N. Steele, Esquire
January 21, 1987
Page Four

The LDC's attempt to attribute a reporter's opinion to the ADL is illustrative of how LDC is not constrained by the truth where fiction appears more persuasive. In fact, no member or spokesman for the ADL stated that ADL was intensifying its efforts against Lyndon LaRouche's "political movement". Indeed, efforts were made by ADL to intensify its counteraction and exposure efforts against Lyndon LaRouche. Thus, the press conference was held to enlighten the public to positions taken and recent statements made by Mr. LaRouche and his followers on various topics. When the web of deception woven by LDC is untangled, it becomes clear that this allegation is as baseless as its others.

CONCLUSION

Based on the reasons discussed above, the LaRouche amendment adds nothing to the original complaint filed against the ADL. Therefore, the ADL submits that both the complaint and amendment should be dismissed forthwith.

Sincerely,

William C Oldaker
William C. Oldaker *sk*

Stuart M Gerson
Stuart M. Gerson *sk*

Counsel for Anti-Defamation
League of B'nai B'rith

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EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 861-0900

TELEX 756-260

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-8800
TELEX 8101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 884-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334-0701

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-8865

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2601
(213) 556-8861

518 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2824
(904) 681-0598

Direct Dial: (202) 861-1866

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January 27, 1987

HAND-DELIVERED

John Drury, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W., Suite 657
Washington, D.C. 20463

Re: MUR 2163

Dear Mr. Drury:

Enclosed, as promised during our telephone conversation this afternoon, is a copy of a special report and case study published in the spring of 1986 by the Anti-Defamation League of B'nai B'rith and entitled, "The LaRouche Political Cult: Packaging Extremism."

If I may be of further assistance, please do not hesitate to call.

Sincerely,

Lynne C. Robertson

Enclosure

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An ADL Special Report

The LaRouche Political Cult: Packaging Extremism

A case study



Anti-Defamation League of B'nai B'rith
Spring 1986

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ADL Special Report

is a periodic report of the Civil Rights Division of the Anti-Defamation League of B'nai B'rith, 823 United Nations Plaza, New York, N.Y. 10017

Kenneth J. Bialkin, National Chairman; Nathan Perlmutter, National Director; Burton S. Levinson, Chairman, National Executive Committee; Abraham H. Foxman, Associate National Director; Seymour D. Reich, Chairman, National Civil Rights Committee; Justin J. Finger, Civil Rights Director; Jeffrey P. Sienensky, Associate Civil Rights Director; Marcia Goldstein, Chairman, Fact Finding Committee; Alan Linker, Vice Chairman.

This Special Report prepared by the following staff members of the Civil Rights Division: Alan M. Schwartz, Director, Research and Evaluation Dept.; Gerald Baumgarten, Assistant to the Research Director; David Lowe, Assistant Director, Fact Finding Dept.; Gail Gans, Assistant to the Fact Finding Director; Mira Lansky, Assistant Director, DC Fact Finding Director; James Q. Purcell, Assistant to the Civil Rights Director; and David Evans, Research and Evaluation Dept. Additional research by Irving Bussel, Alison B. Carb, Yehuda Hilewitz, Richard Shaffer and Amy Solman, Research and Evaluation Dept.

This report is published by the Anti-Defamation League of B'nai B'rith as part of its ongoing effort to provide the American public with information about extremist groups.

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Introduction

Lyndon H. LaRouche, Jr., the erstwhile left-wing activist who now leads a fringe political cult practicing an extremism that defies categorizing, has begun to make his presence felt as a public figure. In the last few years LaRouche, operating under the umbrella designation "National Caucus of Labor Committees"—and politically through the deceptively-named "National Democratic Policy Committee"—has sharpened his attack on America's mainstream political life, expanded his propaganda network, and fielded a burgeoning team of candidates in elections across the country.

LaRouche is a phenomenon on the political and ideological scene that attracts attention far beyond any possible appeal of his philosophy, which remains bizarre and often incoherent. The most insidious aspect of his movement is a secretive strategy of deception that can be seen in virtually all of its operations:

- in an extremism hidden under popular causes (e.g., support for strong defense policies and opposition to the Soviets) or under legitimate-sounding "fronts" with a certain public appeal (e.g., the "National Anti-Drug Coalition");
- in dirty tricks, or worse, including personal harassment and/or threats against public officials and other individuals, and in vile slurs of named adversaries;
- in alleged skulduggery in the garnering of loans and contributions.

The LaRouche apparatus is built upon an eccentric cadre of loyal activists and a complex of organizations and publications that promote its illusion-filled ideology with a heavy flavor of anti-Semitism. The organizations appear to control assets worth many millions (it has been estimated that they have spent almost \$4.5 million on property alone during the last two years).

The LaRouche *raison d'être* extends from the massive generation of its unique propaganda to the achievement of political power—more than 700 LaRouche-affiliated candidates in the field nationwide in 1986. While the political thrust generally focuses on a few concerns of interest to a broad spectrum of Americans, the LaRouche gospel remains highly negative, consisting largely of obscurant objections to the way the world is run (by "evil" forces) and the chief suggested cure that Lyndon H. LaRouche, Jr. be allowed to run it.

The familiar sight of the movement's acolytes at tables in airport lobbies hawk-
ing their periodicals—often shouting expletives at bystanders who question their
assertions—gives the public at least a taste of the visible LaRouche-style activity. But
other tactics, experienced only too vividly by a few, are more noteworthy. Supporters
of the movement frequently harass and badger public officials, threaten opponents and
defame them with potentially libelous slurs. Many of LaRouche's political and other
perceived adversaries have been publicly pronounced, variously, to be Mafiosi, Soviet
agents, assassins, drug peddlers, prostitutes and pornographers, and the attacks are
sometimes delivered in face-to-face taunts—as in the case of former Secretary of State
Henry Kissinger, who was accosted on his way to a hospital for heart surgery and
accused of homosexual practices with children—or tied to veiled threats. In Leesburg,
Virginia, where Lyndon LaRouche lives in a baronial mansion and the cult is now head-
quartered, a lawyer who opposes the movement has explained that her life had been

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threatened; LaRouche had outrageously referred to her as a lesbian "tied to international terrorism." She has reportedly gone into hiding.

In 1973, when LaRouche was still espousing Marxist doctrines (his "Labor Committee" had been linked with Students for a Democratic Society), his followers carried out what they called "Operation Mop-Up," physically assaulting political rivals on the far Left. Now it is LaRouche who sees himself as a potential victim of violence; he insists that the "evil oligarchy" that runs the world assassinated Presidents Lincoln and Kennedy, and that a similar fate has been planned for himself.

If anything epitomizes the conspiracy-haunted nature of LaRouche's ideology it is his paranoid theory of history. In it, the looming enemy forces include a diabolical combine "operating at a higher level than the USA or Moscow command" and various groups who are in some sort of criminal cahoots with the Queen of England and the British Royal Family. Members of this "degenerate oligarchy" exhaust the alphabet from Aristotelians to Zionists, and they include ADL ("stormtroopers of the Zionist movement"), Asiatic sex cults, the International Monetary Fund, the Synarchist International, the Rothschilds, the Jesuits, the Mafia, the Federal Reserve, Henry Kissinger, Lazard Freres, the "Cult of Isis," William F. Buckley, and "volunteer enemies" of LaRouche. The "Zionist Lobby" is but "the tip of the iceberg," and its hidden core is the British monarchy and its Secret Service. (LaRouche on Britain's Queen Elizabeth: "Of course, she's pushing drugs.") LaRouche has, in fact, developed the concept of a "Zionist-British organism" that "must be destroyed so that humanity may live."

The LaRouche operation has been marked since 1978 by continuous emanations of anti-Semitism. Its publications single out prominent Jews, Jewish families, and Jewish organizations for particular abuse. The "crimes of Zionism" and "the Jewish lobby" are standard phrases. An article in LaRouche's *New Solidarity* of March 10, 1986 asserts that "The Irgun" sees the U.S. as "a nation of *goyim*, to be used when useful" and believes that "human life, especially non-Jewish life, is unimportant."

LaRouche has echoed the 2,000-year-old "deicide" charge against Jews—e.g., B'nai B'rith "resurrects the tradition of the Jews who demanded the crucifixion of Jesus Christ." He has written that prominent Jewish families were instrumental in bringing Hitler to power, and that "the 'Holocaust' thesis" is a hoax produced by "the Zionist demagogue." LaRouche has found "a hard kernel of truth" in *The Protocols of the Elders of Zion*, the most thoroughly discredited anti-Semitic forgery ever devised.

Lyndon LaRouche's feelings and suspicions about Jews are reflected in a 1983 article, "My View of the Jewish Question," a thick and curious stew of Egyptian theology, Platonic geometry and esoteric speculation in which he concluded that most Jews, having given up their Mosaic "commitment," have become biological racists with a "blood and soil" ideology distilled from pagan mysticism and Nazism.

As if to make the world according to Lyndon H. LaRouche, Jr. clearer by standing it on its end, the February 21, 1986 issue of LaRouche's *Executive Intelligence Review* reported that "one of the control centers of a number of neo-Nazi, anti-Semitic organizations is the Anti-Defamation League of B'nai B'rith (ADL)."

I. The LaRouche History

During the 1960s, LaRouche tried unsuccessfully to launch various extreme left groups under his own leadership. One of these appeared to be allied with the extreme-left Students for a Democratic Society (SDS), and was called the "National Caucus of SDS Labor Committees." It was active during the 1968 student disorders at Columbia University. When SDS collapsed in factional strife during 1969, its then-Maoist Progressive Labor faction seized control of the SDS name. LaRouche's group subsequently dropped the "SDS" initials and emerged as the National Caucus of Labor Committees (NCLC).

The U.S. Labor Party (USLP) was formed in the early 1970s as the political arm of the NCLC, and fielded candidates in several 1973 municipal elections. The USLP served as the vehicle for LaRouche's first Presidential campaign in 1976, when he was on the ballot in twenty-six states and polled about 40,000 votes out of some 80 million cast nation-wide (one-twentieth of one percent). LaRouche's subsequent campaigns for President—in 1980, 1984 and, presumably, 1988—have been undertaken through the National Democratic Policy Committee (NDPC), the current LaRouche political arm.

(For a description of the LaRouche network's affiliated organizations and publishing entities, please see Appendix B at the end of this report.)

LaRouche was born in 1922 in Rochester, New Hampshire. He attended Northeastern University in Boston, was a conscientious objector at the start of World War II and subsequently served as a medical corpsman in the China-Burma-India theater of operations. After the war, in 1948, he joined the Socialist Workers Party, and remained a member of that Trotskyist group until 1957. He also served as a Marxist teacher and theoretician, a computer programmer, systems designer and management consultant before the period of his more intense public activity on the Left.

LaRouche and Organized Labor

Since the 1970's, LaRouche has sought at various times to make inroads into the American trade union movement. Some years ago, his organization published the *American Labor Beacon*, which sought to curry favor with the leaders of the Teamsters and other unions. LaRouche was able to develop contacts among certain local Teamsters union figures, largely through publishing attacks on dissident or insurgent Teamster elements.

A December 1, 1981 *New York Post* story reported that flyers published by New Solidarity International Press Service had been widely distributed in support of Transport Workers Union Local 100 President John Lawe in a local labor dispute. Mr. Lawe disavowed any connection with the material.

The AFL-CIO became concerned about such LaRouche efforts. A January 29, 1981 memorandum from the International Labor Press Association advised editors of trade union publications that the *Beacon* "is neither issued by nor endorsed by the AFL-CIO

or any of its affiliates or support groups." The memorandum added, "Based on its policies and other activities in which its editorial staff is engaged, cooperation with this publication or the purchase of subscriptions should be discouraged." Ironically, the LaRouche organization itself severed its connection with the *Beacon* in 1982. A statement in the January 26, 1982 *Executive Intelligence Review* listed the *American Labor Beacon* among the publications now under the control of an "unsavory group" of Detroit defectors from the LaRouche fold.

In 1980, Al Barkan, then director of the AFL-CIO's political arm, COPE, described the LaRouche Presidential campaign as "anti-labor, anti-Catholic, anti-Semitic and anti-minorities." More recently, the *AFL-CIO News* of April 5, 1986 published a selected list of bizarre statements by LaRouche and his followers who, in the words of the labor publication, "are far out and roam an eerie universe."

There is little evidence that LaRouche achieved any significant influence among union members or leaders. The LaRouche movement's current attitude toward organized labor is reflected in a February 28, 1986 *New Solidarity* article which said of AFL-CIO president Lane Kirkland:

"The 'industrial labor strategy' put forth by Kirkland in response to the storm confronting labor in America was dictated by the Trilateral Commission and the international bankers who control it. The policy is, simply put, bailing out the banks. . ."

Confronting Rivals

The LaRouche organization began to attract public attention during 1973 and 1974, through confrontational tactics aimed at rival far-left groups such as the Communist Party and the Trotskyist Socialist Workers Party. In such confrontations, violence took place and some of LaRouche's followers were arrested. Confrontation and intimidation—still basic tactics in the LaRouche movement's public activities—were part of a so-called "Operation Mop-Up" announced in the organization's twice-weekly newspaper, *New Solidarity*. This "operation" came at a time when the LaRouche ideology was becoming more and more paranoid, as reflected in charges of "brainwashings" of NCLC members by CIA agents and alleged "programming" of their thought processes toward the assassination of LaRouche himself—allegations of assassination plots that continue to the present as a central feature of LaRouche propaganda.

At the same time, LaRouche undertook to "deprogram" suspected "traitors" in his organizations. Elaborate security procedures within the NCLC were established, along with the training of cadres in self-defense techniques and "martial arts." Former U.S. Labor Party member Gregory Rose wrote in *National Review* that in the summer of 1974, the NCLC held a military training school for selected members at a farm in upstate New York where they were instructed in the use of explosives, demolition, and military tactics and history. More recently, in 1983, the *Atlanta Journal* reported that LaRouche activists had participated in a paramilitary style training program at a Georgia camp run by Mitchell WerBell, III. (WerBell, now deceased, has been described in press reports as an international arms dealer and former mercenary who claimed close ties to the Central Intelligence Agency.)

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Arab Contacts

The Gregory Rose article also noted that during 1974 LaRouche and some of his top aides cultivated contacts with Palestinian terrorist organizations, particularly the Popular Front for the Liberation of Palestine (PFLP), and developed "a close liaison with the Iraqi Mission to the United Nations." That contact culminated in a 1975 trip to Baghdad by LaRouche, at the invitation of the Iraqis, during which he reportedly met with PFLP leaders.

LaRouche's *New Solidarity* (January 3, 1975) printed the text of a resolution unanimously adopted at an NCLC national conference declaring the resolve of NCLC "to defend the pro-Socialist government of Iraq, now under concerted attack by the CIA. . ." On March 6, 1975 the paper carried a supportive article about the Iraqi regime and quoted statements from an interview with Saddam Hussein, then Vice-Chairman of the Revolutionary Command Council of Iraq, and now that country's leader.

Soviet Contact Alleged

Another point of interest raised in the *National Review* article was that during 1974 and 1975 LaRouche had met with members of the Soviet UN Mission. Subsequently his organization's sometimes violent confrontations with the Moscow-oriented U.S. Communist Party terminated, and LaRouche propaganda began to reflect a pro-Soviet line, urging U.S.-Soviet cooperation as a counterweight to the perceived world-wide British conspiracy.

Outreach to the Far Right: Liberty Lobby

During his 1976 run for the Presidency, LaRouche appeared to look toward the political far right for support. It became clear that the LaRouche network had entered into a relationship with Liberty Lobby, the Washington, DC-based far right extremist organization headed by Willis A. Carto, the most influential professional anti-Semite in the United States. In the decade since then, LaRouche has been staking out seemingly "conservative" positions on such issues as nuclear energy and U.S. defense policy.

LaRouche has met with Carto on at least two occasions: the first in 1975 when LaRouche visited the office in Washington, DC of Liberty Lobby, the organization Carto directs, and the second in 1978, when the two met for dinner in Wiesbaden, West Germany with their wives, both of whom are German. LaRouche's main purpose in visiting the Liberty Lobby office in 1975 was to meet with Col. Curtis B. Dall, who was then serving as chairman of the organization's Board of Policy. LaRouche has described Dall as "a senior figure of our national life" and "a man of considerable distinction and knowledge."

During LaRouche's 1976 Presidential campaign, Liberty Lobby sold copies of a 129-page report issued by the U.S. Labor Party, "Carter and the Party of International Terrorism," describing an alleged terrorist apparatus of government agencies, private research groups and political organizations involving the "brainwashed" Jimmy Carter,

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the CIA and the Rockefeller interests to deindustrialize America and go to war with the Soviet Union by 1978. According to Carto, Liberty Lobby sold about 200 copies of this report. The Liberty Lobby newspaper *The Spotlight* gave it a favorable review in its October 11, 1976 issue.

In 1978, Carto paid a visit to LaRouche's headquarters while in New York, and was in touch with LaRouche's "legal people" in connection with Liberty Lobby's litigation with ADL.

The LaRouche connection with Liberty Lobby was also described in a 1985 deposition given by Bob Bartell, who had been Dall's successor as chairman of the Liberty Lobby Board of Policy. Bartell testified that LaRouche's representatives had come to Liberty Lobby's office in 1976 to make a presentation on fusion energy, following which *New Solidarity* maintained regular contact with Liberty Lobby for information and support for LaRouche activities. According to Bartell, a financial arrangement between the two organizations was reached after Liberty Lobby agreed to publicize the LaRouche organization book *Dope, Inc.*—a lengthy exposition of LaRouche's thesis of a worldwide drug trade involving the British monarchy, various Jewish organizations (including the Anti-Defamation League) and others in a convoluted conspiratorial fantasy.

The most recent reflection of the LaRouche-Carto relationship could be seen after the victories of two LaRouche candidates in the Illinois Democratic Primary in March 1986. The Populist Party, a far right political entity whose driving force is Willis Carto, issued a statement of support in *The Spotlight* under the name of former Ku Klux Klan activist Robert Weems, identified as the Populist Party's "founding national chairman." Weems described the LaRouche victories as "a real rebellion against the Establishment" and offered the personal hope "that there will be more such victories in the future."

LaRouche and 'Zionists'

The anti-Jewish, anti-Israel propaganda campaign launched by the LaRouche network in 1978 began at about the same time that Liberty Lobby's *Spotlight* was devoting major front-page coverage to developments in a lawsuit brought by Liberty Lobby against the Anti-Defamation League.

A similar article about the lawsuit appeared in *New Solidarity* and, as the weeks and months progressed, the LaRouche paper published a sustained barrage of articles whose headlines proclaimed the dangers posed by the "the Jewish Lobby," the ADL, Israeli Intelligence, various Israeli leaders, "ADL Terror vs. LaRouche," and the ADL as "Britain's Zionist Gestapo."

On April 10, 1979, moreover, the USLP, the NCLC, and several leaders and members of the USLP filed suit against the Anti-Defamation League of B'nai B'rith in Supreme Court of New York County, falsely charging ADL with various acts of slander, libel, invasion of privacy, assault and harassment. The USLP and the other plaintiffs sought \$26 million in damages.

In October, 1980, New York State Supreme Court Justice Michael Dontzin granted ADL summary judgment and dismissed the suit. In his 22-page opinion, Judge Dont-

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zin stated that the League's characterization of the LaRouche group as anti-Semitic constitutes "fair comment" and that the facts in the case "reasonably give rise" to such a characterization.

LaRouche's by-line appeared over a *New Solidarity* article of December 8, 1978 that attacked Jews, Zionists, Israel, the Anti-Defamation League, B'nai B'rith and the American Jewish community. LaRouche charged that "most of the leading strata of the Israeli political parties are nothing but British intelligence agents" and that "this is crucial to an understanding of Israel today. . . ." Israel, wrote LaRouche, "is ruled from London as a zombie-nation" and Zionism is "the state of collective psychosis through which London manipulates most of the international Jewry," and "is a hideous doctrine, a hideous cult. . . It ought to be opposed merely on the grounds that no human being's mind should be destroyed in the way that Zionism degrades its individual cultist."

The Holocaust, the Crucifixion, the Protocols

Turning to what he called the "common-place delusions of the American Zionist or Zionist fellow-traveler," LaRouche charged that "the Zionist demagogue" offers them "hoaxes" such as "the 'holocaust' thesis." He claimed that the Nazis "only" killed about a million and a half Jews. He added that "Adolf Hitler was put into power largely on the initiative of the Rothschilds, Warburgs and Oppenheimers, among other Jewish and non-Jewish financial interests centered in the City of London."

Later in his polemic, LaRouche promulgated the ancient theme of Jewish responsibility for the crucifixion of Jesus. He wrote that "it was the Jewish Sadducees who crucified Christ and the same faction in Rome who prompted the Emperor Nero to launch the centuries-long 'holocaust' against the Christians," thus "anticipating the Nazis. . . ."

LaRouche also gave credence to *The Protocols of Zion*, the spurious document forged at the turn of the century by the Czarist secret police that charges the Jews with plotting to control the world. LaRouche declared that "it is exemplary of the character of B'nai B'rith that the Czarist Okhrana's 'Protocols of Zion' include a hard kernel of truth which no mere Swiss court decision could legislate out of existence. . . ." (This refers to a decision of a Swiss court in the 1930s, holding the "Protocols" to be a fraud, a forgery, and a document of "incredible nonsense.")

LaRouche on B'nai B'rith

In a section captioned "Zionism as Treason," LaRouche wrote that "the B'nai B'rith was, from the beginning, a special subdivision of the treasonous British Freemasonic networks in the USA" and added that throughout history, "all mass-oriented forms of political-intelligence operations" have operated "under the auspices of either religious or quasi-religious cults." In these, LaRouche charged, control is exercised through "social action" activities "which are either conducted by or associated with religious bodies"

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and he added: "The B'nai B'rith is the most evil and most dangerous of the 'social action' programs associated with religious bodies in the United States today."

As for the Anti-Defamation League, LaRouche asserted, "The ADL is literally the Gestapo of the British secret intelligence in the urban centers of the United States."

One early instrument of LaRouche anti-Semitism was a so-called "Provisional Committee to Clean Up the B'nai B'rith's Anti-Defamation League," organized in mid-1978. This LaRouche committee charged that the ADL and these activities "are being run by the same Jewish families who were directly responsible for Hitler's rise to power and who are associated with the Rothschilds and the Warburgs."

Even before LaRouche's own diatribe, *New Solidarity* had carried a massive attack against Jewry—a two-part article that denounced ADL and other organizations, individuals and institutions of the Jewish community in the U.S. and elsewhere. It appeared in the July 17, and July 28, 1978 issues and was the work of Scott Thompson, who wrote: "ADL involvement in assassinations and the creation of anti-Semitic terrorist gangs in the U.S. dates back at least to the Civil War period when Rothschild agent Bernard Baruch, Sr., helped arrange the assassination of President Lincoln and then laundered the funds from London banks that were used to found the first Ku Klux Klan immediately after the Civil War's conclusion." Thompson added: "According to several sources privy to the founding of the American Nazi Party, George Lincoln Rockwell was on the ADL payroll. It is the case study of the founding of the Zionist Gestapo. . . ."

A few examples of LaRouche's obsessive campaign against ADL:

"... the FBI handed over the 'dirty tricks' franchise against the NCLC to its alter ego, the Anti-Defamation League (ADL) of B'nai B'rith, while illegally continuing its own covert operations against LaRouche. . . ."

—*New Solidarity*, April 25, 1983

"Mossad, ADL created Sikh terrorism."

—Headline, *Executive Intelligence Review*, Feb. 11, 1985

—"The Anti-Defamation League of B'nai B'rith, a political arm of the highest level drug traffickers. . . ."

—*Executive Intelligence Review*, Sept. 20, 1985.

LaRouche's fixation on Jewish criminal conspiracy-fantasies remains vivid. A recent article on "Israeli Organized Crime and the Russians" in *New Solidarity* (March 10, 1986) echoed an old anti-Semitic line charging that Jews were responsible for the Bolshevik Revolution in 1917:

"The grain trading families of Odessa, Salonika (Greece), and Aleppo (Syria) were the principals in the Jewish component of a financial network centered in Venice, known as *The Trust*. Their instruments. . . were deployed in a Trust project known as the Bolshevik Revolution in Russia. . . ."

"In Palestine, they were called the Irgun. In New Orleans and New York, they were called the Mafia—another project of the Trust.

"The Irgun was made up largely of Eastern European Jews, mostly Russian. They. . . became the basis for modern organized crime. . . ."

"The Irgun outlook is a Jewish variety of Iran's Ayatollah Khomeini. It is their

mission to recreate a Jewish state in all Palestine. Any means, even genocide, is legitimate, even holy. Human life, especially non-Jewish life, is unimportant; if a Jew dies, that too is unimportant.

"The United States? It is a nation of *goyim*, to be used when useful. . ."

'Dope, Inc.'

A major salvo in the campaign of LaRouche and his followers against their fancied enemies in Britain and in Jewry is packaged in a book entitled *Dope, Inc.—Britain's Opium War Against the U.S.* It was "commissioned in September, 1978" by LaRouche and written by a "U.S. Labor Party Investigating Team," and it bears the imprint of the LaRouche-affiliated "New Benjamin Franklin House Publishing Company, Inc." of New York. The book is a concocted scenario that purports to demonstrate that the British Crown controls a vast world-wide traffic in drugs, utilizing an intricate network that involves top banks which finance the operations and launder funds, prominent "Hofjuden" families, secret societies, Jewish organizations, and crime syndicates.

The book's allegations were used by the USLP in an attempt to stop the merger of the Hong Kong and Shanghai Banking Corp. and Marine Midland Banks, Inc., in the U.S. According to *Business Week* of January 22, 1979, the USLP charged, to the Federal Reserve Board, that the Hong Kong bank "not only finances opium and heroin traffic and launders illegally earned funds but also acts as a conduit for payments for the Chinese intelligence service."

The Federal Reserve Board subsequently approved the merger. This conspiracy scenario nevertheless remains a fixture of LaRouche propaganda. For example, an article in the March 26, 1985 issue of *Executive Intelligence Review* stated:

"In a neat division of labor, the U.S. State Department, the International Monetary Fund, and the Anti-Defamation League (ADL) of B'nai B'rith have worked out an arrangement to hand Israel's economy over to the Dope, Inc. narcotics-trafficking cartel."

II. The LaRouche Strategy

One of LaRouche's primary goals is to attain legitimacy and respectability with the American mainstream. The basic and most characteristic LaRouche tactic is the formation and promotion of official-sounding entities or front groups—variously called "coalitions," "institutes," "committees" or "foundations"—built around particular issues of public concern, especially geared to appeal to many Americans (and others in Europe and Latin America) who consider themselves conservative or who seek to strengthen "traditional" values.

The most important of these issue-oriented front groups are the National Anti-Drug Coalition, the Fusion Energy Foundation, the Schiller Institute and the National Democratic Policy Committee. The LaRouche network includes several propaganda

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publications, the most significant of which is the weekly magazine *Executive Intelligence Review*, which seeks to address the security concerns of its target audience in business, government and law enforcement.

An examination of these LaRouche enterprises follows:

National Anti-Drug Coalition—An illustration of the LaRouche tactic of exploiting public concern about serious issues, the National Anti-Drug Coalition began as the Michigan Anti-Drug Coalition at a December 1978 mass rally sponsored by the U.S. Labor Party. Its stated purpose was "to mobilize the concern of citizens *politically* against both the drug-traffic and the campaign for legalization of all or part of the drug consumption." This appeal has a certain potency, given the number of Americans who would gladly "mobilize" with regard to the problem. But typically, the group has little in the way of an actual, practical program to fight drug abuse; it has merely promoted LaRouche's fantastic conspiracy theories and solicited support for the organization. The group has claimed the existence of allied anti-drug coalition organizations in Mexico, Colombia, Italy, France, Sweden, Denmark and West Germany.

In the early 1980s the Coalition published a monthly magazine, *War on Drugs*. An occasional column under this title appears in issues of the LaRouche network's twice-weekly newspaper, *New Solidarity*. In recent years, activities of the National Anti-Drug Coalition have apparently diminished, although LaRouche's maze of alleged drug-running plots continues as a propaganda mainstay of his organization.

Fusion Energy Foundation (FEF)—The Fusion Energy Foundation, now located in Leesburg, Virginia, was established in early 1974 in New York City. It was founded as a tax-exempt organization for, in LaRouchian terminology, "the promotion of energy-flux-density modes of production and application of energy, together with emphasis on the standpoint in physics and physics-mathematics education required for comprehension of and progress in developing such technologies."

The Fusion Energy Foundation serves to lure members of the scientific and engineering communities, the energy industry, and public officials concerned with energy problems into the LaRouche fold. It seeks to influence and gain support from this audience by advocating technological progress, economic growth and development, and the importance of nuclear fusion power.

Membership in FEF is \$75 per year for individuals; "corporate membership" is \$1,000.

FEF publishes *Fusion* magazine (six times a year), which now incorporates a formerly separate publication geared toward students, *The Young Scientist*. FEF also publishes the *International Journal of Fusion Energy*. Allied publications have been produced in Spanish, German, French, and Swedish. The FEF also has published books and conducted "Fusion Energy Conferences."

An example of the artful tactics of the LaRouche organization took place in March 1985, when FEF requested that the office of Senator Richard Lugar of Indiana, chairman of the Senate Foreign Relations Committee, reserve a Congressional hearing room for a briefing on the benefits of President Reagan's Strategic Defense Initiative. Since

this type of request is frequent and routine for members of Congress, Sen. Lugar's office did arrange for such a reservation—only to cancel it when informed of the group's link to LaRouche.

The Schiller Institute—A vehicle to promote political and cultural doctrines favored by LaRouche, the "Institute" is named after the 18th century dramatist, poet, and historian Friedrich Schiller (1759-1805), one of the great literary figures of German history.

The Schiller Institute was established on May 12, 1984 in Leesburg, Virginia, by a number of individuals who have been associated with LaRouchian activities, principal among them LaRouche's wife, 38-year-old West German-born, Helga Zepp-LaRouche. Since its founding, Zepp-LaRouche has served as the Schiller Institute's chairman and principal spokesman. The purpose of the Washington, D.C.-based Institute is, in the group's own words, "to counterpose to the multiple tendencies toward decoupling Western Europe from the United States a positive conception for the maintenance and revitalization of the Western alliance."

The Schiller Institute's stated activities include "developing models of thinking and policy options in four areas of German-American cooperation," namely, strategic, economic, scientific, and cultural. They also include the publication of books and articles in several languages, the organizing of conferences on German-American relations, and the sponsoring of "transatlantic trips for purposes of mutual education" involving "the exchange of young people in order to increase their conscious understanding of history and culture." The Institute has held several "international conferences," whose proclamations have been promoted by other LaRouche-related entities, including the National Democratic Policy Committee, *New Solidarity* and *Executive Intelligence Review*.

For example, the Institute's Third International Conference, whose theme was "The Necessary Changes in America's Foreign Policy," was held on November 24-25, 1984 in Arlington, Virginia. *New Solidarity* stated: "The purpose of the conference, coming three weeks after the U.S. presidential election, is to ensure that the next administration categorically rejects the Kissinger policy of 'decoupling' the United States from Western Europe." It added, on a familiar note, "In place of the Kissinger policy, the Schiller Institute has called for a strengthening of U.S. military, economic, and cultural ties with Western Europe, and an international crash program to develop a beam weapons anti-missile defense system."

A report on the conference, subsequently published in *Executive Intelligence Review* under the title "Leaders from fifty nations tell Reagan to reject the IMF," noted that Helga Zepp-LaRouche had presented the results of the conference at a press conference on November 26, where she asserted that "African nations face famine today as a result of the faulty economic policy of the United States." In a subsequent article about the conference, the December 11, 1984 issue of *Executive Intelligence Review* stated that "A resolution was adopted, proposed by the delegation from Argentina, to translate the works of Lyndon LaRouche into Spanish and the works of Gen. Juan Peron on social justice and labor into English and other languages"

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LaRouche Opposition to Nazi War Criminal Investigations

On June 15-16, 1985, the Schiller Institute and the Fusion Energy Foundation jointly sponsored a "Krafft Ehrlicke Memorial Conference" in Reston, Virginia to honor the late space scientist Krafft Ehrlicke. The conference called upon President Reagan (in the words of *New Solidarity*) "to overrule the Office of Special Investigations' witch-hunt against German-born U.S. space scientists, which is now operating to prevent the participation of the greatest scientific minds in space science, in the SDI program."

Lyndon H. LaRouche, Jr. was the keynote speaker at this conference. He charged the Office of Special Investigations, according to *New Solidarity*, "with carrying out literal treason against the U.S. government by working to dismantle U.S. scientific capability during a time of war between the U.S. and the Soviets."

In 1984, Arthur Rudolph, a German-born rocket scientist for the National Aeronautics and Space Administration, returned to West Germany following charges raised by the OSI that he used slave labor at the Dora concentration camp in Germany under the Nazis. One of the other participants in the conference, Prof. Freidwart Winterberg of the University of Nevada, has strongly defended Rudolph. According to *New Solidarity*, Winterberg provided the Schiller Institute meeting with "explosive revelations about the OSI's treachery."

Among materials emanating from the Schiller Institute has been a study edited by Helga Zepp-LaRouche entitled "The Hitler Book." It has been described as "challeng[ing] all the 'sacred cows' of the standard histories of the Nazi period."

National Democratic Policy Committee (NDPC)—The National Democratic Policy Committee was formed in 1980 to serve as "both a policy association and a multi-candidate political action committee." It has functioned as the political arm of the LaRouche organization, running candidates for office and seeking members and contacts in a wide spectrum of organizations. The title of this committee, which implies an affiliation with the Democratic Party, has evidently caused confusion among Democrats, who have sometimes been led to support the group because they thought it was an official element of their party. The Democratic National Committee, representing the Democratic Party, has issued statements repudiating any such linkage.

In March 1984, the NDPC claimed that its chapters had 30,000 members and that 2,600 of them were on the ballot in local, state, federal and party elections. (See the following section for further details about recent NDPC efforts in various states.)

The NDPC, whose chairman is veteran LaRouche adherent Warren Hamerman, was LaRouche's vehicle for his campaign for the 1980 Democratic Presidential nomination. It was at that point of challenge within the Democratic Party to President Jimmy Carter's leadership and his political vulnerability as revealed in public opinion polls that LaRouche began to promote himself actively as a Democrat. (His former political vehicle, the U.S. Labor Party, had fallen into apparent inactivity.)

Executive Intelligence Review—Widely sold at tables and booths in many an airline, train and bus terminal by LaRouche followers. *Executive Intelligence Review* (EIR) is

notable for the wide range of subject areas reported on by its staff and for the insidious nature of its outreach to public officials and business leaders unaware of its true motives. The magazine generated a spin-off periodical called *Investigative Leads*, which in 1981 published the bizarre charge that the Anti-Defamation League, in collusion with the U.S. Department of Justice, had tried to promote the interests of the Invisible Empire, a violence-prone faction of the Ku Klux Klan. *Investigative Leads* is no longer a separate publication, but appears as an occasional special column in issues of *New Solidarity*.

EIR lists LaRouche as its "Founder and Contributing Editor." Besides its editorial staff, the magazine has 15 "intelligence directors" assigned to various geographical areas and to subjects such as economics, energy, law and military strategy. It also claims "international bureaus" in 19 cities in the U.S. and around the world.

EIR regularly publishes the LaRouche brand of conspiracy-oriented "intelligence" reports and outlandish accusations against such familiar targets as Israelis, U.S. State Department officials and other public figures. Examples of recent EIR headlines: "The present danger posed by Max Kampelman" (February 11, 1985); "The plot to deliver Israel to Dope, Inc." (March 26, 1985); "The shocking truth about Simon Wiesenthal" (May 14, 1985); "Brzezinski-Shultz alliance to sell out western Europe" (August 16, 1985); "State Department plots with Nazis to destroy Panama" (March 21, 1986); and the pointed "Governor Richard Lamm should hang at Nuremberg" (February 19, 1985).

EIR is distributed by Caucus Distributors, Inc., a New York corporation formed in 1981 to serve as the distribution and subscription service for LaRouche network publications.

LaRouche's 1980 Campaign

Benefiting (as he would also in the 1984 Presidential campaign, described later in this report) from extensive preparation and grassroots legwork by aggressive NCLC staffers and locally recruited volunteers, LaRouche entered 15 Democratic state primaries in 1980 and garnered a total of about 185,000 votes. Although this total represented a modest showing, it demonstrated, according to some political observers, that LaRouche had the ability to conceal his true ideological colors and present himself to the uninformed as a legitimate conservative Democrat.

Noteworthy was the candidate's success in qualifying for well over half a million taxpayer dollars in matching funds. LaRouche was declared eligible for matching funds on December 18, 1979, after demonstrating to the satisfaction of the Federal Election Commission at that point that he had met the campaign financing law requirement of contributions of at least \$5,000 in at least 20 states (the \$5,000 figure must consist of gifts of no more than \$250 each). But it was another section of this election law that caused the matching funds to be terminated. On March 28, 1980, the FEC ruled that LaRouche had failed to receive the required minimum of at least 10% of the vote in two consecutive primaries in which he was a candidate. He became ineligible for federal matching funds as of April 17.

In no state did LaRouche elicit significant support; he received between 1% and

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5% of the vote in most primaries. But the paranoid style of the candidate and his followers was publicly revealed in several state campaigns. Bizarre incidents and charges, reported in the local press, served to undermine LaRouche's own campaign efforts while at the same time, ironically, to strengthen his hold on his adherents.

For example, during the New Hampshire primary, LaRouche sought to have his security staff carry guns after he was denied Secret Service protection. When local officials and citizens objected, LaRouche characteristically charged them with being linked to a government-sponsored plot to assassinate him. Using the telephone and the press conference as offensive weapons, members of his New Hampshire campaign team impersonated newspaper reporters and representatives of private organizations, attempting to extract information or opinions from people suspected of complicity in alleged plots against LaRouche's life.

Although LaRouche's 1980 and 1984 Presidential campaigns fizzled, he has sought to remain involved in the national political arena, both directly and indirectly. Through *New Solidarity* and other publications, he maintains his general-audience propaganda platform. Moreover, certain LaRouche activists have served as candidates in important local races. They include NDPC official Mel Klenetsky, who ran against Mayor Edward Koch in the 1981 New York mayoral Democratic primary (and who had been the U.S. Labor Party candidate for governor of Illinois in 1978) and against U.S. Senator Daniel P. Moynihan of New York in the 1982 Democratic Senatorial primary. Of that race, Moynihan has stated:

"There was no way Mel Klenetsky could win the Democratic nomination from me, [but] it would be a hollow victory if we got there by allowing a fascist, anti-Semitic conspiratorial element to be further legitimized as an element in our party. . .

"We commenced to spend the whole of our campaign treasury against a candidate who could not beat us but could destroy the party."

Sources of Funding

Precise information about sources of funding for the LaRouche apparatus is not plentiful. As far back as 1978, an article in *Business Week* noted that "a good deal" of money comes to the operation from sales of literature and the soliciting of contributions from the public. The magazine said that LaRouche's own followers "are under pressure to bring in money." That kind of pressure is characteristic of religious and pseudo-religious cults. So is a practice disclosed by former LaRouche members and the families of members who have said that entire earnings from salaries and entire trust funds have been turned over by members to the apparatus.

A LaRouche propaganda mailing of several years ago may have provided insight into the funding question when it described *Executive Intelligence Review* as "a channel for special reports and technical consulting services" with 7,000 subscribers "chiefly among political, financial, industrial, and trade association clients internationally" at \$400-a-year (it is now \$396) plus individual-copy sales of 600-1,000 weekly.

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Thus, if the organization's own figures are accurate, *Executive Intelligence Review* has produced well over \$3 million annually for LaRouche's operation, but the accuracy of the figures is, of course, questionable.

Over the years, LaRouche-related legitimate business enterprises have reportedly served as income sources for the organization's various activities. One such business was Computron Technologies Corporation of New York, a computer software company dominated by LaRouche adherents, which had done some lucrative computer work for several major corporations before it filed several years ago under Chapter 11 of the Federal Bankruptcy Code.

Another similar entity was Computype of Texas. Several USLP activists from Detroit served as incorporators of Computype in August, 1980, and a promotional mailing from the firm stated that it was organized by individuals "associated with Lyndon LaRouche and the *Executive Intelligence Review*." The firm, which claimed branches in Boston, New York, Detroit, Chicago, Atlanta, Houston and Dallas, provided type-setting, graphics and printing services for the preparation of corporate documents. It had an orientation toward energy companies.

Computype eventually left the LaRouche orbit. The January 26, 1982 issue of *Executive Intelligence Review* contained a statement warning its readers to avoid any dealings with "an unsavory group operating out of Detroit . . . seeking subscriptions to a newsletter called Producers & Investors . . ." Obviously referring to recent Detroit defectors, the statement asserted that they had "abandoned the principles for which Lyndon LaRouche and this publication stand, and have thrown in their lot with the evil forces of Dope, Inc. and the Global 2000 genocide lobby." Identifying the Detroit group as operating "under the name of Inform America, Inc.," the statement asked readers to "advise us immediately" about solicitations for the group's publications or invitations "to invest money in businesses such as . . . Computype . . ."

Currently, two LaRouche-related printing firms recently relocated from New York to the Leesburg, Virginia area along with most of the LaRouche operation are doing an active business: PMR Printing Company, which reportedly handles the printing for the LaRouche-affiliated Campaigner Publications, and WorldComp, another printing entity which, according to its attorney, publishes textbooks for McGraw-Hill.

There may well be other major sources of income for the operation. For example, an Oklahoma oil millionaire and LaRouche supporter holds the title to the estate near Leesburg, Virginia occupied by LaRouche and his wife. (It should be noted as well that LaRouche declared, in testimony during his 1984 libel suit against NBC and ADL, that he has filed no federal income tax returns since 1972.)

Another important aspect of LaRouche's fundraising relates to his Presidential campaigns. As noted, LaRouche qualified for over half a million dollars in federal matching funds during his 1980 campaign for the Democratic nomination—although the Federal Election Commission later required his campaign to return over \$50,000, plus a \$15,000 penalty, due to election-law irregularities. The 1984 LaRouche Presidential campaign received nearly the same amount in federal matching funds, approximately \$490,000.

It has been widely reported that several federal agencies—the FBI, the Secret Serv-

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ice, the Internal Revenue Service, and the Federal Election Commission—are conducting investigations into questionable fundraising activities by the LaRouche organization. The probes involve numerous allegations of credit card fraud. While denying the charges, LaRouche and his associates, true to form, as noted by the *New York Times* "have leveled a wide range of accusations against some of the Federal officials investigating him, asserting that they are drug dealers, Nazis or K.G.B. agents. . ."

III. The LaRouchian Candidate

1984 Election

Lyndon LaRouche received 78,773 votes in the 1984 Presidential election (85 one-thousandths of one percent of the votes cast), as a result of being on the ballot in nineteen states.

He ran in Arkansas (receiving 1,890 votes), Colorado (4,662 votes), the District of Columbia (127 votes), Hawaii (654 votes), Iowa (6,248 votes), Kentucky (1,776 votes), Louisiana (3,552 votes), Michigan (3,862 votes), Minnesota (3,865 votes), Missouri (1,001 votes), New Hampshire (467 votes), North Dakota (1,278 votes), Ohio (10,693 votes), Tennessee (1,852 votes), Texas (14,613 votes), Vermont (423 votes), Virginia (13,307 votes), Washington (4,712 votes), and Wisconsin (3,791 votes).

LaRouche received \$488,396 in federal matching funds for his campaign. According to figures released in May 1985 by the Federal Election Commission, LaRouche spent a total of \$3,982,097 in his quest for the Presidency.

LaRouche's National Democratic Policy Committee fielded over 2,000 candidates in thirty states, most of them easily qualifying for the ballot. The NDPC ran candidates in a majority of Ohio's twenty-one congressional districts in the May 1984 primary, and won its first Democratic nomination for Congress.

According to Ronald Radosh and Dennis King in *The New Republic*, "All across the country this year [1984], NDPC candidates made impressive showings in scores of primary races for the U.S. Senate and House and for state legislative seats."

- In North Carolina, the NDPC candidate for the Senate received 127,000 votes in a three-way vote, coming in second, with fifteen percent of the vote.

- In California, the NDPC candidate in the 45th C.D. received 49 percent of the vote in a two-way race.

- In Georgia, the NDPC candidate in the Sixth C.D., won 24 percent of the vote in a four-way race, coming in second, and gained a chance at the front-runner. In the runoff, the NDPC candidate received 34 percent of the total vote.

The NDPC also claimed to have captured over 200 Democratic county committee seats in California, Illinois, Florida, Massachusetts and other states. In suburban counties around Chicago, LaRouche followers won 47 seats, and their candidate for Will County auditor won the Democratic nomination with more than a 3,000 vote margin over the Democratic organization candidate.

LaRouche purchased fourteen half-hour spots on national television networks (and a vast number of local radio and TV spots as well). One 30-second TV spot opened with an image of a man whose face was masked over with a question mark. The voiceover went: "Do you know that there's a Soviet agent of influence on President Reagan's foreign intelligence advisory board?" Former Secretary of State Kissinger's face was then revealed, as the voiceover continued: "His name is Henry A. Kissinger."

In the course of the campaign LaRouche attacked Democratic Presidential nominee Walter Mondale on a national political broadcast as "a Soviet agent of influence" controlled by a "Swiss-dominated international grain cartel." (LaRouche paid CBS \$250,000 for this half-hour program.) He stated that Mondale was "consciously supporting agreements that he and his circles have made with the Soviet Union on U.S. defense policy and grain policy."

Citing alleged personal threats to his life, LaRouche made few personal appearances during the campaign. His official biography asserted that he was under constant threat from "Moscow and Moscow-linked agencies" as well as being the target of McGeorge Bundy, Henry Kissinger and Muammar el-Qaddafi. LaRouche also accused Andrei Sakharov of being an agent of the KGB, and called Secretary of State George Shultz a "bootlicking crybaby."

Campaign literature from the LaRouche camp contained a familiar litany of obsessions. One pamphlet issued by "Independent Democrats for LaRouche" was headlined, "ADL, Heritage Foundation Linked to Indira Gandhi's Assassins," and was signed by LaRouche. He stated:

"... the ADL is on public record as a political supporter of Mrs. Gandhi's self-proclaimed assassins..."

"Essentially, it was a faction inside British intelligence which is primarily responsible for the terrorist gang which assassinated my dear friend, Indira Gandhi..."

"The problem is that Kissinger, and others, do make bloody threats against leading foreign politicians, and usually those politicians do die shortly afterward... Not one of them [leaders of government] would believe that as long as the U.S. tolerates Kissinger and his ilk around government, the U.S. would not kill any political figure to which Mr. Kissinger took exceptional dislike."

New Solidarity, the movement newspaper, asserted on October 22, 1984 that an assassination bureau had received an offer of funds to assassinate LaRouche.

In a national TV broadcast on April 27, 1984, LaRouche stated:

"... You the voters are therefore left with a simple choice. Either you vote for Henry A. Kissinger, or you vote for me... a new Reagan administration would be a Kissinger administration."

LaRouche concluded: "If you refuse this recommendation, some future space traveller may be so kind as to erect a tombstone on this destroyed planet, and on that tombstone write: 'Henry Kissinger Was Here.'"

1985 Elections

In 1985, the LaRouche organization fielded a number of candidates in state and local elections. The organization was particularly active in New Jersey, running full slates in the Democratic Primary for state-wide offices—including governor—and local school board seats. Many ran under the ballot title "Inalienable Rights of Man Movement."

Elliot Greenspan, a self-styled "political consultant" who served as "state-wide president" of LaRouche's political arm, the National Democratic Policy Committee, announced in March that he was running to challenge incumbent Gov. Tom Kean "and his blue-blood, eastern establishment partners—the local agents for the IMF [International Monetary Fund] policy." Greenspan, who had challenged incumbent Bill Bradley for the Democratic nomination for the U.S. Senate in the previous year, received approximately 5,600 votes, which placed him last in the field of six.

Greenspan, who also serves as an official of Caucus Distributors, Inc., a LaRouche front group under investigation in Boston for credit card fraud (see section VI), was jailed in October for refusing to comply with subpoenas from the Federal Grand Jury conducting the investigation. The organization was fined \$220,000 for its refusal to comply with the subpoenas.

Every LaRouche candidate for the New Jersey assembly was soundly defeated in the Democratic primary, and none came close to capturing a school board seat.

The LaRouche effort in Atlanta's local election was noteworthy particularly because of the organization's success in persuading 17 Blacks, many elderly and all newcomers to politics, to run under the NDPC banner for city council and school board. Interviews conducted by the *Atlanta Constitution* with 10 of these revealed that one had never heard of LaRouche, another agreed to run only after learning that the LaRouchians had circulated petitions on her behalf, and several were not familiar with LaRouche's conspiracy theories.

The NDPC filed a \$1 million lawsuit against both the *Constitution* and the *Atlanta Journal and Journal-Constitution* columnist Frederick Allen, accusing them of "a campaign of threats and intimidation" against the organization and its candidates. A federal judge dismissed the suit. Three days after the election, in which all LaRouche candidates went down to defeat (one managing to poll over 10,000 votes in an at-large school board race), NDPC's Georgia coordinator Gerald Belsky announced his candidacy in the 1986 Senatorial campaign for the seat held by Mack Mattingly.

One 1985 campaign which offered the LaRouche organization various publicity opportunities was the Mayor's race in New York City. The LaRouche candidate, Judah Rubinstein, characterized himself as being "in the republican-small r-tradition." Rubinstein is the NDPC's "New York Regional Director." His platform ranged from having the school system take "a more classical liberal arts approach to education," a long time LaRouche plank, to ousting certain local politicians he believed were "connected to the KGB." Rubinstein collected 9,186 votes, or less than 2% of the total cast in the Democratic primary.

Rubinstein's wife, Joyce Helen Rubinstein was arrested in August and charged with

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attempted theft by deception in connection with the turning over of a coin collection valued at \$77,000 belonging to an elderly Princeton, New Jersey woman. According to a report in the Manhattan weekly *Our Town*, Mrs. Rubinstein solicited the coins on behalf of Caucus Distributors, Inc., the same organization under investigation by the grand jury in Boston. Judah Rubinstein is one of the organization's five "initial directors."

The Farm Issue

One of the issues which the apparatus has tried to capitalize upon in recent years has been the plight of the family farmer. LaRouche has tried to make inroads in rural communities by projecting prophecies of an impending world-wide agricultural collapse and of mass starvation. LaRouche followers have made efforts during the past two years to speak at farm meetings organized by legitimate farm organizations and have set up conference calls among farmers to spread their propaganda.

The Schiller Institute has attempted to sign up farmers at propaganda meetings held in rural communities in the Midwest. LaRouche publications have blamed Reagan Administration cutbacks in farm support on the "dope lobby" and have attributed responsibility for farm foreclosures on an international banking conspiracy. An editorial in *New Solidarity* attacking the 1985 Farm Security Act asserts that farmers who are not put out of business "will be *de facto* share croppers for the large corporations who have bought up their land—and will produce at the level and price which these banking fronts demand."

During his last campaign for President in which his running mate was Mississippi farmer Billy Davis, LaRouche travelled to the farm of Tommy Kersey in central Georgia where he announced his agricultural program. Kersey, who has expressed his admiration for LaRouche, was one of the organizers of the American Agriculture Movement's tractorcade to Washington during the Carter Administration. He gained national attention in November 1985 when he and Larry Humphries, founder of an Oklahoma anti-Semitic paramilitary organization called the Heritage Library, led a group of armed followers to a central Georgia farm to forcefully stop an eviction.

Following their success in preventing the eviction, Humphries and Kersey travelled through the Midwest to inform farmers of the advantages of confronting authorities with force as they had done in Georgia. Their tour through Minnesota, where meetings attracted as many as 300 farmers, was organized by Pat O'Reilly, a farmer from Canby, Minnesota who ran for Congress from Minnesota's Second Congressional District as the NDPC candidate in 1984. O'Reilly, who compared Kersey to Patrick Henry and Nathan Hale, told a reporter that "farmers have to realize it's time to throw off the whole economic system." Arguing that the Farm Credit System "is a front for laundering Mafia and drug money," O'Reilly asserted that sheriffs violate the law when conducting foreclosures, and carry them out "because they are controlled by big money interests."

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1986 Elections

On March 18, 1986, LaRouche candidates running in the Democratic Primary for the offices of Lieutenant Governor and Secretary of State of Illinois received nationwide attention when they won their respective nominations to the astonishment of the party organization, which had virtually ignored their candidacies. The Democratic nominee for Governor, Adlai Stevenson, III, who political observers had predicted would be a strong contender to unseat the incumbent in November, immediately declared that he would not run on a party ticket with LaRouche candidates Mark Fairchild and Janice Hart. In his first speech following the primary, Stevenson asserted: "There is no room in the Democratic Party for candidates. . . who preach anti-Semitism, who cavort with the Ku Klux Klan, and who want to destroy labor unions."

The strong consensus among political analysts in Illinois is that the LaRouche primary victories resulted from a combination of factors unrelated to the "issues" they raised (the AIDS crisis, drug dealing, etc.), including a lack of interest in the campaign on the part of the party, the media, and electorate as a whole, and internal party feuding in Chicago, which helped create a protest vote against the party-sponsored candidates. The two LaRouche candidates spent hardly any money on their campaigns, and Stevenson and the party professionals felt it unnecessary to campaign for his chosen candidates for Lieutenant Governor and Secretary of State.

As Stevenson and the Democratic Party weighed a variety of unpleasant options, candidates Fairchild and Hart unveiled a "platform" which included Nuremberg tribunals for those deemed to be drug dealers and quarantine for all victims of AIDS. Fairchild, 28 years old, says he is a university graduate in electrical engineering who became interested in the LaRouche cause in 1982 after seeing a sign at the LaRouche table at O'Hare Airport reading "Nuke Jane Fonda."

Hart, 31, has been a LaRouche follower for 14 years and says she passed up college to join the organization. Prior to her unexpected success in Illinois, Hart had come to public attention in May of 1985 when she was charged with disrupting a speech by the Roman Catholic Archbishop of Milwaukee by handing him a piece of raw liver. A LaRouche spokesman in Chicago said that Mrs. Hart's presentation of liver was intended to symbolize "a pound of flesh." Just before the Illinois primary, LaRouche supporters barged into the campaign office of Mrs. Hart's opponent and demanded that a worker take "the AIDS test."

The Illinois primary also highlighted the NDPC's tactics of seeking to grab Democratic Party nominations in areas with relatively safe Republican incumbents. With the party so weak that it is unable to field a candidate of its own, LaRouchians move into the vacuum to gain free publicity and the respectability that comes with running under the banner of the Democratic Party. Two NDPC candidates in Illinois won uncontested Democratic primaries. William J. Brenner, former President of the Iriquois County National Farmer's Organization (NFO), won in the 15th Congressional District, which includes Kankakee. (Kankakee's Democratic chairman, who says she "doesn't know the man," has asserted that the party organization will not support Brenner.) Brenner has said that he became acquainted with LaRouche by reading literature

passed out at NFO meetings. The other LaRouche congressional candidate running as a Democrat in Illinois is Dominick J. Jeffrey of LaGrange (13th C.D.).

Moving quickly following the Illinois primary to communicate their concern to state party offices, the Democratic National Committee began providing information about LaRouche to party leaders and called upon them to monitor closely the views of all primary candidates. A spokesman for Democratic National Chairman Paul Kirk said that Mr. LaRouche and his supporters represent "the kook fringe of American politics," adding that the party "abhors their extremism and outrageous activities."

For its part, LaRouche's National Democratic Policy Committee announced that it was fielding seven candidates for governor, fourteen for the U.S. Senate, 146 for the U.S. House of Representatives, and more than 600 for state legislative and local party posts in 29 states. Nearly all are seeking the designation of the Democratic Party, though several are running as Republicans. In announcing these candidacies, National Democratic Policy Committee Chairman Warren Hamerman proclaimed:

"Lyndon LaRouche is viewed by these candidates as the greatest political leader and economist of the 20th century, and they are proud to be associated with him. They feel he is leading the battle to save western civilization."

Outside of Illinois, the National Democratic Policy Committee has been particularly active promoting LaRouche candidacies in Texas, California, Pennsylvania, and Ohio. In Texas, LaRouchians are running for almost 200 offices ranging from precinct chairman to state agricultural commissioner. In two congressional races encompassing strong Republican districts in the Houston area, LaRouchians are running unchallenged for the Democratic nomination.

In California, following the Illinois primary, the chairman of the Orange County Democratic Party announced that he would conduct a write-in campaign in an effort to stop a LaRouchian from winning the Democratic nomination in the 40th congressional district by default. Former Judge Bruce Sumner said that he was entering the race against Art Hoffmann "to give the Democrats of the district a standard-bearer who is not an extremist representing an absurd but dangerous philosophy." Hoffmann was the only candidate who filed for the nomination in time to meet the March 7th deadline. LaRouche candidates are contesting for nominations in 18 other congressional districts as well as the Senate seat now held by Alan Cranston.

In Pennsylvania, approximately 130 LaRouchians are running for office, led by Stephen Douglas, a longtime activist. Douglas, who received less than one percent of the vote when he challenged Frank Rizzo for Mayor of Philadelphia in 1983, is running for the Democratic nomination for Governor as he did in 1982. He has adopted the practice of refusing to shake hands to avoid getting AIDS.

In Ohio, the LaRouche ticket is headed by Don Scott, who is challenging veteran Senator John Glenn in the Democratic primary. Scott, a farmer from St. Paris, managed to win a contested Democratic nomination for a congressional seat in 1984 and went on to receive almost a quarter of the total vote cast in the general election. The Democratic nomination in the 4th Congressional District has gone by default to a LaRouche adherent, as it did in 1984. LaRouche candidates are running in 14 Ohio

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congression: ' districts in 1986, including two in Republican primaries.

In New Hampshire's Senatorial race, where the only Democrat to file as of this writing is LaRouche follower Robert Patton, the Republican incumbent Warren Rudman has told the state's Democrats how bad it would be for their party to have Patton on the ballot representing them in November. According to a report in the *Washington Post*, Rudman says he would prefer not to campaign against Patton, but a Democratic state official responded that Democrats "hope to have a credible candidate" after the September primary, for which the filing deadline is June 13.

Two LaRouchians who ran for office in 1985, NDPC "leaders" Elliot Greenspan in New Jersey and Judah Rubinstein in New York, have announced their candidacies for 1986. This time Greenspan is running for a congressional nomination and Rubinstein is challenging incumbent Governor Mario Cuomo. At a news conference in Trenton following the Illinois primary, Greenspan said that in addition to challenging for each of New Jersey's fourteen congressional seats, as many as 1,000 NDPC candidates will run in various local races.

At the press conference announcing his candidacy, Rubinstein was asked whether Cuomo's religion would be an issue, to which he replied "I would say absolutely his Catholicism is not an issue because Governor Cuomo is a 'bad Catholic.'" Webster Tarpley, the LaRouche candidate for the U.S. Senate seat currently held by Alfonse D'Amato, attacked New York's other Senator, Daniel Patrick Moynihan as "a liar, a hypocrite, a spalpeen [Irish for rascal] and a bully." Moynihan has been outspokenly critical of the LaRouche cult, and following the Illinois primary denounced them on the floor of the U.S. Senate.

Not surprisingly, LaRouche propaganda was quick to seize a perceived advantage in Illinois, proclaiming in grandiose terms a new surge of political support for LaRouche. An article entitled "What the Illinois primary vote means for 1988" in the April 4, 1986 issue of *Executive Intelligence Review* claimed:

"Whereas most of the Democratic leadership remains in fantasyland—emulating [Adlai] Stevenson's blunders by hurling slanders against LaRouche and insisting that the Illinois vote was a 'fluke'—many Democrats on the regional, local, and precinct level are offering to collaborate with the victorious LaRouche candidates and to extend the Illinois victory to other states."

The EIR "analysis" continued, reflecting the usual LaRouche-style self-promotion:

"What makes LaRouche different?"

"There are three factors which give the LaRouche movement a more explosive potential for a 'breakout' by this core constituency than ever before, all of which factors the leaders of the Liberal Establishment are painfully aware of: 1) An economic blowout is around the corner, arising from accumulated domestic and foreign non-performing debt and a banking collapse; 2) LaRouche is far brighter and more ruthless than any other political figure this constituency base has gravitated toward in the past; and 3) LaRouche's policies, especially their moral foundation, gain him a broad base of support among the economically ravaged, as well as governments, parties, and unions abroad, in nations abused by the International Mone-

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tary Fund. All of these factors make LaRouche a top contender for the presidency in 1988.

"All this adds up to a panic among the top circles of the Establishment . . ."

Other observers would doubtless disagree about such promising prospects for LaRouche—especially in view of the recent intense media focus on the LaRouche movement's nature and tactics, which will likely lead to increased rejection, rather than support, from an informed American public.

IV. The Leesburg Story

A little more than two years ago the LaRouche operation began moving from New York and Washington, D.C. to Leesburg, Virginia, a small town of about 12,000, less than an hour's drive from Washington. The new presence has been controversial, marked by disputes with local government authorities and complaints by residents of intimidation. By various estimates, 150 to 300 LaRouche followers now live in and around town. Lyndon LaRouche and his wife occupy a large, fortified estate in Loudoun County, outside Leesburg. The cult's various business and political concerns have purchased \$4.4 million in property in Virginia and nearby Maryland, including a bookstore in a prominent business district location in Leesburg, a farm in Loudoun County, a radio station in Brunswick, Maryland, and a large tract of mountainous timberland in southwest Virginia. Two men with military backgrounds in unconventional warfare are part owners of the latter property.

LaRouche followers have attempted with little success to gain the support of the community. In December 1985 a LaRouche-controlled company began publishing a weekly newspaper, the *Loudoun County News*, as a supplement to the group's *New Solidarity*. The *News*' content is partly mainstream and pitched to a local readership, and the number of non-LaRouche advertisers has risen sharply in recent months. Other efforts at winning acceptance have failed; cult members were rebuffed in a recent attempt to exert influence in a local businessmen's group.

The cult's presence has alarmed many residents and officials. Controversies have arisen recently over the operation of a LaRouche summer camp and renewal of LaRouche's bodyguards' licenses to carry concealed weapons. The summer camp issue caused an outcry from much of the community. The question of weapons licenses pitted LaRouche's forces against the Sheriff and the Commonwealth's Attorney. In these conflicts, the LaRouchians have denounced their opponents as drug traffickers, nuclear-freezeniks, and KGB agents and have accused them of aiding an FBI-ADL assassination plot against LaRouche. The charges appeared in *Executive Intelligence Review* news releases distributed in Leesburg and elsewhere.

Cult members have photographed speakers at public meetings and engaged in a general pattern of intimidation against critics, placing pretense telephone calls and printing slurs in handbills distributed locally and in Washington. A complaint about an alleged death threat against a prominent critic of LaRouche is on file with the Loudoun County Sheriff's Department.

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LaRouche Fronts and Businesses in Leesburg

Two LaRouche publications have moved to Leesburg. *Executive Intelligence Review* (EIR) and Campaigner Publications, publisher of *New Solidarity* and the *Loudoun County News*, share offices at 20 South King Street. Recent *Executive Intelligence Review* news releases list a Leesburg contact and phone number in addition to a Washington number.

At least two LaRouche-related businesses have also moved from New York to Leesburg and vicinity: PMR Printing Company, located in eastern Loudoun County near Dulles Airport, and WorldComp, another publishing operation. PMR Printing reportedly handles printing for Campaigner Publications.

Property Acquisitions

Since mid-1984 LaRouche businesses and associates have purchased property in the Leesburg area totaling \$2.7 million, according to property deeds. An Oklahoma oil millionaire, David Nick Anderson, has title to LaRouche's estate on Leesburg Mountain, for which he paid \$1.3 million. Anderson was a contributor to LaRouche's 1984 Presidential campaign.

A group called Lafayette/Leesburg Ltd. Partnership paid \$373,000 for a lot in a Leesburg industrial park for development into a printing plant and office complex. According to court records cited by the *Loudoun Times-Mirror*, an unaffiliated weekly newspaper, one of Lafayette/Leesburg's two trustees is Edward Spannaus, a LaRouche Presidential campaign official.

A concern called Publication Equities, whose director is Edward Spannaus, according to incorporation papers, bought a downtown storefront in Leesburg for \$275,000 and renovated it into an upscale bookstore. The store stocks LaRouche's writings as well as mainstream publications. Cultural events such as recitals are reportedly held there as well.

Publication Equities also paid \$400,000 for a 64-acre farm on Short Hills Ridge close to Neersville. For the last two summers the site has been operated as a summer camp for LaRouche employees without the necessary zoning variances. An application for a waiver to permit the camp to continue has aroused sharp controversy in the last several months.

Radio Station Purchased

Most recently, LaRouche associates arranged to purchase radio station WTRI-AM in Brunswick, Maryland, for \$350,000. Located across the Potomac River in Maryland, the station serves part of Loudoun County, Virginia. According to the application for transfer of license on file with the Federal Communications Commission (FCC) the station was being purchased by Elektra Broadcasting Associates, a Virginia corporation. W. Allen Salisbury and Christina Heuth, both of Leesburg, are listed as president

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and vice-president of Elektra. Both their names appear—slightly differently, as Allen Salisbury and Christina Huth—on the masthead of the LaRouche-affiliated *Executive Intelligence Review* as contributing editor and director of press services, respectively. Huth is also a regular contributor to the LaRouche *Loudoun County News*. Reached through their posts with Campaigner Publications, both Salisbury and Heuth or Huth acknowledged to the independent *Loudoun Times-Mirror* that they were the same persons listed on the FCC application.

Another Elektra officer listed in both the FCC application and Elektra's articles of incorporation is Milton Croom of Raleigh, North Carolina. Croom is featured in an article in *New Solidarity* of March 14, 1986 as a candidate for the Democratic nomination for U.S. Senate from North Carolina.

Allen Salisbury told the *Times-Mirror* that he put up the \$350,000 purchase price for the radio station. He said that LaRouche had nothing to do with its operation and put up no money toward its purchase. Salisbury acknowledged that Elektra Broadcasting Associates' address and phone number in the FCC application are his home address and phone number.

A Training Facility

A large tract of timberland in Pulaski County, Virginia was purchased in 1984 by a partnership in which a LaRouche-associated firm owns a 75% interest. The partners in the firm, Dan Bar Unlimited, are Anthony W. Murdock, Drexel B. Cochran, and the LaRouche-linked Publication Equities. (Note: Cochran's wife told the *Washington Post* that her husband is no longer part-owner of the property.)

According to the partnership papers, the business of the partnership consists of buying and improving real estate in Pulaski County to conduct farming, "and to enter into agreements to perform training" for others. Last year, Murdock told the *Southwest Times*, a Pulaski County newspaper, that he received income from a consulting business with "overseas clients." He indicated that he had plans for pistol and rifle ranges. Murdock granted the newspaper interview to dispel reported rumors that the property was to be used variously for hazardous waste disposal and for paramilitary training.

Two of Dan Bar's principals and the signatory for the third have either military backgrounds or other weapons experience. Mary B. Goldstein, who signed the partnership papers for Publication Equities, is a LaRouche bodyguard who from 1984 to early 1986 held a concealed weapons permit from Loudoun County. According to the *Washington Post* and an April, 1986 NBC News broadcast, Murdock retired from the U.S. Army Special Forces in 1975. NBC also said that from 1976-1982 he was in intelligence at the Aberdeen Proving Grounds in Maryland. Murdock told the *Southwest Times* last year that he had been involved in foreign intelligence operations, working closely with a counterterrorist training program.

Drexel B. Cochran is also a retired military man. According to a 1980 *Orlando Sentinel* article cited by the *Washington Post*, Cochran is a former U.S. Air Force colonel who held several high Pentagon posts in the Sixties and Seventies. After retiring in 1978

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according to the *Post*, he taught at a "counterterrorism school" in Powder Springs, Georgia. This is believed to be the Cobray International School in Powder Springs, run by the late Mitchell WerBell. WerBell has been described by the *New York Times* and other newspapers as an international arms dealer and former mercenary. Most of LaRouche's bodyguards received firearms training at Cobray, according to their applications for concealed weapons permits in Loudoun County.

Tactics of Intimidation

LaRouche cult members have attempted to intimidate critics in various ways on many occasions. The situation in Leesburg offers several typical illustrations.

At a Loudoun County Planning Commission hearing last September, on a zoning waiver to allow the operation of a controversial summer camp for children of LaRouche employees, a photographer identifying himself as a representative of Campaigner Publications took pictures of residents who testified in opposition to the LaRouche group's zoning waiver request. Many perceived this as harassment, according to reports in the *Washington Post* and the *New York Times*. One woman who testified at that hearing appeared in sunglasses and a wig, lest she be identified and subjected to "harassment," she said.

Noting the fearful atmosphere that has come over Leesburg in recent months, an article in the April 11, 1986 *New York Times* observed:

"Ask people on the brick sidewalks of Leesburg about the man whose supporters won upset primary victories in Illinois last month, and they will glance over their shoulders before opening their mouths. Ask over the phone and they will not talk at all. Newcomers are regarded with suspicion, and the close-knit small-town atmosphere is gone."

The *Times* article also quoted a long-time Leesburg resident who has criticized LaRouche activities and who has, in turn, been accused of being a drug pusher:

"You don't talk in restaurants, or talk openly in public places. If you talk with a friend on the street and a stranger walks past, you say, 'I wonder if he's one of them.'"

Pretense Telephone Calls

Other intimidation has included pretense telephone approaches, in which the callers falsely identify themselves as representing various organizations on legitimate business. The LaRouche organization has employed this practice for years. On the national scene *U.S. News and World Report* secured a 1983 federal court injunction against the LaRouche organization's Campaigner Publications for impersonating a U.S. News reporter.

In Leesburg, at a hearing before the county Board of Zoning Appeals, several persons testified under oath that they had received pretense calls that they believe to have been made by LaRouche followers. Tracy Siani, a Loudoun resident, said that she

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had received a call from a woman claiming to be a researcher at George Washington University. The caller asked Ms. Siani what she knew about LaRouche and his affiliations. Ms. Siani talked openly with the caller only to learn later that the caller was not who she claimed to be. Another Loudoun resident, James Ludlum, also testified under oath that he received a similar call from someone claiming to be a Jesuit priest working for Father Robert Drinan. He wasn't.

Last November the Washington, D.C. office of the Anti-Defamation League was asked by a Leesburg reporter to verify that an "Allen Klein" worked for the ADL, since someone using that name and claiming affiliation with ADL had been phoning Leesburg residents and officials, including the chairman of the county board of supervisors, about LaRouche. No one by that name is an ADL employee.

Several offices of the Anti-Defamation League have also received calls originating in Leesburg from individuals claiming to be reporters with news organizations including Independent Network News, quizzing ADL staff about such subjects as contacts with law enforcement officials. The news organizations told the League that the callers were not employed by them. The telephone number given by one caller was a Leesburg number and the post office box address given is used by the Arlington, Virginia firm employing LaRouche's bodyguards. The firm itself is run by LaRouche associates.

At the Board of Zoning Appeals, other opponents of the LaRouche summer camp testified that they knew other residents who wished to oppose the camp, but were afraid to appear. Another resident, a former neighbor of the LaRouches, testified that Mrs. LaRouche and her bodyguards used to go horseback riding through the neighbors' property while armed, even after they were asked to leave their weapons behind. According to a report in the *New York Times*, residents have periodically complained to the police, particularly when youngsters on horseback have strayed onto the LaRouche estate and been intercepted by uniformed—and armed—security men.

Alleged Threats

In late February 1986 one critic of LaRouche and his supporters allegedly received harassing phone calls, one threatening, after he was interviewed on WRC-TV, the NBC affiliate in Washington, DC. The caller, who wouldn't identify himself, allegedly asked for personal information, challenged the man's right to speak against LaRouche, and, finally, asked the man whether he felt safe. A complaint on the incident was filed with the Loudoun County Sheriff's Department February 24 and is under investigation. A LaRouche-linked organization and two of its employees are now suing the man for libel and slander in connection with remarks made during the WRC interview.

Another opponent, whose outspoken criticism earned her attacks in LaRouche publications, allegedly received what she said sounded to her like a death threat. While being interviewed on the street by WRC-TV the woman heard a passerby, whom she believed to be a LaRouche associate, say, "You're dead. . . ." A complaint was filed with the Leesburg Police Department. The woman subsequently decided not to proceed with the complaint.

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A History of Provocation

Perhaps the most widely reported incident among the many cases of abusive, deliberately provocative tactics of intimidation and confrontation by LaRouche followers occurred in 1982. On February 7, former Secretary of State Henry Kissinger and his wife Nancy, walking through Newark (NJ) Airport, chanced to pass a Fusion Energy Foundation "information booth" manned by LaRouche followers Ellen Kaplan and Thomas Simpson. Kissinger, one of the arch devils in LaRouche's Pandemonium, was on his way to Boston where three days later he underwent a triple-bypass heart operation. According to a report in *The Record* (Bergen County, NJ) of March 4 (based on an interview with Kaplan herself), Simpson asked Kissinger, "Why did you prolong the Vietnam war?" Kissinger made a comment to his wife, whereupon Kaplan stepped forward and asked him, "Do you sleep with young boys at the Carlyle Hotel?" According to Kaplan, Nancy Kissinger then grabbed her "by the throat" and said, "Do you want to get slugged?"

Kaplan filed a suit charging assault. Some time later, commenting on the obscene question that apparently had triggered the alleged reaction of Mrs. Kissinger, Kaplan said to a *Record* interviewer, "Boy are these people touchy!"

On June 10, a Newark municipal judge acquitted Mrs. Kissinger of the assault charges, describing her action as "a spontaneous . . . human reaction."

Bizarre and disruptive confrontational actions are common in the LaRouche repertoire. On May 7, 1985, Milwaukee Archbishop Rembert Weakland was presenting a lecture on "Our Social Values Versus Our Economic Strategy" at North Shore Congregation Israel in Glencoe, Illinois, when his speech was interrupted by a man and a woman who identified themselves as representatives of the Schiller Institute, a LaRouche organization. The woman presented the archbishop with a foil-wrapped piece of raw liver. The two individuals were removed from the hall and charged with disorderly conduct. (See also page 17.)

A similar incident is reported in an article in the LaRouche publication *New Solidarity* of April 29, 1985. According to the article, a representative of the Schiller Institute encountered Henry Kissinger at a board meeting in New York, and when the young woman was taken away by security guards a "bleeding pound of raw liver appeared on Kissinger's table representing the 'pound of flesh' demanded by the IMF [International Monetary Fund]."

On May 3, 1985, the *Pittsburgh Press* reported that a speech by a U.S. State Department official before a local meeting of the World Affairs Council was disrupted by protesters from the Schiller Institute. An individual who identified himself as a member of the Schiller Institute was pulled from the podium and led from the room, according to the article. The *New York Times* of May 29 reported that an individual identified as "a citizen in the Schiller Institute" disrupted a speech by U.S. diplomat Richard R. Burt before the World Affairs Council of Washington, D.C.

Attacks on Critics in LaRouche Publications

Yet another form of intimidation has been the publication of vicious attacks against prominent critics of LaRouche and his supporters. These charges appear in

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Executive Intelligence Review handbills distributed in Loudoun County and elsewhere. One such broadside with LaRouche's byline is titled, "What the Loudoun *Times-Mirror* Refuses to Report on the Moscow Fellow-Travelers' Nest in Loudoun." In this piece, dated Leesburg, November 6, 1985, LaRouche accuses five local residents, including a prominent county official, of being among "the county's less patriotic residents," and claims that they "and their confederates are part of a highly organized nest of Soviet fellow-travelers in the county, and all have allied themselves knowingly with persons and organizations which are part of the international drug lobby." LaRouche accuses one woman of being "a witting accomplice of that treasonous nest of gossiping liars."

The *New York Times* noted that LaRouche followers blamed the opposition on "the dope lobby" and unnamed Communists and "sodomists"—again, tactics typical of the movement and its leader over the years. (For illustrations of vicious LaRouche-style name-calling against a wide variety of targets, see Appendix A, "The LaRouche Cult's Fantasy World—A Sampler.")

LaRouche charged that the Loudoun County Sheriff's Department was part of a Federal Bureau of Investigation plot to facilitate LaRouche's assassination. In "U.S. Anti-Terrorist Campaign a Fake: Dept. of Justice Covers for Terrorists," LaRouche claimed that "officials of the Federal Bureau of Investigation (the FBI) had used Loudoun County (Virginia) Deputy Sheriff Donald Moore in an attempt to strip assassination-target LaRouche of physical security, and Loudoun County Sheriff John Isom was heavily pressured to allow Moore's falsified report to be filed. These facts are only among the most recent additions to a massive dossier, showing that the FBI is a witting and central part of an operation intended to ensure the early killing" of LaRouche.

Libel Suits—Another Tactic

A more expensive technique of intimidating opponents is the libel suit. In the last few years, LaRouche and his associates have unsuccessfully sued several national organizations for libel, including NBC and the ADL. Although LaRouche did not win these suits, the respondents incurred large legal bills for defense.

In the most recent such case, on March 25, 1986, a LaRouche group filed a libel and slander suit for \$2 million against a Leesburg businessman for remarks made in an interview with WRC-TV, the NBC affiliate in Washington, D.C. (For further detail about lawsuits by and against LaRouche, see section VII.)

Controversy Over Concealed Weapons Permits

A controversy over concealed weapons permits for LaRouche's bodyguards erupted last fall, pitting LaRouche's followers against the Sheriff and Commonwealth's Attorney.

For two years, LaRouche's six bodyguards have had permits to carry concealed weapons in Virginia. The firearms listed in their permit applications include semi-automatic and automatic weapons. The bodyguards list several weapons training schools they attended including the Cobray International School in Powder Springs, Georgia, which was run by the late Mitchell WerBell. The bodyguards are employed by a firm named Premiere Services whose address is an Arlington apartment listed to

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Scanlon/Sloan, two LaRouche associates. Leo Scanlon is a LaRouche bodyguard who holds a license from the Commonwealth of Virginia for the private security firm. He and Dana Sloan are officials of the Schiller Institute.

A controversy was touched off when the Loudoun Sheriff and the Commonwealth's Attorney recommended against renewing the concealed weapons permits for two bodyguards whose permits had expired. A Sheriff's Deputy wrote in a background investigation report that the alleged threats cited by the LaRouche group to justify the permits appeared to be:

"1. Undocumented through regular law enforcement agencies; 2. Nebulous to the point of unreality; 3. Tenuous in regard to the threat-makers' capability or motive; 4. Chiefly intended to promote a 'bunker mentality' amongst Mr. LaRouche's followers."

In an *Executive Intelligence Review* handbill, LaRouche charged that the Deputy's report had been falsified, and alleged that the FBI had used the Deputy to try to deprive LaRouche of physical security. In support of his claim that the guards needed concealed weapons, LaRouche claimed in a leaflet:

"I have a major personal security problem so that only to the extent that the instant my enemies know that I have been stripped of security. . . the assassination-teams of professional mercenaries now being trained in Canada and along the Mexico border may be expected to start arriving on the streets of Leesburg. . . .

"If they come, there will be many people dead or mutilated within as short an interval as sixty seconds of fire."

Loudoun County Circuit Court Judge Thomas Horne ruled in February 1986 that no more than two bodyguards at a time may carry concealed weapons, and ordered Premiere Services' attorney to come up with procedures for notifying the Sheriff's Department whenever LaRouche is accompanied outside his estate by bodyguards with concealed weapons.

LaRouche Summer Camp Controversy

Last fall the request by LaRouche-linked Campaigner Publications for a zoning waiver to continue to operate a summer camp became the focus of a debate on the presence of the cult in Loudoun County. Opponents expressed fears that the camp would be used for paramilitary training and for indoctrinating youngsters. Speaking at zoning board hearings opponents also cited intimidation by supporters of the camp. Supporters of the camp for the children of employees of LaRouche-linked enterprises denied that LaRouche has anything to do with the camp's operation. Camp director Susan Ulanowsky said that LaRouche's views influenced the camp only to the extent that he advocated a return to the classics and the camp is based on the classics.

In February the Board of Zoning Appeals denied Campaigner Publications' application, and the group's lawyer recommended that they appeal the decision to the Loudoun County Circuit Court.

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V. The International Front

LaRouche's operation in Leesburg, Virginia, sits at the center of an international complex of affiliated organizations and publications. The international operation has overseas units grouped as the International Caucus of Labor Committees (ICLC), European Labor Party and the Schiller Institute, with their European headquarters in Weisbaden, the Federal Republic of Germany. There are also offices in Copenhagen, Dusseldorf, Milan, Paris, Rome and Stockholm. New Solidarity International Press Service also lists offices in these cities.

The LaRouche organization in Stockholm recently broke into the news because of the assassination of Prime Minister Olof Palme of Sweden. A suspect in that case—arrested soon after the murder, but subsequently released when an eyewitness retracted his positive identification—was a former member of the European Labor Party, the Swedish political party associated with LaRouche. Both the Swedish branch of the European Labor Party, known by the initials EAP, and the Schiller Institute, have denied any connection with the killing. Palme had been the subject of frequent attacks in *New Solidarity* and *Executive Intelligence Review*.

The ICLC, the Schiller Institute and the various LaRouche publications also have offices in Mexico City; Bogota, Colombia; and Lima, Peru. LaRouche has concentrated his activities in "Ibero-America"—as he refers to Central and South America—primarily in Mexico, Colombia, Venezuela, Peru and most recently, Panama. *Executive Intelligence Review* also lists "International Bureaus" in Bangkok, Thailand, Bonn, West Germany; Caracas, Venezuela; Milan, Italy; and New Delhi, India.

Over the years, LaRouche publications have provided a window through which his attitudes about various governments and their leaders was clearly visible.

Attitude on Soviet Union

LaRouche's political writings and articles by his followers in *New Solidarity* and *Executive Intelligence Review* at one time often reflected a positive attitude toward Soviet policies and actions. In the foreword to his 1979 book, *Will the Soviets Rule During the 1980's?*, LaRouche called the idea that Soviet leadership has ambitions for world domination a "delusion." In the same book LaRouche assailed "London, Manhattan and Washington" as being "obsessively on a manic geopolitical kick, with destabilizations on Soviet borders, an effort to crush Soviet treaty partners generally. . ."

Notable is the LaRouche organization's view of the continuing struggle of the Polish people through the Solidarity Union movement to free themselves from Soviet-dominated tyranny. An article in the January 4, 1982 issue of *New Solidarity* accused the Reagan administration of "[p]rovoking a Soviet military intervention into Poland," adding that "the Soviets made it quite clear that they are in no mood for any further Western interference in East bloc affairs, and they will resort to military force if they have to in order to prevent Poland from slipping under the reign of anarchy promoted by British-linked forces." The article called then-Secretary of State Haig "a leading

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spokesman for the forces *Pravda* charged are seeking to provoke direct Soviet intervention in Poland." LaRouche's basic opposition to Solidarity and its efforts was obvious from a series of articles which ran during 1981 in *New Solidarity*. In the June 22, 1981 issue, LaRouche wrote: "The forces engaged in Poland's recent mass political strikes have been so narrowly occupied with their hostility to Soviet hegemony, that they have been self-blinded to the true purposes of many among their supposed 'foreign friends.'"

In late 1983, however, the LaRouche publications began to adopt an anti-Soviet posture. In addition to charging perceived enemies of LaRouche with being CIA agents, the cult now accused these enemies of being "agents of the KGB or Soviet agents of influence, i.e., Walter Mondale and Henry Kissinger among others."

In 1986, United States support for democratic elections in the Philippines was treated in the pages of LaRouchian publications as part of a conspiracy to turn over the Pacific to the Soviets. The March 14, 1986 *Executive Intelligence Review* article entitled, "Queen Backs New Yalta in Pacific" begins as follows: "At almost the same time as the U.S. State Department orchestrated the overthrow of Philippine President Marcos, the Queen of England was in New Zealand helping to hand the Pacific over to the Soviets." A photograph of two close LaRouche aides, Paul Goldstein and Uwe Henke-Parpart, with Ferdinand Marcos in Manila appeared in the December 13, 1985 issue of *New Solidarity*. The paper offered no explanation as to the purpose of this visit with Marcos.

There have been other examples of personal contacts with world leaders. Earlier in the 1980s LaRouche himself had met with the late Prime Minister Indira Gandhi of India and former President Jose Lopez-Portillo of Mexico, Argentine President Raul Alfonsin and President Alan Garcia of Peru.

"Ibero-America"

Latin American countries have garnered a larger share of LaRouche organizational interest since the beginning of the 80s.

In January 1985, a Spanish-language edition of the book *Narcotrafico, SA: The New Opium War* was released at a press conference in Washington, DC. A press release announcing the book stated that "The International Monetary Fund (IMF) and Henry Kissinger have personally played a key role in destroying the productive economies of Ibero-American countries and forcing them to convert to 'narco-economics.'"

In *Narcotrafico* as well as in *New Solidarity*, *Nueva Solidaridad* (Mexican publication), and *Executive Intelligence Review*, a conservative lay organization called Tradition, Family and Patriotism (TFP) has been charged with terrorism and assassination plots—especially of the Pope—directed by a network headed by Queen Elizabeth II of England, Jews, Gnostics, and international drug pushers.

Other South American targets of LaRouchian venom on an international scale are the National Action Party (PAN) of Mexico, a conservative rival party to the ruling Institutional Revolutionary Party (the party of Lopez-Portillo and other Mexican leaders with whom LaRouche has publicized his contacts), and leading Venezuelan business-

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man, Gustavo Cisneros. The LaRouchian press release on *Narcotrafico* says the book exposes "the Cisneros family (the Bronfmans of Venezuela), their connections to the international drug banks and their praise for the drug economy model imposed on Jamaica by David Rockefeller and Henry Kissinger."

In February 1985 Venezuelan authorities arrested four LaRouche followers in Caracas—3 Mexicans and an Italian. The charges concerned laws prohibiting foreigners from involvement in Venezuelan politics and requiring foreign journalists to register with the government. The first three were deported to Mexico on February 7, and the Italian citizen was held in custody until deportation was arranged with the Italian government.

The LaRouche groups in Europe and Latin America have also been very active in electoral politics as they have in the United States. LaRouche's wife Helga has led the EAP ticket in Germany, for example, and according to observers, a great deal of money has been spent on these campaigns although they apparently have had little success.

VI. Charges of Fraud and Falsehood

The Federal Bureau of Investigation (under the direction of the U.S. Attorneys' Office in Boston), the Federal Election Commission, the Internal Revenue Service, and United States Secret Service are currently involved in several overlapping civil and criminal investigations of Lyndon LaRouche's various organizations.

The office of U.S. Attorney General William F. Weld recently filed an affidavit in Federal District Court in Boston which said that its preliminary findings indicated an "extensive nationwide pattern" of credit card frauds leading to "hundreds of unauthorized charges apparently totaling hundreds of thousands of dollars." In response, LaRouche said that Mr. Weld was involved with "sophisticated drug money-laundering operations." The fraud investigation is now before a grand jury in Boston.

Last year LaRouche, his associates and organizations responded by filing suits against: U.S. Attorney General Edwin Meese, the Department of Justice, FBI Director William Webster, and the Federal Election Commission. In papers filed last fall in U.S. District Court in New York, the Assistant U.S. Attorney in charge of the criminal investigation in Boston stated that these are "suits that seek to interfere with the ongoing criminal investigation."

In a motion to intervene in the LaRouche suit against the Federal Election Commission, the Assistant U.S. Attorney argued: "The United States of America submits that plaintiffs' civil discovery requests are intended to monitor and impede the progress of the criminal investigation in the District of Massachusetts and to help prepare for the criminal defense of LaRouche defendants." In the suit against the Federal Election Commission (FEC) LaRouche associates complain that the FEC's investigation of the LaRouche Presidential campaign and other actions "are intended to harass, intimidate and prevent the plaintiffs from fully exercising their constitutionally protected rights."

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According to the *New York Times* the Federal Election Commission's investigation revealed that LaRouche's Presidential campaign in 1984 raised more than 70 percent of its money through credit card charges, telephone appeals or personal solicitations in public places. The files of the Commission contained numerous complaints from people across the country who stated that representatives of LaRouche obtained the complainants' Visa or MasterCard numbers and, without permission, billed their accounts for hundreds or thousands of dollars for LaRouche's campaign.

A 75-year-old widow living in a mobile home in Modesto, California, Mrs. Ordell E. Bradley, told the *New York Times* that she gave \$20 to a LaRouche representative at the San Francisco airport in 1984. According to her complaint to the Federal Election Commission, individuals who identified themselves as representing the LaRouche campaign harassed her by phoning two or three times a day for a month. The *Times* reported that the next thing she knew she had lent the campaign \$950, and over the following months was "talked into making loans of monies that represented my life savings." In her complaint to the FEC, Mrs. Bradley said she had lent \$30,000 to the LaRouche organization but had received no interest payments.

Federal Election Commission records revealed a history of difficulties concerning LaRouche campaign workers, including charges of forgery and fraud. In LaRouche's 1980 Presidential campaign, the FEC charged that his organization forged the names of supposed contributors on checks and money orders and listed the money as campaign donations. (In order to qualify for Federal matching funds, Presidential candidates are required to show that they receive \$5,000 in individual contributions from at least twenty states.)

The Commission found more than 75 improper donations in the 1980 campaign. LaRouche officially accepted liability for civil penalties and repayments incurred in the 1980 campaign and later paid a \$15,000 civil penalty. After the Commission filed suit and threatened to withhold Federal matching funds for LaRouche's 1984 campaign, the money was paid. While deliberations were taking place on this question in 1984, LaRouche supporters picketed the headquarters of the Commission. Commission records indicate that the picketers accused the Commission and their staff by name of being homosexuals, Nazis and controlled by the KGB.

In connection with the Boston grand jury investigation of credit card fraud, the Associated Press reported in 1985 that the LaRouche-affiliated Caucus Distributors, Inc. (CDI), had been ordered by a federal judge to pay \$220,000 for failing to comply with a grand jury subpoena seeking fundraising records. Elliot Greenspan, one of the LaRouche followers associated with Caucus, was held in contempt and jailed briefly in October for refusing to comply with a grand jury subpoena. A federal court also issued a contempt order against Susan Welsh of Leesburg, keeper of the records of the LaRouche-linked Campaigner Publications, Inc., for refusing to comply with a grand jury subpoena.

In the affidavit of an FBI agent in the LaRouche suit against FBI Director William Webster, the agent states that the investigation covers not only CDI and Campaigner Publications but individuals acting for Independent Democrats for LaRouche, the LaRouche Campaign, the National Democratic Policy Committee, and the Fusion Energy Foundation.

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The solicitation of loans from elderly people by CDI is another aspect of the LaRouche operation under investigation. In Princeton, New Jersey, theft charges were filed against Elliot Greenspan and Joyce Rubinstein, wife of the president of CDI. Rubinstein allegedly convinced a 77-year-old Princeton woman to give CDI a \$75,000 coin collection, telling her it would be used as collateral for a loan "to keep Ronald Reagan in the White House," a local prosecutor said.

In New Port Richey, Florida, Audrey Carter, a 78-year-old disabled widow confined to her bed in her mobile home, allegedly agreed to give CDI three separate loans totaling \$70,000 after receiving a series of daily phone calls from CDI warning her of "world-wide moral decay." The loans were unsecured at below-market interest rates. Mrs. Carter received no promissory note for the loans (which were more than a third of her life savings) and no financial statement from CDI—only a letter acknowledging the loans after she asked for some written record. In some instances, elderly people or their children reportedly have told authorities CDI is not making interest payments on thousands of dollars in loans.

A recent article in the *Tampa Tribune* reported that a Lynchburg, Virginia congressman's office is investigating a complaint that CDI had missed the first interest payment on a loan of \$8,000 from an elderly Lynchburg man. According to the office of Congressman Jim Olin, a second, similar complaint has been received by the office, and the Virginia State Corporation Commission is investigating.

In March of 1986, State Securities Commission in Maryland ordered Caucus Distributors, Inc., a Leesburg organization associated with LaRouche, "to stop using unregistered agents to sell security in Maryland," according to a press release which was issued by State Attorney General Steven H. Sachs. This order stems from an investigation of the alleged sale last summer of \$100,000 in promissory notes to a 79-year-old widow by two representatives of Caucus Distributors who are not registered to sell securities in Maryland, Sachs' office stated. The office further reported that the organization had not cooperated with the Attorney General's securities division's efforts to investigate its activities and to obtain information about its sale of securities in the state.

VII. LaRouche Sues

Lyndon LaRouche, and his followers and/or front operations, have sued the Anti-Defamation League unsuccessfully four times since 1980. In addition, they also have been involved in litigation with other organizations and individuals.

—In October 1980, the Supreme Court of the State of New York granted ADL's motion for summary judgment in a \$26 million lawsuit brought against ADL in April, 1979 by the U.S. Labor Party (now defunct) and several of its members. In dismissing the lawsuit, Judge Michael J. Dontzin said that ADL's characterization of the USLP as anti-Semitic constitutes "fair comment" in view of the group's "highly critical views about prominent Jewish figures, families and organizations such as ADL and B'nai B'rith."

—In September 1979, Computron Technologies, the computer software company that had been dominated by NCLC members, sued *Our Town*, a New York publication which had run a series of articles concerning the USLP, for \$65 million. The articles, among other things, detailed a relationship between Computron and the Labor Party. The ADL itself was not a party to this suit, but Irwin Suall, director of its National Fact Finding Department, was named as a defendant, charged with interference with business relationships and other forms of harassment. Shortly after the lawsuit was instituted, Computron filed for bankruptcy. No further action has ever taken place in this case.

—Early in 1982, the National Anti-Drug Coalition (NADC) filed a complaint in the U.S. District Court of the Northern District of Illinois alleging that the state Attorney General along with others—including ADL's regional director, a community consultant in ADL's Chicago office, and the *Chicago Sun-Times*—had conspired to deprive NADC of its constitutional rights to free speech, due process and equal protection by seeking to restrain its activities. The NADC sought damages of \$69 million from ADL and other defendants. In August of 1983, the Federal District Court granted ADL's motion for summary judgment and simultaneously dismissed the claims against the state's Attorney General, the municipality defendants and the journalist defendants, characterizing the NADC's complaint as "disjointed and rhetorical." The NADC appealed this decision and in July of 1984, the Appellate Court affirmed that District Court's holdings.

The NADC suit against ADL and others had arisen out of an investigation conducted in the state of Illinois by its Attorney General. In October 1981, the Attorney General filed suit against the NADC in Chicago's Cook County Circuit Court for failure to comply with the state's charitable organization laws and failure to disclose financial figures. The Attorney General also sought a temporary restraining order against further solicitation and an accounting of all funds raised by the NADC and its Illinois chapter.

Following up on their investigation of NADC's fundraising activities in Illinois, the Attorney General sought an injunction in state court against the organization. In March, 1982, an Illinois state court in Cook County granted the Attorney General's motion for an injunction against the NADC and the Illinois Anti-Drug Coalition. The court's order enjoins both organizations from raising any funds in Illinois until they properly file for authorization under the state's Charitable Contributions Act and permit full disclosure of their fundraising records.

—In October, 1981, the *Detroit News* reported that the NADC and its Michigan affiliate were under investigation by the Michigan Attorney General with regard to the Michigan Anti-Drug Coalition's status as a charitable organization in that state. The article quoted a state spokeswoman as stating that this was "not a routine investigation," and that it involved "looking at the whole issue of what their purpose is." As of December 1981 the Michigan Anti-Drug Coalition withdrew its application for status as a charitable organization and the file was closed.

—In November 1984, a six-person jury in the U.S. District Court for the Eastern District of Virginia found for the National Broadcasting Company and the Anti-Defamation League in a suit which had been filed against the two organizations as well

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as against ADL staffers Suall and A. Abbot Rosen and several NBC researchers and producers by Lyndon LaRouche himself earlier that year. The LaRouche organization sought \$150 million in damages for defamation and conspiracy. On November 1st, the jury returned the verdict in favor of all of the defendants and issued a finding that there was no evidence to indicate that any of the statements in the two NBC broadcasts which were the cause of the action were false. On NBC's counterclaim for intentional interference with the network's business, the jury awarded NBC \$2,000 in compensatory damages and \$3 million punitive damages. The trial judge subsequently reduced the punitive-damage award to \$200,000. The counterclaim alleged that LaRouche's followers had impersonated network personnel in an attempt to sabotage a reporter's interview for broadcast with Senator Daniel P. Moynihan.

LaRouche appealed the jury's verdict to the U.S. Court of Appeals for the Fourth Circuit. At the same time, ADL appealed the denial of sanctions against LaRouche which it had asked for following the jury trial. In January 1986, a three-judge panel of the Fourth Circuit issued its decision on LaRouche's appeal. The Appellate Court upheld the verdict against LaRouche, finding his appeal without merit. The Fourth Circuit also upheld the District Court's denial of ADL's motion for sanctions. Following that action of the Appellate Court, LaRouche's attorneys filed a petition for a rehearing in the Fourth Circuit. On February 24, 1986, the petition was summarily rejected.

—In 1981, *U.S. News and World Report* was granted a permanent injunction barring two publishers affiliated with Lyndon LaRouche from using the *U.S. News* name or impersonating the magazine's reporters after the magazine filed a \$1.5 million lawsuit against the LaRouche publications.

—In November 1984, Independent Democrats for Lyndon H. LaRouche filed a civil complaint in U.S. District Court in Newark against the First Fidelity Bank of New Jersey, charging that \$170,000 was missing from its campaign fund for the Presidential candidate. In 1984, the bank had frozen \$200,000 in two LaRouche campaign bank accounts because it had reason to believe that the money might have been improperly obtained. A spokesman for the First Fidelity Bank said that the LaRouche organization sued the bank and "began issuing literature to the people who do business with the bank, and to public officials, filled with general vilification." As a result, First Fidelity Bank of Newark then countersued the LaRouche group for libel. Both suits are now pending in the New Jersey court.

—In March of 1986, Campaigner Publications Inc. sued Steve Dabkowski for slander for remarks he had made in a television interview which the suit charges accused the LaRouche group of attacking farm animals and pets as a tactic to harass local residents. Dabkowski, who has had a local Loudoun County group formed to raise funds on his behalf called the Defense Against LaRouche Fund, states that the suit is intended to intimidate him and other LaRouche critics.

The LaRouche organization has used lawsuits as an apparent weapon against exposure. The ADL has been a principal target of this type of bothersome litigation. Since 1979, four suits, alleging over \$300 million in damages, have been filed against ADL and ADL staff members, and in each of these cases, the attorneys for LaRouche have failed in their attempts to prove defamation. But the threat of time-consuming and costly litigation continues to be wielded and Lyndon LaRouche's persistent exploit-

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tation of the legal process could well be an attempt to prevent ADL and other watchdog agencies and investigative journalists from exposing various activities of LaRouche and his followers.

VIII. LaRouche in His Own Eyes

A glimpse into the psyche of Lyndon LaRouche can be found in his 1979 autobiography, *The Power of Reason*. In the book's foreword, reflecting the self-aggrandizing and paranoid nature of his thinking, LaRouche states:

"If I survive the months immediately before me at this moment of writing, it will become reasonable—at a rapid rate—that I might be inaugurated President of the United States in January 1981 . . . Either way, assassination or active political life before me, a single sort of autobiographical dissertation best serves all proper requirements. Either way, what need be known are those features of my life which have enabled me to accomplish things of a special quality which few in this century have been able to match."

LaRouche begins his autobiography by announcing, "My principal accomplishment is that of being, by a large margin of advantage, the leading economist of the twentieth century to date."

Of his childhood, LaRouche writes that he was born in Rochester, New Hampshire on September 8, 1922, a "birthright member of the Society of Friends," that his father was a "road man" for the United Shoe Machinery Corporation, and that he had two sisters. The family moved to Lynn, Massachusetts in 1932. In an account of his first high school year he comments on the "poisonous influence" of John Dewey on educational policy. "I had read some Dewey and was enraged by his doctrines. . . I was on the right epistemological track. Being both a Leibnitzian and religious at the point, I defined Deweyism as a form of sneaky wickedness. I was not really wrong."

During the next few years, LaRouche writes, he "felt like a fish out of water. . . My play life—as part of my social life generally—was usually poor, and frequently left me with a bad taste in my image of myself afterward." He was a lonely and isolated youth: "It is not risking much of an exaggeration to report that I had a childhood, but never a youth." He adds: "I survived socially by making chiefly Descartes, Leibnitz, and Kant my principal peers. . ."

Moving toward adulthood, he laments that there was "no significant accommodation" for what he called "our organically Whiggish impulses." He added, "Armed principally with the conscience I had developed with aid of Leibnitz and Kant during my early adolescence, I set forth to find a way to bring the world into agreement with my organically Whig outlook."

LaRouche traces the beginnings of his "central purpose" of "*making men in my own image*" to 1946, when he read Goethe's poem, "Prometheus." This influence apparently led eventually to the formation of the National Caucus of Labor Committees and to "the same entity in its matured form," the U.S. Labor Party. Over the years, he writes, he "became the leading political economist of the twentieth century to date"

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Of his entry into the Socialist Workers Party at the end of 1948, he writes much of Karl Marx, who, "in this respect somewhat like myself, was a well-developed thinker by the time he completed secondary school. . . . To assess Marx's intellectual powers as an adult, it is no exaggeration to say that his mental development was considerably inferior to my own, or certainly that of Leibnitz." LaRouche had seen himself as a "corrector" of Marx: "To say that the writer [LaRouche] constructed an economic science through correcting Marx's crucial blunders is an accurate, if somewhat oversimplified view of the matter. . . . If one means that this writer, in that fashion, gave competence to a Marxian economics which was incompetent in its preexisting form, then, in that sense, the writer might be usefully regarded as the direct supersuccessor of Marx in political economy, and in that specific sense a 'Marxian economist.'"

Elsewhere, LaRouche writes of the various assassination plots he thinks are directed against him:

"I was regarded by the British as a 'potential danger'. . . and thus they aimed at eliminating me in the course of any handy general terrorist deployment. . . . All international terrorism is deployed by networks coordinated by the British monarchy. . . . Furthermore, it was understood, and correctly so, that the Zionist organizations' coordination of terrorism is only a feature of those Zionist agencies' subordinate role to the 'Black' Maltese networks centered in the British monarchy. . . . The discovered dominant function of the 'Black' networks of the Maltese Order provided the most efficient means for tracing the direct, unbroken links between today's British-Maltese-Zionist forces of evil and the ancient oligarchist faction which the New Testament identifies as the 'Whore of Babylon.'"

He also states: "Just as Judaism has been divided over thousands of years into a degraded, bestialist doctrine and a humanist current, so the forces associated with the heirs of the cult of Apollo have attempted to degrade Christianity."

In the final pages of his autobiography, LaRouche gives his theory of "golden souls" as derived from Plato's *Republic*:

"The objective of my life is to contribute to bringing men and women out of the wretched conditions of sensuous donkeys and incompletely human 'silver souls,' to contribute to making of our species a race of 'golden souls.'"

He concludes with an optimistic vision: "If the new monetary system is firmly established, the Whore of Babylon—the Queen of England—defeated—the Great Design implemented, then inasmuch as I have contributed some special part to that end, I have succeeded in everything essential to me. Once that process is set securely into motion, the future of humanity is secured."

Conclusion

The potential threat to America's democratic values and institutions posed by the LaRouche political cult derives from the movement's thriving on secrecy, deception, disruption, fear and hostile confrontations, and its peculiar brand of erratic, bigotry-

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laced extremism, cunningly camouflaged by the outward respectability of front groups and business suits.

The tenacity and intensity of even relatively few individuals can generate a greater impact on events than might be expected if one were to judge by the superficial criterion of numbers alone. LaRouche's followers are as resourceful and persistent in promoting their leader's propaganda as he is in manufacturing it.

For example, the *Washington Post* and *The New Republic* have reported that in recent years LaRouche and his associates gained access to a wide range of administration officials, including important aides at the National Security Council, the Drug Enforcement Administration, the Defense Intelligence Agency, and the Central Intelligence Agency, as well as to various scientists. (Frequently, however, these were initial contacts that were not sustained over a longer period of time.)

The troubling fact is many persons in public life, in professions and among the general public, have been accosted, deceived or otherwise affected by the activities of the LaRouche network. These efforts generate a sense of unease in a pluralist society based upon peaceable respect for diversity, tolerance of criticism and responsible debate. The demagoguery of LaRouche tactics and propaganda present a potential danger of destabilizing that social contract.

To be sure, despite the continuing efforts of LaRouche's minions over the past decade or more to run candidates in many local, state and national elections and to promote their leader's blend of conspiracy-filled political fantasy, anti-Semitism and self-aggrandizement, the LaRouche organization has gained neither political office nor public legitimacy in America. Indeed, when the extremism characteristic of this phenomenon is subjected to the piercing light of public exposure, it is rejected by the vast majority of the American people.

But an extremist movement employing ethnic scapegoating and generating community polarization must cause concern to all citizens of a democracy. As columnist Flora Lewis observed in the *New York Times* of Sunday, April 6, 1986, writing specifically about the challenge posed by the LaRouche phenomenon:

"This is a time when Americans are worried about all kinds of fanatics, for good cause. And free speech and free press require us to tolerate our own fanatics. But we have the right to question them in a civil way, and if they can't give a civil answer, they reveal themselves incapable of the rational discourse on which democracy depends."

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Appendix A

The LaRouche Cult's Fantasy World—A Sampler

On Jews and American History

- "... Rothschild agent, Bernard Baruch, Sr., helped arrange the assassination of President Lincoln and then laundered the funds from London banks that were used to found the first Ku Klux Klan immediately after the Civil War's conclusion."
—*New Solidarity*, July 17, 1978

On U.S. Public Figures and the Soviet Union

- "Walter F. Mondale, [LaRouche] said, is an 'agent of influence' of the KGB, the Soviet secret police. So are Kissinger and McGeorge Bundy, the former Ford Foundation president and presidential adviser. . . ."
—From an interview with Lyndon LaRouche, *Washington Post*, January 13, 1985
- "[U.S. Senator Charles] Mathias gets marching orders from Gromyko. . . . Apparently, when Gromyko speaks Mathias clicks his heels."
—*Executive Intelligence Review*, February 19, 1985

On the History of Zionism

- "Modern Zionism was not created by Jews, but was a project developed chiefly by Oxford University and brought into being through the same Oxford-centered frenzy of cult manufacture of the post-1832 period which also created the 'Charist Movement,' 'Young Italy,' the Bahai cult Blavatskyian Theosophy, and the 'Order of the Golden Dawn.'"
—*New Solidarity*, December 8, 1978

On Queen Elizabeth II

- "Of course she's pushing drugs. . . . that is in a sense of a responsibility: the head of a gang that is pushing drugs, she knows it's happening and she isn't stopping it."
—Transcript of interview with Lyndon LaRouche, NBC's "First Camera," March 4, 1984

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On British "Control"

- "At almost the same time as the U.S. State Department orchestrated the overthrow of Philippine President Marcos, the Queen of England was in New Zealand helping to hand the Pacific over to the Soviets. . . .
". . . the British monarchy, since the turn of the century, has been at the core of the complex of institutions used to create the Bolshevik Revolution. . . ."
—*Executive Intelligence Review (EIR)*, March 14, 1986
- "McCarthy was controlled largely by three British networks: the Kennedy family—parvenus to the Clivedon Set and the British Fabian Society—through Robert Kennedy, assistant counsel for McCarthy's Subcommittee; the Buckley family through L. Brent Bozell, McCarthy's ghostwriter and William F. Buckley's brother-in-law—with whom Bozell would later write the definitive cover story on British support for McCarthy's meteoric rise to power; and the Zionist Lobby, most directly via Roy Cohn, McCarthy's chief counsel."
—*New Solidarity*, July 28, 1978

On Henry Kissinger

- "Henry Kissinger, since the early 1950s, has been a British agent and traitor to the United States. Kissinger has subverted the U.S., has attempted to destroy its constitutionally established political institutions and government, and has worked consciously to undermine the U.S. economy. For these crimes, Henry Kissinger is indictable for treason. . . .
"A close look at Kissinger and his counterparts Schlesinger and Brzezinski reveal insanity and stupidity. . . .
". . . London felt it could attempt to place into the highest security position in the U.S. government a raving psychotic whose only claim to notoriety at that time was his 'insanity doctrine'. . . . Once this foot in the door was accomplished, other maniacs from the same school—Schlesinger, Brzezinski, Alexander Haig—followed. . . ."
—*Campaigner Special Report #13: "Expel Britain's Kissinger for Treason"* (1978)

On Organized Labor

- The AFL-CIO Executive Council meeting in Bal Harbor, Fla, the week ending Feb. 21, was the center of a storm of controversy, as Trilateral Commission agent and AFL-CIO head Lane Kirkland announced the agenda for labor, in the age of deindustrialization and depression which his controllers have created. . . .
"The 'industrial labor strategy' put forth by Kirkland in response to the storm confronting labor in America was dictated by the Trilateral Commission and

the international bankers who control it. The policy is, simply put, bailing out the banks. . ."

—*New Solidarity*, February 28, 1986

On Indira Gāndhi's Assassination

- "ADL, Heritage Foundation Tied to Gandhi's Killers. . .
"LaRouche assigned major responsibility for the plot to assassinate Indira Gandhi to 'a faction of British Intelligence. . . But the job was actually done on orders from the Soviet Union,' LaRouche continued."
—*New Solidarity*, November 8, 1984

On Terrorism

- "Although the threat to the life of Prime Minister Gandhi, and the destabilization of India through communal strife, is orchestrated on behalf of Moscow, Sikh terrorism could not function as effectively as it has without the witting cooperation of the FBI, the U.S. State Department, and the Canadian Ministry of External Affairs."
—*Executive Intelligence Review*, September 27, 1985

On Drugs

- "NBC-TV News Fronts For Dope Pushers' Lobby"
—1984 flyer published by "The LaRouche Campaign"
- "In a neat division of labor, the U.S. State Department, the International Monetary Fund, and the Anti-Defamation League (ADL) of B'nai B'rith have worked out an arrangement to hand Israel's economy over to the Dope, Inc. narcotics-trafficking cartel."
—*Executive Intelligence Review*, March 26, 1985

On Democratic Party Figures

- "Get That Nazi Averell Harriman Out of the Democratic Party. . .
"Harriman, along with his wife Pamela Churchill Harriman, is presently devoted to turning the Democratic Party of Franklin Roosevelt into the vehicle for carrying out racist policies of mass extermination on a scale 100 times greater than the slaughter of 20 million accomplished in the death camps of Adolf Hitler. . ."

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"Either we Americans mobilize now, to kick the Nazi Averell Harriman out of the Democratic Party, or there will be no possibility of stopping a new Holocaust more terrible than any in human history."

—National Democratic Policy Committee document, 1982 New York State Democratic primary campaign for U.S. Senate by NDPC candidate Mel Klenetsky

- "Mel Klenetsky Says: Moynihan Follows Nazi Harriman in Hitlerite Policies and Tactics!"
—*Ibid.*

On B'nai B'rith and the Anti-Defamation League

- "At its inception, to the present date, B'nai B'rith has been a treasonous conspiracy against the United States, a treasonous conspiracy working in the interest of the United States' most consistent and dedicated adversary, Great Britain, and working also in the interest of the oligarchical interests centered around the British monarchy, the Hospitallers, and the Isis-centered cultism of Scottish Freemasonry."
—*New Solidarity*, December 8, 1978
- "... The ADL is only a group of self-hating anti-Semites with Jewish names, eager to do any dirty deed that their controllers, the Morgans, Rockefellers, and others of the Anglo-Episcopalian elite demand."
—*New Solidarity*, February 14, 1982

On Music

- "Jazz was foisted on black Americans by the same oligarchy which had run the U.S. slave trade, with the help of the classically trained but immoral George Gershwin and the Paris-New York circuit of drug-taking avant-garde artists."
—*Campaigner*, September/October 1980

On Women and Politics

- "Concretely, all across the U.S.A., there are workers who are prepared to fight. They are held back, most immediately, by pressure from their wives. . . .
"If the worker rejects this pressure from his wife, she then bursts into tears or threatens to leave him, wailing. . . .
"Has that wretched woman, his wife, any legitimate right to demand that her husband give up politics out of respect for his 'personal responsibilities'?" . . .
"What are his 'personal responsibilities'? To feed his family? How, in a world-wide, capitalism-caused food crisis, unless he ends capitalism? To protect them

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- from unemployment-caused deprivation? How, unless he ends the capitalist depression by ending capitalism? . . .
 "Is it not clear that his wife is, in a practical sense, insane, is it not clear that if he gives in to his wife's neurotic fears he is willfully murdering his children? . . ."
 —Editorial, *Campaigner*, September/October 1973

On the Jesuits

- "The Society of Jesus has been predominantly evil throughout its history since the founding of the order at Venice. It is essentially a revival of the Delphi Cult of Apollo, which professes its method to be the delphic method, which has functioned as the political-intelligence service for the same gang of oligarchs which have created most of the inquisitions and related horrors Europe has suffered since the order was created. Its predominant role in the world today is on the side of wickedness."
 —LaRouche, "Special Memorandum," October 1981

On the Bahai Faith

- "'Faith' is scarcely the proper term for that wicked cult."
 —LaRouche, "Special Memorandum," October 1981

On Karl Marx

- "Karl Marx, in this respect somewhat like myself, was a well-developed thinker by the time he completed secondary school . . . To assess Marx's intellectual powers as an adult, it is no exaggeration to say that his mental development was considerably inferior to my own . . . To say that the writer [LaRouche] constructed an economic science through correcting Marx's crucial blunders is an accurate, if somewhat oversimplified view . . ."
 —*The Power of Reason* (LaRouche's autobiography), 1978

On the "Forces of Evil"

- "I was regarded by the British as a potential danger . . . and thus they aimed at eliminating me in the course of any handy general terrorist deployment . . . All international terrorism is deployed by networks coordinated by the British monarchy . . . Furthermore, it was understood, and correctly so, that the Zionist organizations' coordination of terrorism is only a feature of those

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Zionist agencies' subordinate role to the 'Black' Maltese networks centered in the British monarchy. . . The discovered dominant function of the 'Black' networks of the Maltese Order provided the most efficient means for tracing the direct, unbroken links between today's British-Maltese-Zionist forces of evil and the ancient oligarchist faction which the New Testament identifies as the 'Whore of Babylon.'"

—*The Power of Reason* (LaRouche's autobiography), 1978

On Andrei Sakharov

- "Dissident Soviet scientist Andrei Sakharov actually is an agent of the KGB, the Soviet Union's secret police force, and is part of an effort to manipulate the United States," independent presidential candidate Lyndon R. [sic] LaRouche said yesterday.
—Richmond (VA) *Times-Dispatch*, October 5, 1984

Anti-Semitism/Anti-Zionism

- "It was the Jewish Sadducees who crucified Christ and the same faction in Rome who prompted the Emperor Nero to launch the centuries-long 'holocaust' against the Christians."
—*New Solidarity*, December 8, 1978
- "The fallacy of the 'Protocols of Zion' is that it misattributes the alleged conspiracy to Jews generally, to Judaism. A corrected version of the 'Protocols' would stipulate that the evil paths cited were actually the practices of. . . B'nai B'rith. . ."
—*New Solidarity*, December 8, 1978
- "The Zionist Lobby is a major power within the three TV networks, and especially NBC which televised 'Roots' and 'Holocaust' to build racial tension for a 'long, hot, summer.'"
—*New Solidarity*, July 17, 1978
- "The contemptible but impassioned sophistry which the Zionist demagogue offers to all foolish enough to be impressed with such hoaxes is the 'holocaust' thesis. It is argued that the culmination of the persecution of the Jews in the Nazi holocaust proves that Zionism is so essential to 'Jewish survival' that any anti-Zionist is therefore not only an anti-Semite, but that any sort of criminal action is excusable against anti-Zionists in memory of the mythical 'six million Jewish victims' of the Nazi 'holocaust.'"

"This is worse than sophistry. It is a lie. True, about a million and a half Jews did die as a result of the Nazi policy of labor-intensive 'appropriate technol-

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ogy' for the employment of 'inferior races,' a small fraction of the tens of millions of others—especially Slavs—who were murdered in the same way Jewish refugee Felix Rohatyn proposes today. Even on a relative scale, what the Nazis did to Jewish victims was mild compared with the virtual extermination of gypsies and the butchery of Communists. The point is that Adolf Hitler was put into power largely on the initiative of the Rothschilds, Warburgs and Oppenheimers, among other Jewish and non-Jewish financial interests centered in the city of London."

—*New Solidarity*, December 8, 1978

- "They [the Irgun] were of the same sort as those who, upon emigration from Eastern Europe and Russia to the United States, became the basis for modern organized crime (Samuel Bronfman, Meyer Lansky, Louis 'Lepke' Bucholzer, et al.). In Palestine, they were called the Irgun. In New Orleans and New York, they were called the Mafia. . . ."

"The United States? It is a nation of *goyim*, to be used when useful"

—*New Solidarity*, March 10, 1986

- "Israel is ruled from London as a zombie nation. . . . Zionism [is] the state of collective psychosis through which London manipulates most of the international Jewry. . . . If international Jewry were significantly freed of the grip of the Zionist psychosis, Israel would cease to be a puppet of London [and] then, the problems of the Middle East could be resolved."

—*New Solidarity*, December 8, 1978

- "The grain trading families of Odessa, Salonika (Greece), and Aleppo (Syria) were the principals in the Jewish component of a financial network centered in Venice, known as the *Trust*. Their instruments. . . . were deployed in a Trust project known as the Bolshevik Revolution in Russia. Trotsky, after the revolution, helped reorganize the Trust as an East-West financial network. . . ."

—*New Solidarity*, March 10, 1986

- "If you say, 'As a Jew, I must be concerned primarily with what is good for Jews,' you are already on the pathway to becoming a Nazi. You were better advised to ask yourself, 'What is a Jew good for? What can a Jew contribute to humanity generally which obliges humanity to value the Jew?'"

—*New Solidarity*, December 8, 1978

- "The problem among Jews is ancient. The B'nai B'rith today resurrects the tradition of Jews who demanded the crucifixion of Jesus Christ, the Jews who pleaded with Nero to launch the 'holocaust' against the Christians. These Isis cult-linked cabalist moral imbeciles are the modern Sadducees, the resurrection of the degraded creatures who were the chief enemies of Philo, Christ, St. Peter, St. Paul. . . ."

" . . . we know that Zionism today is a parody more hideous than what it imitates from the most evil period of Ptolemaic Egypt and the Roman Empire.

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You cannot be a Zionist and also a Jew."

—*New Solidarity*, December 8, 1978

- "In short, anyone professing Zionist loyalties is by definition incapable of being loyal to the interests of the United States. He is, by definition, a national security risk.

"The Zionist octopus must be eliminated."

—*New Solidarity*, September 5, 1978

- "The chain of command for the Zionist Lobby starts with the Order of St. John and the degenerate oligarchies around the British, Dutch, and Belgian monarchies. It proceeds to the Jewish and non-Jewish allied financiers of West Europe, and thence to the official Zionist Lobby. . .

"An astonishingly large number of American leading politicians have wittingly made careers by becoming outright agents of this foreign intelligence network. Jacob Javits, Walter Mondale, Edward Kennedy, Henry Jackson, Daniel Patrick Moynihan and many others in Congress. Governors Jerry Brown and Hugh Carey, Henry Kissinger and James Schlesinger, and scores of others are literally Israeli-British agents."

—*New Solidarity*, September 5, 1978

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Appendix B

The LaRouche Network

Organizations

Caucus Distributors, Inc.—Caucus Distributors, Inc., was established in December 1981 in New York, NY, under the state's not-for-profit corporation law "to promote and encourage the political [sic] and ideas and beliefs fostered by the International Caucus of Labor Committees and other organizations advocating the same ideas and beliefs." The New York-based corporation's purpose also has been "to distribute to the general public, sell and obtain subscriptions to publications specifically dedicated to the political ideas and beliefs fostered by the International Caucus of Labor Committees and other organizations." Caucus Distributors is the distributor of *Executive Intelligence Review* (EIR).

Club of Life—The Club of Life was founded in October 1982 in Rome, Italy "to stop the genocide being pushed by the Club of Rome and the Global 2000 program, and to fight for a New World Economic Order." The group's activities are "based on the program for global industrial development put forward by Lyndon H. LaRouche, Jr., the world's foremost economist" [sic]. Helga Zepp-LaRouche issued the "call" for the founding of the Club of Life. Zepp-LaRouche and her husband have headed the list of members of the International Board of Directors of the group.

Elektra Broadcasting Associates—Elektra Broadcasting Associates is a Virginia corporation which has arranged to purchase radio station WTRI-AM in Brunswick, Maryland for \$350,000. The station's broadcast areas include part of Loudoun County, Virginia. The two individuals listed as president and vice president of Elektra have served as contributing editor and director of press services, respectively, of *Executive Intelligence Review*.

Fusion Energy Foundation (FEF)—The Fusion Energy Foundation, now located in Leesburg, Virginia, was established in early 1974 in New York City. It was founded as a tax-exempt organization for "the promotion of energy-flux-dense modes of production and application of energy together with emphasis on the standpoint in physics and physics-mathematics education required for comprehension of and progress in developing such technologies." The Foundation publishes *Fusion* and the *International Journal of Fusion Energy*. Allied publications have been produced in Mexico, Germany, and Sweden. The FEF also has published books and conducted "Fusion Energy Conferences."

Humanist Academy—The Humanist Academy has not been active since 1980. It was established in October 1978 as an "outreach mechanism" organized by the LaRoucheites to attract potential members of academic bent interested in literature.

music, the arts, philosophy and economics. Its stated purpose was "to revive the scientific, cultural, and moral excellence that characterized the humanist victory of the American Revolution and its intellectual precedents."

International Caucus of Labor Committees—The International Caucus of Labor Committees (ICLC) is the foreign arm of the U.S.-based National Caucus of Labor Committees (NCLC). The ICLC was founded by Lyndon H. LaRouche, Jr. in the late 1960s, at about the same time as the founding of the NCLC in the U.S. The ICLC is headquartered in Wiesbaden, West Germany, and has established offices in Canada, Latin America and Asia, as well as in Europe.

Lafayette/Leesburg Ltd. Partnership—Lafayette/Leesburg Ltd. Partnership is a corporation associated with the LaRouche movement. The company's trustees are Edward Spannaus and J.S. Morrison. Spannaus has been identified as a top LaRouche aide and Morrison has been identified as a LaRouche supporter from New Jersey. In June 1984, the company bought a 9.8-acre-tract in a Leesburg, Virginia industrial park and is developing a 60,000 square-foot printing plant and office complex on the site.

National Anti-Drug Coalition—The National Anti-Drug Coalition began as the Michigan Anti-Drug Coalition at a December 1978 mass rally sponsored by the U.S. Labor Party. The stated purpose of the Anti-Drug Coalition was "to mobilize the concern of citizens politically against both the drug-traffic and the campaign for legalization of all or part of the drug consumption." The group claimed the existence of anti-drug coalition allied organizations in Mexico, Colombia, Italy, France, Sweden, Denmark and West Germany. Between 1980 and 1981 the National Anti-Drug Coalition published a monthly magazine, *War on Drugs*. In recent years, activities of the National Anti-Drug Coalition have diminished.

National Democratic Policy Committee (NDPC)—The National Democratic Policy Committee was formed in 1980 to serve as "both a policy association and a multi-candidate political action committee." It has functioned as the political action arm of the LaRouche organization, and has sought members and contacts in a wide spectrum of organizations. The title of the committee, which implies an affiliation with the Democratic Party, has caused confusion among Democrats, who have sometimes been led to support the group because they thought it was a part of the Democratic Party. In March 1984, the NDPC claimed that its chapters had 30,000 members and that 2,600 of them were on the ballot in local, state, federal and party elections.

Patriots of Germany—Patriots of Germany, based in West Germany, is "a new patriotic movement" formed in October 1985. Among the signers of the group's founding resolution was Helga Zepp-LaRouche. The LaRouche newspaper *New Solidarity* said that the group is "a movement of patriots, based on the finest of the German historical political tradition, going back to the patriotic wars of the early 19th century." The proclamation of Patriots of Germany stated that "We demand that the education of our youth be based upon the foundations of German classical culture and the

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Humboldt conception of education, best exemplified in Beethoven and Schiller, in the political ideas of the Prussian Reformers like Vom Stein, Scharnhorst and Gneisenau."

Publication Equities Inc.—Publication Equities Inc. is a LaRouche-affiliated company whose only listed director is Edward Spannaus. Publication Equities purchased a storefront in downtown Leesburg, Virginia for \$275,000; it was turned into a bookstore stocking LaRouche's writings and other publications. Publication Equities also purchased a 64-acre property on Short Hills Ridge in Neersville, Virginia, near Harpers Ferry, West Virginia.

Schiller Institute, Inc.—The Schiller Institute was founded in July 1984 in Arlington, Virginia "to counterpose to the multiple tendencies toward decoupling Western Europe from the United States a positive conception for the maintenance and revitalization of the Western alliance" and to "newly define the interest of the Western alliance." The group's "Principles" proclaim that members "regard themselves as world citizens and patriots alike, in the sense that Friedrich Schiller used these notions." Helga Zepp-LaRouche has headed the list of members of the Executive Board of the group and Lyndon H. LaRouche, Jr. has headed the list of members of the Advisory Board of the group.

The U.S. Labor Party—The LaRouche-run International Caucus of Labor Committees established the U.S. Labor Party as a national political party headquartered in New York City in the 1970s. Lyndon H. LaRouche described the party as a "neo-Whig political force, based explicitly on both the Whig economic policies of President Lincoln's advisor, Henry C. Carey, and Carey's policy of 'harmony of interests' of industry, agriculture and labor." LaRouche wrote that "the developments of 1978 and 1979" within the Democratic Party brought about a situation in which "There were no visible candidates representing the organic world-outlook and interests of the anti-Carter traditionalist Democrats." He added: "In this circumstance, it was viewed by the National Caucus of Labor Committees to be counterproductive to wage a U.S. Labor Party campaign outside the ranks of the Democratic Party. . . the NCLC . . . went into the Democratic Party en masse, and the U.S. Labor Party vanished out of neglect in September 1979." (See also the following "Labor Parties".)

The Colombian Andean Labor Party—The Colombian Andean Labor Party is associated with the International Caucus of Labor Committees, the foreign arm of Lyndon H. LaRouche's National Caucus of Labor Committees.

European Labor Party (ELP)—The European Labor Party is associated with the International Caucus of Labor Committees, the foreign arm of Lyndon H. LaRouche's National Caucus of Labor Committees. The ELP maintains branches in France, West Germany, Italy, Denmark and Sweden. The West German branch is chaired by Helga Zepp-LaRouche. Zepp-LaRouche also has been a principal in the Schiller Institute and the Club of Life.

Mexican Labor Party—The Mexican Labor Party is associated with the International Caucus of Labor Committees, the foreign arm of Lyndon H. LaRouche's National Caucus of Labor Committees. LaRouche has described the Mexican Labor Party as "an influential political association" in that nation.

Publishing Entities

Campaigner—Founded in January 1986, Campaigner is a slickly-produced magazine that is published four times a year by Campaigner Publications, Inc. The magazine has been promoted as seeking to further "a classical scientific and cultural Renaissance in the making." In the past, the publication described itself as "the English language journal of the National Caucus of Labor Committees and the [now defunct] U.S. Labor Party." The publication also has been described by LaRoucheites as "the oldest among the publications which the ICLC membership produces, or otherwise actively supports in partnership with others not associated with the ICLC."

Campaigner Publications, Inc.—The New York-based Campaigner Publications, Inc. is a publishing house affiliated with the LaRouche movement. It publishes *New Solidarity* and *Campaigner*.

Executive Intelligence Review (EIR)—Executive Intelligence Review is a Washington, DC.-based weekly magazine that was founded in 1974. Lyndon H. LaRouche, Jr. is listed as the Founder and Contributing Editor of the publication. *Executive Intelligence Review* is published by New Solidarity International Press Service and distributed by Caucus Distributors, Inc. The publication lists, in addition to its editorial staff, Intelligence Directors on thirteen subjects, as well as International Bureaus in eighteen cities around the world. The publication also has a European headquarters in West Germany. *EIR's* subscription price in the U.S. is \$396 per annum, with single issues priced at \$10. It is an elaborately produced propaganda publication whose articles are directed toward the security concerns of business and law enforcement.

EIR News Service—EIR News Service, originally called EIR Confidential Alert, was established in January 1986 in Washington, D.C., to provide "the policymaker who needs the best intelligence" with "the key developments to watch closely." EIR News Service transmits to subscribers "10-20 concise and up-to-the-point bulletins twice a week." Its "Alert" is sent to subscribers "by electronic mail service the next day." A daily three-minute "telephone hot-line" also is provided to subscribers. The EIR News Service's subscription rate is \$3,500 per annum. EIR News Service also distributes EIR Quarterly Economic Report, an "economic forecasting service" priced at \$1,000 per annum and \$250 per issue.

Fusion—*Fusion* is the publication of the Fusion Energy Foundation, which is associated with Lyndon H. LaRouche's National Caucus of Labor Committees. *Fusion* is published six times a year; it began publication in January 1979. *Fusion's* masthead states that

it is "dedicated to providing accurate and comprehensive information on advanced energy technologies and policies." It adds: "FUSION coverage of the frontiers of science focuses on the self-developing qualities of the physical universe in such areas as plasma physics—the basis for fusion power—as well as biology and microphysics, and includes ground-breaking studies of the historical development of science and technology." The publication incorporates a previously separate periodical called *The Young Scientist*.

International Journal of Fusion Energy—*The International Journal of Fusion Energy* is a quarterly magazine which has been published since 1977 by the Fusion Energy Foundation, originally based in New York City and now in Leesburg, Virginia.

Investigative Leads—*Investigative Leads* was begun in January 1980 as a spin-off periodical of *Executive Intelligence Review*. In 1985, *Investigative Leads* was discontinued as a separate publication, and incorporated, as an occasional feature, into *New Solidarity*, LaRouche's twice weekly paper.

Loudoun County News—*The Loudoun County News* is a weekly newspaper in the Leesburg, Virginia area that was established in December 1985 by a LaRouche-controlled company. The publication has sought to develop a local readership with articles of general and local interest. The publication also has been distributed locally as a supplement to *New Solidarity*. It is published by Campaigner Publications.

New Benjamin Franklin House Publishing Co., Inc.—The New Benjamin Franklin House Publishing Co., Inc., of New York City, has been an arm of the LaRouche publishing apparatus. Founded in 1978, it publishes nonfiction paperbacks on political science, current events, American history, the physical sciences, and classical culture. Its president has been Nancy B. Spannaus, who has been Editor-in-Chief of *New Solidarity* and who has been described as a close associate of Lyndon H. LaRouche, Jr. The publishing firm issued LaRouche's autobiography, *The Power of Reason*. It also issued *Dope, Inc.*, a conspiracy-oriented, purported expose of drug trafficking with anti-Semitic overtones. The firm's publications are distributed by Campaigner Publications, another arm of the LaRouche publishing network.

New Solidarity—*New Solidarity* originally was known as *Solidarity* when it was founded by Lyndon H. LaRouche, Jr. in 1968. Its name was changed to *New Solidarity* in 1969, when it was established as a weekly paper of the National Caucus of Labor Committees (NCLC). *New Solidarity*, which has since expanded to a twice-weekly paper, is published by Campaigner Publications, Inc. The paper reflects the views of the National Democratic Policy Committee and other entities of the LaRoucheite movement. Parallel papers have been published in Europe and Latin America, in French, German, Italian, Swedish and Spanish editions.

New Solidarity International Press Service (NSIPS)—*New Solidarity International Press Service* was founded in February-March 1974 in New York City by the LaRouche movement as a "separate organization," and purportedly "independent of each of the

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publications it serviced," to offer "news services on the open commercial market internationally." NSIPS has maintained an international teletype-telex communications network based in New York City, with centers throughout Europe and Latin America, and also in New Delhi, India. NSIPS is the publisher of *Executive Intelligence Review*.

War on Drugs—*War on Drugs* was published in conjunction with and as the magazine of the National Anti-Drug Coalition, a LaRouche-affiliated organization. Begun in January 1980, the publication was discontinued at the end of 1981. *War on Drugs* subsequently was incorporated as a feature into *New Solidarity*, LaRouche's twice-weekly paper.

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ANTI-DEFAMATION LEAGUE OF AMERICA

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(212) 490-2525

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(412) 471-1050

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ROME LIAISON

Via San Crescentiano 11, 00199, Rome, Italy

011 39-6-831-0761

CANADA

Cooperative Association with the League for Human Rights of Canadian Friends
18 Howe Street, Suite 211, Downsview, Ontario, Canada M3H4V6

(416) 633-6227

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SENSITIVE

JUN 5 1986
P 5:00

**FEDERAL ELECTION COMMISSION
999 E. STREET N.W.
Washington, D.C. 20463**

GENERAL COUNSEL'S REPORT

**DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:**

**MUR #2163
DATE COMPLAINT RECEIVED:
April 7, 1986
DATE OF NOTIFICATION TO
RESPONDENT: April 18, 1986
STAFF MEMBER: John Drury**

COMPLAINANT'S NAME:

**Edward Spannaus, Treasurer
The LaRouche Democratic Campaign**

RESPONDENTS' NAMES:

**Nathan Perlmutter, National Director,
Anti-Defamation League

Anti-Defamation League of B'nai B'rith
National Headquarters, New York ("ADL")

Anti-Defamation League, Chicago**

**Jonathan Levine, Director
American Jewish Committee**

American Jewish Committee ("AJC")

RELEVANT STATUTES:

2 U.S.C. §§ 441b(a), 433, and 434

**INTERNAL REPORTS
CHECKED:**

None

**FEDERAL AGENCIES
CHECKED:**

Internal Revenue Service

SUMMARY OF ALLEGATIONS

**In his complaint, Edward Spannaus, treasurer of the LaRouche
Democratic Campaign, ("LDC") states the following:**

**The above named individuals and
organizations have publically [sic]
stated that they are actively engaged in
opposing the candidacy of Lyndon H.
LaRouche, running for the Democratic
Party nomination for president....**

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Furthermore, these individuals and organizations are engaged in opposing other candidates for federal office who consider themselves "LaRouche Democrats." Upon information and belief similar activities are being done by other chapters of the ADL as well.

For these reasons, Mr. Spannaus alleges, the respondents should be found to have violated the Act by "failing to register and report to the Federal Election Commission as political committees as provided for in 2 U.S.C § 433 et seq." (See Attachment I, page 1).^{1/} The complainant forwarded additional information to this Office regarding the respondents. This information was sent to the respondents and a response from ADL was received on January 21, 1987. The information repeated prior allegations that both ADL and AJC were in violation of 2 U.S.C. §§ 433 and 434, based on events taking place after the filing of the complaint.

FACTUAL AND LEGAL ANALYSIS

Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution or expenditure in connection with any federal election. The Anti-Defamation League of B'nai B'rith and the American Jewish Committee are corporations.^{2/} Information

^{1/} Although the complainant cites possible violations of §§ 433 and 434, these sections do not appear to be applicable. The expenditures of corporate respondents, such as these, are more properly analyzed under the provisions of Section 441b.

^{2/} In a letter dated May 2, 1986, counsel for the American Jewish Committee stated: "The American Jewish Committee is a membership organization founded in 1906 and incorporated under the laws of New York." (Attachment II, page 1). In a letter dated May 14, 1986, the Anti-Defamation League described itself as a "non-profit corporation." (Attachment III, page 2).

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supplied by the complainant indicates that there is a question as to whether the respondents have violated § 441b(a).

Specifically, it appears that ADL and AJC expended funds to communicate information about candidates and their political affiliations to the public. In addressing prior matters of this kind, the Commission has examined three criteria to determine if such expenditures have been made in connection with any federal election, namely, the timing, content, and distribution of the communication.^{3/}

I. The American Jewish Committee

In documents filed with this Office, counsel for the American Jewish Committee identified Jonathan Levine as director of the Chicago affiliate of the AJC. (Attachment II, page 1). In a newspaper article attached to the complaint, Mr. Levine is quoted as saying:

Even now a list is being put together of all of the LaRouche candidates in races around the country. We are not urging people to vote for or against. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision.

(Attachment I, page 4). This statement suggests that AJC intended to distribute to the public information concerning the

^{3/} In Federal Election Commission v. Massachusetts Citizens for Life, Inc., 107 S.Ct. 616, ("MCFL"), the Court concluded that a non-profit corporation which does not accept corporate money can make independent expenditures in order to engage in a discussion of issues concerning a candidate for federal office without violating 2 U.S.C. § 441b(a)'s prohibition against making a corporate expenditure. Since it is not possible to determine from the information provided by the respondents whether ADL or AJC fall within the class of corporations which, like MCFL, are exempt from § 441b, an investigation is needed. To this end, included with the proposed letters to the respondents are sets of questions.

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political views of candidates in federal elections. It is apparent from AJC's classification of the LaRouche Democratic Campaign as an "extremist organization" that the communication would probably cast the candidates in a negative light. Mr. Levine's statement as quoted above indicates that the information was to be communicated prior to any election, although counsel for the American Jewish Committee has stated that this activity took place after the Illinois election.^{4/} Thus, it appears that the American Jewish Committee made expenditures in connection with a federal election.

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Furthermore, if the American Jewish Committee wished only to inform voters of its ideological disagreements with Lyndon LaRouche, then it would be unnecessary for AJC to go to the considerable effort required to identify the LaRouche candidates running for office across the U.S. and provide voters in the candidates' respective districts with material on the nature of the candidates' political affiliations. Therefore, it is more plausible that the purpose of AJC's compilation and dissemination was to influence these candidates' chances of election. Thus, it appears that AJC made expenditures in connection with a federal election, in violation of 2 U.S.C. § 441b.

^{4/} The Illinois Congressional primary was the first primary election held in 1986. Primaries were held in 23 of the other 49 states between six and twelve weeks after the Illinois primary. Primaries in 26 of the other 49 states occurred three to seven months after the Illinois primary. Thus, a voter in any of the remaining states in which LaRouche candidates were running could have received information from AJC prior to the primary in that state even if the communication occurred after the Illinois primary.

Pursuant to 11 C.F.R. § 114.4(b)(5), a corporation may prepare and distribute to the general public non-partisan voter guides consisting of questions posed to candidates concerning their positions on issues and the candidates' responses to those questions. The following factors are among those considered relevant to the determination of whether the guide is non-partisan: 1) the questions are directed to all candidates for a given office; 2) responses appear verbatim without comment, editing or emphasis; 3) the questions do not favor any position; 4) the guide expresses no editorial opinion and does not indicate support or opposition to any candidate or party. The available information indicates that the materials distributed do not qualify as a voter guide. First, the American Jewish Committee has not provided any evidence that AJC used the voter guide format of question and response as provided for by 11 C.F.R. § 114.4. Second, AJC has not demonstrated that the materials were non-partisan, i.e., that questions were submitted to those individuals running against LaRouche candidates, that the information was set forth without any comment, editing or emphasis, or that AJC's presentation conveyed no editorial opinion or opposition to the LaRouche candidates. In fact, given that AJC has publicly characterized the LaRouche Democratic Campaign as "an extremist organization," it appears unlikely that the materials were non-partisan.

Pursuant to 11 C.F.R. § 114.3, a corporation may make

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partisan communications to its stockholders and executive and administrative personnel and their families on any subject. However, it does not appear that AJC's communication was protected under this section, because it was distributed to the general public, rather than the restricted class set forth by § 114.3.

In summary, it appears that the American Jewish Committee has made expenditures in connection with the election of one or more federal candidates. Therefore, there is reason to believe that the American Jewish Committee has violated § 441b(a).

II. The Anti-Defamation League

The complainant also alleges that on May 21, 1986, respondent Nathan Perlmutter held a press conference at which the Anti-Defamation League released a lengthy report on Lyndon LaRouche and that this report represents an expenditure. The complainant forwarded only the cover page and table of contents of this report. (Attachment IV).^{5/}

Examination of the table of contents shows that Part III is entitled "The LaRouchian Candidate." Pages 20 through 23 appear to contain material relevant to determining whether ADL has violated the Act, for here the Anti-Defamation League discusses LaRouche federal candidates in the context of the "1986 Elections." (Attachment IV, page 4). Lyndon LaRouche is a

^{5/} The complainant did not forward any other portions of the report.

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candidate for the 1988 Democratic presidential nomination.^{6/}

In reply to the supplemental material the complainant filed with this Office, ADL has submitted a response dated January 21, 1987. In that response, ADL maintains that it "neither participates in the electoral process nor espouses a position regarding voting choices." Specifically with regard to the afore-mentioned report, ADL states

Like all previous publications on the LaRouche organization, the intent behind dissemination of the report was to expose the LaRouche organization's anti-Semitic and extremist activities and had nothing to do with influencing an election. The report was part of ADL's ongoing effort to educate the public on new matters concerning LDC's activities. Such efforts were in no way timed for a particular election, as evidenced by prior ADL reports on LDC.... In the instant case, the ADL report and press conference were devoted exclusively to subjects other than the express advocacy of the election or defeat of Lyndon LaRouche. Thus, any costs incurred in publishing the report or holding the press conference cannot be considered "expenditures" as that term is defined in the Act.

While the overall tone of the report is factual, its presentation of information regarding LaRouche and the LaRouche organization refers in part to various elections, including the 1986 elections. ADL appears to intend that the reader will be persuaded not to vote for LaRouche or LaRouche candidates. Furthermore, counsel for ADL has verbally communicated to this

^{6/} On October 16, 1985, Mr. LaRouche filed his Statement of Candidacy with the Commission. (Attachment V).

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Office that it printed 25,000 copies of the report and distributed these copies to individuals affiliated with ADL, including members of the public, expressing an interest in the LaRouche organization. In addition, the report's date of release -- May 21, 1986 -- preceded most of the 1986 primary elections.

As is the case with AJC, it does not appear that the May 21, 1986 ADL report constitutes a voter guide, since it does not present the views of individuals running against either Lyndon LaRouche or candidates affiliated with LaRouche. In addition, the report does not make use of the prescribed voter guide format. Furthermore, it does not appear that ADL's report is protected under 11 C.F.R. § 114.3, because ADL apparently distributed it to individuals other than stockholders, executive and administrative personnel and their families.

Based on these facts, it appears that ADL made an expenditure in connection with a federal election when paying for the costs of printing and distributing the report. Therefore, this Office recommends the Commission find reason to believe the Anti-Defamation League violated 2 U.S.C. § 441b(a).

RECOMMENDATIONS

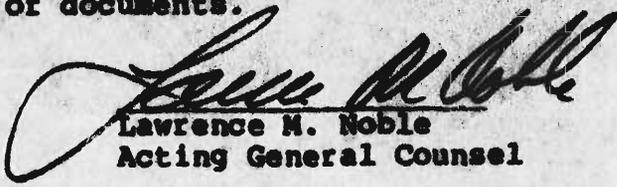
1. Find reason to believe the Anti-Defamation League of B'nai B'rith of New York and Chicago, and Nathan Perlmutter, National Director, violated 2 U.S.C. § 441b(a) of the Federal Election Campaign Act of 1971, as amended.

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2. Find reason to believe the American Jewish Committee, and Jonathan Levine, Director, violated 2 U.S.C. § 441b(a) of the Federal Election Campaign Act of 1971, as amended.
3. Approve the attached questions and requests for production of documents.
4. Approve and send the attached letters with questions and requests for production of documents.

Date

4/5/87


Lawrence M. Noble
Acting General Counsel

Attachments

- I. Complaint
- II. AJC Response
- III. ADL Response
- IV. Supplemental Information
- V. Statement of Candidacy
- VI. Second Supplemental Information
- VII. Second ADL Response
- VIII. Proposed Letters (2)
- IX. Proposed Questions and Requests for Production of Documents

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*
DATE: JUNE 10, 1987
SUBJECT: OBJECTION TO MUR 2163 - GENERAL COUNSEL'S REPORT
SIGNED JUNE 5, 1987

The above-captioned document was circulated to the Commission on Monday, June 8, 1987 at 11:00 A.M.

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

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the Executive Session agenda for June 16, 1987.

Please notify us who will represent your Division before the Commission on this matter.

21040324944

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Nathan Perlmutter, National Director,)
Anti-Defamation League)
Anti-Defamation League of B'nai B'rith)
National Headquarters, New York ("ADL"))
Anti-Defamation League, Chicago) MUR 2163
Jonathan Levine, Director)
American Jewish Committee)
American Jewish Committee ("AJC"))

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 16, 1987, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MUR 2163:

1. Find reason to believe the Anti-Defamation League of B'nai B'rith of New York and Chicago, and Nathan Perlmutter, National Director, violated 2 U.S.C. § 441b(a).
2. Find reason to believe the American Jewish Committee, and Jonathan Levine, Director, violated 2 U.S.C. § 441b(a).
3. Direct the Office of General Counsel to prepare revised interrogatories and circulate them to the Commission for approval on a tally vote basis.

(continued)

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4. Direct the Office of General Counsel to send an appropriate letter pursuant to the actions noted above and the discussion in the meeting of this date.

Commissioners Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioners Aikens and Elliott dissented:

Attest:

June 17, 1987
Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

21040324946



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 24, 1987

Stuart M. Gerson, Esquire
Epstein Becker Borsody & Green
1140 19th Street, N.W., Suite 900
Washington, D.C. 20036

RE: MUR 2163
Anti-Defamation League of B'nai
B'rith - New York and Chicago
Offices; and Nathan Perlmutter,
National Director

Dear Mr. Gerson:

On April 18, 1986, the Federal Election Commission notified the Anti-Defamation League of B'nai B'rith - New York and Chicago Offices, and Nathan Perlmutter, National Director, ("ADL") of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to ADL at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on June 16, 1987, found that there is reason to believe ADL violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that the Anti-Defamation League, a corporation, made expenditures in connection with a federal election when it published and distributed a report on presidential candidate Lyndon LaRouche and candidates affiliated with Lyndon LaRouche.

Under the Act you have an opportunity to demonstrate that no action should be taken against ADL. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 20 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against ADL, the

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Letter to Stuart M. Gerson
Page 2

Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel is not authorized to give extensions beyond 20 days.

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

If you have any questions, please contact John Drury, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

21040324948



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 24, 1987

Samuel Rabinove, Esquire
Legal Director
American Jewish Committee
165 East 56 Street
New York, NY 10022

Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Rabinove:

On April 18, 1986, the Federal Election Commission notified the American Jewish Committee and Jonathan Levine, Director, (the "Committee") of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to the Committee at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on June 16, 1987, found that there is reason to believe the Committee violated 2 U.S.C. § 441b(a), a provision of the Act. Specifically, it appears that the American Jewish Committee, a corporation, made expenditures in connection with a federal election when it compiled a list of candidates affiliated with Lyndon LaRouche and disseminated information about these candidates to the public.

Under the Act you have an opportunity to demonstrate that no action should be taken against the Committee. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 20 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee,

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Plan

Letter to Samuel Rabinove
Page 2

the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel is not authorized to give extensions beyond 20 days.

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

If you have any questions, please contact John Drury, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Scott E. Thomas
Chairman

21040324950

600# 3828



The American Jewish Committee

Institute of Human Relations
165 East 56 Street
New York, New York 10022-2746
212 751-4000

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June 30, 1987

Scott E. Thomas
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Thomas:

Pursuant to my phone conversation today with John Drury, I hereby request on behalf of the American Jewish Committee an extension of time to respond to the above-captioned complaint, until August 10, 1987. The reason for this request is a previously planned imminent vacation on my part. Mr. Drury indicated to me that, under the circumstances, this request would be deemed a reasonable one and would be granted.

Thank you very much for your attention in this matter.

Sincerely,

Samuel Rabinove
Samuel Rabinove
Legal Director

SR:sb

cc: John Drury, Esq.

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RECEIVED
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7:00:58



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 8, 1987

Samuel Rabinove, Esquire
Legal Director
The American Jewish Committee
165 East 56 Street
New York, NY 10022-2746

RE: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Rabinove:

This is in response to your letter dated June 30, 1987, which we received on July 6, 1987, requesting an extension of 27 days until August 10, 1987 to respond to notification that the Commission had found reason to believe the American Jewish Committee and Jonathan Levine, Director, had violated the Act. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by close of business on August 10, 1987.

If you have any questions, please contact John Drury, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Lois G. Lerner (RL7)

By: Lois G. Lerner
Associate General Counsel

21040324952

GC# 3826

EPSTEIN BECKER BORSODY & GREEN, P.C.
ATTORNEYS AT LAW

1140 19TH STREET, N. W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900
TELEX 756-260

DID# _____

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-6994
(415) 398-3800

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2801
(213) 556-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2624
(904) 681-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3108
(817) 334 0701

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(214) 239-1302

July 6, 1987

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HAND DELIVERED

Lawrence M. Noble, Esquire
Acting General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: MUR 2163 -- Anti-Defamation League of B'nai
B'rith - New York and Chicago Offices; and
Nathan Perlmutter, National Director

Dear Mr. Noble:

This letter is the response of the Anti-Defamation League ("ADL") of B'nai B'rith (New York and Chicago Offices) and Nathan Perlmutter, the ADL's National Director ("respondents") to the Federal Election Commission's ("Commission") June 16, 1987 letter concerning the respondents. In that letter, the Chairman stated that the Commission had found reason to believe that the ADL may have made expenditures in connection with a federal election, in violation of 2 U.S.C. § 441b(a).

While this finding is preliminary, it is both statutorily and constitutionally untenable and unacceptable. It marks an attempt to extend the Federal Election Campaign Act of 1971 ("the Act") to a form of conduct -- an educational group's non-electioneering communications about someone of longstanding concern who incidentally decides to seek public office -- to which Congress clearly did not intend the Act to apply. It also forebodes an unconstitutional application of the Act to a protected educational and ideological group in a manner that contradicts a recent Supreme Court pronouncement. Accordingly, the Commission should enter a no-probable-cause finding without delay.

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Factual Background

The ADL was organized in 1913 to stop the defamation of the Jewish people and to secure justice and fair treatment for all. To advance these goals, the ADL seeks good will and mutual understanding among Americans of all creeds and races and, through education and communication, combats racial and religious prejudice and the deprivation of civil liberties.

In pursuit of these goals, the ADL has a longstanding involvement in exposing the conduct and tenets of individuals and groups which espouse bigotry and repression. For example, as the documents previously submitted to the Commission make clear, Lyndon LaRouche and his organization have been the subject of grave public concern to the ADL for many years -- long before Mr. LaRouche ever styled himself as a candidate for national office.

Similarly, the ADL has become a principal authority about the conduct of the Ku Klux Klan which, like the LaRouche groups, the ADL has analyzed and exposed for a considerable period of time. The ADL's ongoing activities and communications regarding these extremist groups are not tied to any election campaign, and their consistent purpose and nature are not altered in any way by the fact that leaders of such groups might decide to run for office.

In sum, to reiterate the key factual points that already have been made to the Commission: 1) the ADL is a nonprofit corporation whose principal purpose is to counter anti-Semitism and extremism, primarily by exposing to the public at large and to the leaders of government organizations and individuals who engage in such activity; and 2) although its fundamental activity inherently involves the type of speech most protected by the Constitution, the ADL, by choice, is not a participant in the electoral process.

The Legal Issues Before the Commission

The basis for the Commission's finding apparently is the ADL's "Special Report" on "The LaRouche Political Cult" published in the Spring of 1986. Given the issues-oriented nature of this publication and its clear linkage to the protected purpose of the ADL, it is highly disturbing that the Commission could in any way find that the publication and dissemination of this document was the product of a corporate expenditure that violated section 441b(a) of the Act, 2 U.S.C. § 441b(a).

That provision prohibits corporate contributions or expenditures "in connection with any election to political office." The "in connection with" term is not defined in the

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statute, but in analyzing the question of what constitutes an expenditure covered by the Act, the Commission has limited its jurisdiction to communications that clearly and specifically are intended to influence an election rather than to provide information of an educational nature.

Indeed, in a constitutional context, the Supreme Court recently agreed, holding that "an expenditure must constitute 'express advocacy' in order to be subject to the prohibition of § 441b." FEC v. Massachusetts Citizens for Life, 107 S.Ct. 616, 623 (1986). Of course, the instant case need not rise to constitutional proportions because the ADL's "Special Report" simply takes no electioneering position and, in fact, is not campaign related. Nowhere does the publication ever exhort readers to "defeat" or "vote against" Lyndon LaRouche. Indeed, the ADL's report could not more clearly represent the difference between public information which is not covered by section 441b and political campaign exhortation which is.

Should the Commission decide to construe the Act otherwise, that application clearly would, in view of the Massachusetts Citizens for Life case, be unconstitutional. As we have noted, the ADL's report contained no electioneering message and the ADL itself is not involved in campaigning. Hence, its communications do not fall within the ambit of section 441b as a matter of statutory construction. The Massachusetts Citizens for Life corporation, on the other hand, was admittedly partisan, and its communications advocated specific electioneering positions. Consequently, its communications were held by the Supreme Court to fall within the scope of the Act.

Nevertheless, the Court held, the Commission's restriction of such expenditures by a corporation formed for the express purpose of disseminating ideas is tantamount to choking off the protected speech of that organization. Inexplicably, that is what the Commission threatens to do here.

In view of its non-politically-partisan nature, the ADL presents an even stronger case than did the Massachusetts Citizens for Life, which itself ultimately prevailed in its litigation with the Commission. For both reasons of statutory construction and constitutional law, the Commission should abandon its incorrect determination in this matter.

The Chilling Effect of the Commission's Ruling

In the nearly-three-quarters-of-a-century of its existence, the ADL has been a bulwark against threats presented to Jewish liberty and American ideals and law by such groups as that

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Lawrence M. Noble, Esquire
July 6, 1987
Page 4

of Mr. LaRouche and the Ku Klux Klan. Now, by the mere happen-
stance that leaders of such groups like Mr. LaRouche, and like
the longtime racist and anti-Semitic agitator who has been the
head of the Knights of the Ku Klux Klan, declare themselves to be
candidates for the presidency, the Commission apparently would
thwart all communications about their group's conduct and
intentions by the ADL (and other public-interest groups as well),
notwithstanding the fact that these communications have been made
for years preceeding these irrelevant candidacies.

Fundamental to the purposes of the ADL is the exercise
of the right of free speech. It is precisely the type of
organization which warrants the ultimate First Amendment protec-
tion addressed by the Supreme Court in Massachusetts Citizens for
Life. Through speech, the ADL combats bigotry, hatred and
extremism, as exemplified by Mr. LaRouche and his group, and by
such other dangerous organizations as the Ku Klux Klan. For the
Commission to hold impermissible the ADL's publication, which
should fall squarely within the activity safeguarded most
preciously by the First Amendment, would be statutorily and
constitutionally erroneous as well as morally unacceptable.

Given the clear statutory and constitutional authority
that supports it, the ADL is fully-prepared to protect its rights
judicially. We would hope, however, that the Commission might
resolve this matter expeditiously and without risking the further
chilling of the free exchange of ideas. The ADL and Nathan
Perlmutter, its National Director, therefore, respectfully
request the Commission take no further action in MUR 2163 and
close this file forthwith.

Thank you for your consideration.

Sincerely,

EPSTEIN BECKER BORSODY & GREEN, P.C.



Stuart M. Gerson



William C. Oldaker

Attorneys for Respondents

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EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N. W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELEX 756-260

DID# _____

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334 0701

TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-6661

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

August 7, 1987

P.C. NEW YORK, WASHINGTON, D.C.
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John Drury, Esquire
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Drury:

Enclosed is a copy of the response we filed today in the above-captioned MUR on behalf of the American Jewish Committee. I am not aware if the client has filed a Designation of Counsel, and the appropriate person there is on vacation this week. I therefore have requested that a form be executed as soon as possible, in the event one has not been filed, and will see that you have it early next week.

Thank you for your consideration.

Sincerely,

Stuart M. Gerson
Stuart M. Gerson

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Enclosure

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GENERAL COUNSEL

GCC # 4118

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N. W.

WASHINGTON, D.C. 20036-6601

(202) 661-0900

TELEX 756-260

DID# _____

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334 0701

TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-6964
(415) 398-3500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

August 7, 1987

*P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

HAND DELIVERED

Lawrence M. Noble, Esquire
Acting General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463

Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Noble:

We are the attorneys for the American Jewish Committee ("AJC") and its Midwest Regional Director, Jonathan Levine, ("respondents") who were informed by letter dated June 24, 1987, that the Federal Election Commission ("the Commission") had found reason to believe that they had violated the Federal Election Campaign Act of 1971 ("the Act").

The AJC, founded in 1906, is a religious and educational organization incorporated in New York State and exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code. The AJC is among the oldest human-relations agencies in the country and is dedicated to the protection of the civil and religious rights of Jews throughout the world.

An inherent and longstanding feature of that role is the AJC's vocal opposition to anti-Semitism wherever it might be found. However, while the AJC is dedicated to identifying and exposing anti-Semitic extremists who, among other things, seek to participate in political processes, the AJC does not endorse or oppose candidates for office or participate in any political campaign. The Commission's preliminary finding is therefore as surprising as it is unsupported.

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According to the Chairman's letter, the Commission's finding of a possible violation of 2 U.S.C. § 441b(a) was predicated upon the view that "it appears that the American Jewish Committee, a corporation, made expenditures in connection with a federal election when it compiled a list of candidates affiliated with Lyndon LaRouche and disseminated information about these candidates to the public."

The factual basis for the Commission's determination concerning "a list" is somewhat elusive inasmuch as the finding is derivative of a complaint attacking the research and informational efforts undertaken by the AJC after the 1986 Illinois state Democratic primary elections. The product of those efforts is a study, a copy of which is attached hereto, entitled "Lyndon LaRouche and the Politics of Deception, a Background Report."

The study describes the overtly anti-Semitic and extremist views espoused by Lyndon LaRouche and his followers and examines possible reasons for the primary successes of certain LaRouche-backed candidates for statewide office. The report details the political and economic forces that assisted these candidates and warns of the dangers that could ensue if the electorate is not informed of the social and political views of candidates like them. It does not, however, contain anything remotely resembling the express advocacy that is a necessary precondition for an adverse finding under section 441b(A) -- even assuming arguendo that it was a list or was compiled or disseminated "in connection with a federal election." Nor does any other document published by the AJC.

In short, we are unaware of the "list" to which the Commission has referred,^{1/} or of the "federal election" with

^{1/} The only mention of a list in the record of this MUR is contained in the article attached as Exhibit A to the complaint. There, Mr. Levine is quoted in a misleading way as saying: "Even now a list is being put together of all of the LaRouche candidates in races around the country." In making that statement, Mr. Levine expressed his belief that various Democratic committees and others indeed have distributed such information. However, the AJC has never prepared, sponsored or disseminated such a list and no such list is before the Commission.

With respect to the information that the AJC has distributed, Mr. Levine is quoted correctly as saying: "We are not urging people to vote for or against. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision. The more information people have, the better the democratic process

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which it supposedly was connected. Nevertheless, under the assumption that the Commission might have been referring to the presidential candidacy of Lyndon LaRouche or the federal candidacy of one or more of his supporters, we strenuously submit that any action by the Commission to penalize or inhibit the AJC in informing the public of the anti-Semitic or any other views of such candidates would exceed the congressionally-intended scope of the Act and would violate the Constitution.

LEGAL DISCUSSION

- A. As a Matter of Statutory Construction, The Act Does Not Prohibit a Corporation Like The AJC From Making Expenditures For Communications Referring to Federal Election or Candidates as Long as They Refrain From Express Political Advocacy. The AJC Has Not Violated This Standard.

Section 441b(a) of the Act prohibits corporate contributions or expenditures "in connection with any election to [federal] political office." Congress did not define the term "in connection with," but the Commission historically and systematically has limited its jurisdiction to communications that clearly and specifically are intended to influence an election rather than to provide information of an educational nature.

The Supreme Court recently endorsed this dichotomy, holding that "an expenditure must constitute 'express advocacy' in order to be subject to the prohibition of § 441b." FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616, 623 (1986). Nothing done by the AJC transgresses this standard.

The attached LaRouche study, which is the probable focus of the complaint and the Commission's attention, was issued after a primary election and so, could not have been intended to influence its outcome. It contains a clear statement of purpose: it "is designed to cast light on the side of Lyndon LaRouche's movement that his followers were careful to keep hidden from the voters of Illinois, as well as to analyze the Democratic primary results and the political and economic forces that helped to make them happen." The publication is entirely consistent with this intention, as are all other informational efforts undertaken by the AJC.

will operate." As we explain, this projected conduct is outside of the Act's coverage and the Commission's jurisdiction.

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The AJC has never urged its audience to "defeat" or "vote against" Lyndon LaRouche, but instead has limited itself to providing information of a purely educational nature. That form of activity could not more clearly represent the difference between public information which is not covered by section 441b(a) of the Act and partisan electioneering which is.

B. Even if The AJC's Communications Were Held to Have Been Made "in Connection With a Federal Election," The Act Could Not be Constitutionally Applied to the AJC.

As we have discussed, we believe that the Commission's reason-to-believe finding is tainted by its erroneous reference to "a list." Moreover, the communications that accurately may be attributed to the AJC do not constitute the "express advocacy" that is required to support an adverse finding under section 441b. However, if the Commission were to hold that the AJC's publications constituted partisan electioneering, the application of the Act to the AJC would, in view of the Massachusetts Citizens for Life case, be unconstitutional.

In that case, the Supreme Court first considered whether the subject group was engaged in partisan activity. The answer there was clearly in the affirmative, inasmuch as the Massachusetts Citizens for Life were blatantly urging the recipients of their materials to take specific electoral action. The Court thus held that the group's communications fell within the scope of the Act.

Nevertheless, the Court held, the Commission's restriction of such expenditures by a corporation formed for the express purpose of disseminating ideas would improperly interfere with the protected speech that is the essence of the reason for that organization's existence. In clear contradiction of the Supreme Court's pronouncement, that is what the Commission threatens to do here.

In view of the longstanding religious and educational nature of the AJC, it presents an even stronger case than did the Massachusetts Citizens for Life, which itself ultimately prevailed in its litigation with the Commission. For both reasons of statutory authority and constitutional law, the Commission should abandon its incorrect determination in this matter.

CONCLUSION

Because there is no "list" of the type cited by the Commission that can be attributed to an expenditure made by the

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Lawrence M. Noble, Esquire
August 7, 1987
Page 5

AJC, and because the Commission has not remotely described the federal election or elections with which it is concerned in this MUR, the Commission's reason-to-believe finding is factually flawed. In addition, the communications that are attributable to the AJC do not contain the "express advocacy" that has been required by the Supreme Court before section 441b can be applied. Finally, even if the AJC were expressly to advocate the electoral defeat of Lyndon LaRouche or his supporters on the basis of their anti-Semitism and extremism, the AJC would have constitutional license to do so.

The AJC has been engaged in promoting and protecting civil and religious rights for 81 years, and throughout that time has dedicated itself to exposing those who would deny them. Merely because extremists like Mr. LaRouche declare themselves candidates for public office, the Commission may not thwart the AJC's maintenance of its traditional educational role.

Fundamental to the purpose of the AJC is the exercise of the right of free speech. It is precisely the type of organization which the Supreme Court held in Massachusetts Citizens for Life warrants the fullest protection of the First Amendment. For the Commission to hold otherwise would be statutorily and constitutionally erroneous as well as morally unacceptable.

Given the clear statutory and constitutional authority that supports it, the respondents are fully-prepared to protect their rights judicially. We strongly hope, however, that the Commission will preclude that event by closing the file in this MUR forthwith, without risking the further chilling of the free exchange of information by the AJC.

Sincerely,

EPSTEIN BECKER BORSODY & GREEN, P.C.

By: Stuart M. Gerson

Stuart M. Gerson
Attorneys for Respondents

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Lyndon LaRouche and the Politics of Deception

A Background Report

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THE AMERICAN JEWISH COMMITTEE, Institute of Human Relations, 165 East 56 Street, New York, NY 10022-2746

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PREFACE

The American political process requires candidates who offer themselves for office to air their views in the public marketplace. American voters have the right to know what a candidate stands for, so that they may determine whether he or she reflects their own views on major public issues. Because we believe the results of the March 18 Democratic primaries in Illinois represent a serious distortion of this process, the American Jewish Committee is deeply concerned about the victories of several Lyndon LaRouche candidates in those primaries.

Immediately after the results were released, the AJC's midwestern regional director, Jonathan Levine, commissioned two surveys designed to assess the nature of the LaRouche campaign and to determine whether overt anti-Semitism, racism and other extremist themes were part of the LaRouche message to the electorate. Mr. Levine asked Chicago journalist Tom Johnson to interview a sampling of voters in downstate Illinois, an area sharply hit by the farm crisis where the LaRouche candidates were most successful. He then asked Professor Robert Albritton, of Northern Illinois University, to undertake a precinct-by-precinct analysis of the vote, in order to learn how the LaRouche candidates fared among voters of different economic, ethnic, racial and religious neighborhoods. Dr. Albritton's study will take some time to complete. Mr. Johnson's interviews, however, support the widespread conclusion that the overwhelming majority of those who voted for the LaRouche candidates did not realize they were voting for representatives of an extremist organization, and knew little, if anything, of LaRouche's right-wing and racist ideology.

As an organization dedicated to the principle that all Americans thrive in an environment of civility and pluralism, the American Jewish Committee has consistently supported efforts to ensure that candidates for national, state and local office indicate their positions clearly, observe fair-campaign practices and avoid fostering religious, racial or ethnic tensions among the electorate.

This report is designed to cast light on the side of Lyndon LaRouche's movement that his followers were careful to keep hidden from the voters of Illinois, as well as to analyze the Democratic primary results and the political and economic forces that helped to make them happen.

David M. Gordis
Executive Vice President
The American Jewish Committee

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THE LAROUCHE PHENOMENON

Harold Applebaum*

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The surprising success in the March 18 Illinois Democratic Party primaries of candidates affiliated with Lyndon LaRouche's National Democratic Policy Committee has attracted nationwide attention. The outcome was particularly astonishing because there was little campaign effort by the LaRouche candidates. They spent no money on election advertising, and their activities received little attention from either the media or the Democratic Party leadership. LaRouche adherents have, however, been active in the Midwest for some time in areas where large numbers of family farmers are experiencing economic hardship, foreclosure and bankruptcy.

Although the LaRouche movement has fielded political candidates since the early 1970's, they have not, in recent years, used their political campaigns to disseminate the movement's more extreme and bizarre doctrines. Thus few Illinois voters are familiar with LaRouche's allegations that the British royal family is the center of an international drug-trafficking conspiracy; that the Trilateral Commission controls international financial and economic institutions; or that a Rockefeller-Zionist-KGB cabal is seeking world domination.

For the present, infiltration of the political process appears to be an end in itself for the LaRouche movement. LaRouche-sponsored candidates have campaigned for offices high and low, from the Presidency, governorships and the United States Senate, to community-level contests for school boards and state and district committees of the Democratic Party. LaRouche operates under a variety of official-sounding fronts. His current political vehicle, the National Democratic Policy Committee, for example, may well mislead the unsophisticated voter into believing it is an affiliate of the Democratic Party. In 1982, LaRouche managed to convince Mexican officials that he was an official of the Democratic Party and succeeded in arranging a meeting with the President of Mexico.

*Harold Applebaum is coordinator of anti-Semitism and extremism programs for the American Jewish Committee.

Overt anti-Semitism is unquestionably his most constant message. A statement by the U.S. Labor Party, one of LaRouche's many political arms, declared in February 1978:

The U.S. Zionist lobby, since its creation by Theodore Herzl, Louis Brandeis, Eugene Meyer of Lazard Freres and the British Foreign Office early in this century, has served as a foot-in-the-door for British sabotage of U.S. industrial growth and for the terrorizing of American industrialists and workers.

In an article in his publication New Solidarity, in October 1978, LaRouche stated that "the kernel of The Protocols of the Elders of Zion* is factual." In the December 1978 issue of the same publication, LaRouche wrote:

The contemptible but impassioned sophistry which the Zionist demagogue offers to all foolish enough to be impressed is the "holocaust" thesis. [The murder of 6 million Jews]...is a commonplace delusion of the American Zionist or Zionist fellow traveler.

And a leaflet signed by LaRouche in July 1982 includes the following story about former Secretary of State Henry Kissinger:

During May of this year, Kissinger traveled to London to conduct a series of meetings. There were four main points agreed upon. These points included plans for immediate destabilization of Mexico and India. The third of the four points...was an agreement to run a dirty operation against me and my associates, concluding with the planned assassination of my wife and myself, in that order.

More recently, The New York Times quoted a New Solidarity editorial suggesting how to deal with Secretary of State George P. Shultz:

Wouldn't it be more sensible -- and a whole lot more fun -- to 'support George Shultz' and his allies by organizing an old-fashioned necktie party on the steps of the State Department? There's no need to break the law, of course. Let's give Shultz a fair trial first -- and then hang him.

"Perhaps the most dangerous aspect of the LaRouche network," the Heritage Foundation study concluded, "is the ability to adapt whatever

*A vicious anti-Semitic canard circulated in various forms for a century.

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coloration is best able to hide its real nature at any given moment. Through its fronts and publications, it continues to influence thousands of Americans, who have no inkling of the bizarre and viciously anti-Semitic conspiracy that underlies its philosophy."

The Democratic primary results in Illinois would seem to bear out these fears. But if LaRouche is determined to poison the political process through dissembling and deception, a sharp spotlight on his unsavory views, activities and bedfellows would seem to be the most effective antidote.

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THE LAROCHE VICTORY IN ILLINOIS

Jonathan Levine*

In the days following the Illinois Democratic primaries on March 18, 1986, a number of explanations were offered for the upset victories of two Lyndon LaRouche candidates over those selected by the party leaders.

1. The "ethnic-name" explanation: It is believed that many voters, not knowing much about any of the individual candidates, made their choices according to what they perceived to be the ethnic backgrounds of the candidates, choosing what one downstater termed "smooth-sounding" English or Scotch-Irish names.
2. The "position-on-the-ticket" explanation: Because none of the candidates was well known, it is suggested, the voters simply selected the top name on the ballot for each office. The LaRouche candidates were listed first in about half of the wards and counties.
3. The "low-turnout" explanation: It is conventional wisdom that low voter turnout benefits third parties and fringe groups; but this is only true if such groups start out with a significant following. There is, however, no evidence of a committed grass-roots constituency for the LaRouchites.
4. The "internecine warfare" explanation: The Democratic Party of Illinois is sharply divided. One wing is controlled by Mayor Harold Washington of Chicago; a faction led by Chicago Alderman Edward Vrydolyak strongly opposes Mayor Washington; the mainline state organization follows the leadership of the party's candidate for governor, Adlai Stevenson. Since all factions of the party sup-

*Jonathan Levine is the Midwest Regional Director of the American Jewish Committee

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ported Stevenson in the primary, the campaign in Chicago focused on the contest between the Washington and Vrydolyak forces for seven seats on the City Council. In fact, neither the Washington nor the Vrydolyak factions prepared sample ballots listing the organization candidates for state office.

It is reasonable to assume that pro-Washington voters opposed Aurelia Pucinski, the organization candidate for secretary of state, as a protest against her father, Roman Pucinski, a leader of the Vrydolyak faction. Others may have voted against George Sangmeister, the organization candidate for lieutenant governor, in protest over Stevenson's failure to select a black woman, Carol Mosely Braun, as his running mate.

Many believe that the downstate vote for Janice Hart -- the LaRouche candidate -- was an anti-Pucinski vote, since Roman Pucinski had run a disastrous campaign many years earlier as Mayor Richard Daley's handpicked candidate for the U.S. Senate; and that Sangmeister, because of his ethnic-sounding name, was also perceived as a Chicago candidate (he is not).

5. The "disillusionment-with-politics" explanation: Observers point out that voters have been turned off by party politics in recent years and are ever more inclined to vote for independents or unknowns as a protest against the unwillingness, or inability, of the major parties to address their frustrations and needs. Thus, a relatively unknown, extremely conservative GOP candidate for the Senate upset the "mainline" Republican candidate, just as the LaRouchites upset the mainline Democratic candidates. It should be noted, however, that survey evidence does not confirm the assumption that the voters actually knew the affiliations of the candidates.
6. The "LaRouche" explanation: This view assumes that the voters knew exactly what they were doing and whom they were voting for, and that they voted against the "establishment" and for candidates who spoke to their concerns -- the economy, the rural crisis, drugs, AIDS, etc. This also assumes that the LaRouche message reached the voters, especially downstate, where the LaRouche candidates did so well. But reports indicate that the LaRouche forces ran a sporadic downstate campaign, making few public appearances except for a few TV talk shows.

On the basis of our analysis, my colleagues and I believe that the great majority of those who voted for the LaRouche candidates did not know they were voting for members of an extremist organization and were not aware of the LaRouche platform.

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Tom Johnson, a free-lance journalist we commissioned to talk with downstate voters, also found no evidence of a visible LaRouche presence during the campaign. He believes that voter disillusionment and aversion to "ethnic" names were the strongest factors in these counties.

The disillusionment theory is supported by the dire economic situation downstate and the bitterness of the financially stricken toward the Cook County Democratic machine. Downstaters are also likely to connect ethnic names with the Chicago Democratic machine, and enough people have admitted voting on the basis of the candidates' names to give this explanation legitimacy.

While the rural crisis has not hit Illinois as hard as it has other midwestern states, it has nevertheless created severe economic, social and psychological dislocations. There is a growing number of frustrated and desperate people who might be open to the simplistic arguments and remedies offered by right-wing extremists. There is ample evidence that the Populists, the National Agricultural Press Association, the Ku Klux Klan and other extremist groups have been "working" depressed areas downstate, and that LaRouche people have been among those trying to exploit the crisis. (William Brenner, the LaRouche candidate for Congress in the 15th Congressional District, learned about LaRouche from literature he picked up at a meeting of the National Farmers Organization.)

To sum up, my colleagues and I believe that most of those who voted for the LaRouchites did not do so knowingly. But it is increasingly clear that voters are fed up with politics in general and are more inclined to support independent candidates. This tendency certainly makes it easier for extremists to gain a foothold in the political process. It is, therefore, increasingly important for the media and individuals concerned about the integrity of that process to monitor and expose the activities and ideology of any organization that espouses religious or racial bigotry or other extremist positions threatening our open, pluralistic society.

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THE "LAROCHE FACTOR" IN THE 1986 PRIMARIES IN DOWNSTATE ILLINOIS

Tom Johnson*

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In the March 18 Illinois Democratic primary, several followers of right-wing extremist Lyndon LaRouche won nominations over party-designated candidates. Mark Fairchild and Janice Hart won the Democratic nomination for lieutenant governor and secretary of state, respectively; Dominick Jeffrey and William J. Brenner became the nominees for U.S. Representative for the 13th and 15th Congressional districts; and other LaRouchites came out ahead in various local contests. Sheila Jones, midwest director of LaRouche's National Democratic Policy Committee, has declared herself a candidate in Chicago's 1987 mayoral election.

The media, which largely ignored the primary, have been busy analyzing and interpreting the unexpected results, and the LaRouche victories have caused intense embarrassment to the state Democratic party, already beset by division and conflict. Adlai Stevenson III, the party's nominee for governor, has refused to run on the same ticket with the LaRouche candidates.

This report, commissioned by the American Jewish Committee, is based on intensive research, including personal and phone interviews, examination of local newspapers, and analysis of county voting records in five central Illinois counties -- Macon, DeWitt, Moultrie, Christian, and Shelby -- where the LaRouche candidates received large pluralities.

Contrary to the claims of the LaRouche candidates that they had worked the farm areas of downstate Illinois extensively, no one we interviewed -- political leaders, farm organizers, journalists, people on the street -- could recall any campaign activity by any of the LaRouche candidates or their front organizations. All agreed that it

*Tom Johnson is a free-lance investigative reporter whose articles have appeared in the Chicago Tribune, the Chicago Sun-Times, and Present Tense.

would have been virtually impossible to conduct any sort of grass-roots campaign in this area without detection.

The public exposure of the LaRouche candidates was minimal. The candidate for governor, Peter Bowen, was interviewed on a Decatur (Macon County) TV show by right-wing newspaper editor and commentator Paul Osborne. And when Lillian Cade, Democratic chairwoman of Champaign County (which is adjacent to the five-county area), invited all statewide candidates to a forum for her precinct workers, LaRouche candidates Mark Fairchild and Peter Bowen showed up. (Their presentations were greeted with anger and laughter, and Ms. Cade instructed her precinct captains to actively oppose them; nevertheless, Hart won 57 percent of the vote in Champaign County and Fairchild 52 percent.)

It would appear, therefore, that the LaRouchite victories were unrelated to any campaign activity and had little to do with LaRouche programs. None of the people we spoke with acknowledged voting for the LaRouche candidates or professed any intention of voting for them in the general election. Typical comments were "Are you kidding?" and "I'm appalled!"

While a number of factors have been suggested to account for the LaRouche victories, the economic distress now widespread in rural America was certainly a contributing factor. The tragedy of the depression in rural America is the real story, according to most farmers and rural advocates. Yes, anti-Semitism and racism are active and virulent. But these human diseases are symptoms of something else.

Rural America is often described as being in a crisis, but I think "crisis" is the wrong word. It implies a temporary economic downturn that can be reversed with temporary economic aid. In fact, rural America is being socially, economically, and permanently transformed, and neither major political party has responded to the disinvestment in rural America with any kind of coherent farm policy.

A day before the Illinois primary, the Congressional Office of Technology Assessment reported that, if present trends continue, it is likely that the number of farms in the United States will shrink from about 2.4 million today to about 1.25 million by the end of the century, a decline of 40 percent. Illinois alone is losing 5,000 farms a year, almost all of them moderate-size family farms that have been viewed as the backbone of American agriculture. By the end of the century, according to the Congressional Office of Technology Assessment, about 50,000 of the largest farms (4 percent of the total) will account for nearly 75 percent of all farm production. Meanwhile, the U.S. imports \$20 billion in agricultural products yearly while exporting only \$5 billion, and farm debt is approaching \$22 billion. The suicide and "accidental death" statistics in rural America are an index of the severity of the problem.

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Driving through rural America, you see town after town that appear to be ghost towns. In one small burg of 3700 I saw ten "For Sale" signs on a single street, and farm auction signs were displayed in every public place. Many farmhouses have only a single light or are altogether darkened at night to save on electric bills.

In such an environment, extremism flourishes. Central and southern Illinois is home to a variety of right-wing, populist, and paranoid agitators whose targets range from environmentalists to the Federal Reserve System.

William F. Brenner, the LaRouche candidate for the U.S. House of Representatives in the 15th District, is a decent man. His farm on the outskirts of Onarga, Illinois, was the last stop on my trip. The 250-acre farm is organic, and Brenner and his late wife jointly ran a health food store. As I waited in Brenner's kitchen while he spoke to another reporter on the phone, I engaged a local fellow in conversation. Having guessed that I was from Chicago, he began to compare the "dark" northside of Kankakee with Chicago's southside. When I didn't take the bait, he hustled out the door. I expected that I would have a hard time speaking with Brenner, but I was wrong.

The first question I asked was why he chose the Democratic ticket. He said that the LaRouchites came to him four days before the filing deadline with petitions to run. They had heard of him from his work in the National Farmers Organization.

I asked what his program was. He said to get parity and support for small businesses. (One of his sons is a used-car dealer who ran as a LaRouchite for the State Assembly and lost.) "To save the farms," he said, "they have to be taken away from control of the 'cartel'." When I asked him to be more specific, he broke into a long analogy about local school consolidation -- it was sold as a device to lower taxes, but they were raised anyway and local schools were shut. His point was that some outside force was manipulating everything. "We're gonna have to get to the head of what's causing everything," he said. Again, I asked him to be more specific and he said that it's the Federal Reserve and the IMF (International Monetary Fund). "They control everything. And you can't go to the boys in Washington because they're all on the special-interest payrolls through political action funds. Neither party makes much of a difference. You have to do something. You have to do what has to be done."

Then I began to ask him about specific issues. He's an environmentalist, he said, who became politicized when he realized that the chemical companies were controlling the farm industry. "Now that they have polluted all the water, they want us to pay 'em for purified water." He's also worried about nuclear waste and the fact that nuclear power is too costly. He's a trade protectionist, but realizes that "a big problem is that these other countries, they just don't have the money and they need our trade. It's a situation, I'll tell you."

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Brenner is against aid to the contras for economic reasons: "We need the money here." Unlike his sponsors, he doesn't think that Walter Mondale is an agent of the KGB, but "I understand that he has something to do with the grain elevator cartel."

He condemns contemporary technology and built-in obsolescence as schemes to increase profits. When asked about industrializing Mars and the Moon to solve the unemployment problem (as the LaRouchites have proposed) he just laughs. "If they have the money and aren't interfering with the atmosphere, I don't care. Maybe they want to be closer to heaven."

When asked about racism and anti-Semitism, he is evasive. "It's biblical, isn't it? I guess we have to learn to live with each other."

"Are you your own man?" I ask. "It sounds to me like you're being used and you don't even agree with these people."

"If there's something that doesn't suit me, I'd be my own man," he answers. "Sure, there's some in the LaRouchites, like in the other parties, that don't want us to know what's going on. But you gotta have an organized unit to get enough people thinking the same way, to change what's going on. We're facing the big boys, not the politicians, but them who's running them -- the big power."

Brenner also noted that the LaRouche people had given him no campaign funds or organizers. He does not even have a flyer to outline his positions.

I doubt whether the LaRouchites will fill the vacuum that has been created in depressed rural America. If you look at them over time, you can see, even though they have enough money to field candidates, they are not really successful organizers. Perhaps their objective is not to win, but to disrupt and discredit reputable progressive organizations rather than to replace them.

Perhaps what is most troubling is that despite all the expressions of concern about the LaRouchites, neither the major political parties nor the news media are looking very hard at the whys behind the rise of the radical right. It seems clear that unless they start to do this, there may well be other post-primary, and even post-election surprises.

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Appendix A

THE LAROUCHE NETWORK

Organizations and Publications

The National Democratic Policy Committee

The National Caucus of Labor Committees

The International Caucus of Labor Committees

The Fusion Energy Foundation

The National Anti-Drug Coalition

The LaRouche Campaign

The Schiller Foundation

The Lafayette Foundation for the Arts and Sciences

The New Benjamin Franklin Publishing House

The Humanist Academy

New Solidarity (a newspaper)

New Solidarity International Press Service

Executive Intelligence Review

The Club of Life

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Appendix B

SUGGESTED READING

Anti-Defamation League of B'nai B'rith. The LaRouche Network: A Political Cult. September 1982.

Copulos, Milton R. The LaRouche Network. Washington, D.C.: The Heritage Foundation, Institution Analysis, November 28, 1984.

Foster, Douglas. "Teamster Madness." Mother Jones Magazine, January 1982.

King, Dennis. "Nazis on the Rise," "LaRouche Calls for Final Solution," "Where LaRouche Gets His Money," "Trained to Kill." Our Town, August-September 1979.

King, Dennis, and Radosh, Ronald. "The LaRouche Connection." The New Republic, November 19, 1984.

NBC News. "Leader LaRouche." Transcript of "First Camera" broadcast, March 4, 1984.

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EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N. W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELEX 756-260

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250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3108
(817) 334 0701

TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0598

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

August 12, 1987

*P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

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RECEIVED
GENERAL INVESTIGATIVE
DIVISION

21040824979

John Drury, Esquire
Federal Election Commission
999 E Street, N.W.
6th Floor
Washington, D.C. 20463

Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Drury:

Enclosed is the Designation of Counsel for the American Jewish Committee and Jonathan Levine in the above-captioned matter.

Thank you for your consideration.

Sincerely,

Stuart M. Gerson
Stuart M. Gerson

SMG:cr

Enclosure

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2163

NAME OF COUNSEL: Stuart M. Gerson, Esquire

ADDRESS: Epstein Becker Borsody & Green, P.C.
1140 19th Street, N.W., Suite 900
Washington, D.C. 20036

TELEPHONE: (202) 861-0900

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.

August 5, 1987
Date

Jonathan Levine
Signature

RESPONDENT'S NAME: American Jewish Committee
Jonathan Levine

ADDRESS: 55 E. Jackson Blvd.
Suite 1870
Chicago, IL 60604

HOME PHONE: (312) 663-5500

BUSINESS PHONE: ~~(703) 841-1986~~ 312/663-5500

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BEFORE THE FEDERAL ELECTION COMMISSION

CONFIDENTIAL

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FEDERAL ELECTION COMMISSION
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In the Matter of)	
)	
Anti-Defamation League of B'nai)	
B'rith - New York and Chicago)	
Offices; and Nathan Purlmutter,)	MUR 2163
National Director)	
)	
American Jewish Committee; and)	
Jonathan Levine, Director)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

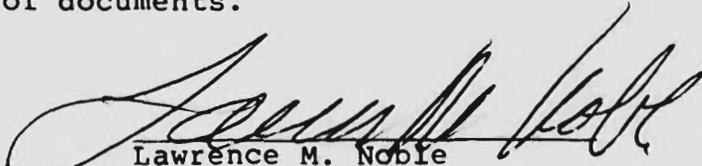
On June 16, 1987, the Commission found reason to believe the Anti-Defamation League of B'nai B'rith ("ADL"), Nathan Perlmutter, National Director, and the American Jewish Committee, and Jonathan Levine, Director, violated 2 U.S.C. § 441b(a). The Commission directed this Office to so notify the respondents.

Attached to this Office's report were questions and requests for production of documents to be sent to the respondents. The Commission directed this Office to revise these questions. Attached are the revised questions with appropriate letters. This Office recommends that the Commission approve and send the attached letters with the questions and requests for production of documents.

II. RECOMMENDATIONS

1. Approve the attached questions and requests for production of documents.
2. Approve and send the attached letters with questions and requests for production of documents.

Date 9/10/87


Lawrence M. Noble
Acting General Counsel

Attachments

1. Proposed Letters (2) with Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Anti-Defamation League of B'nai)	MUR 2163
B'rith - New York and Chicago)	
Offices; and Nathan Purlmutter,)	
National Director)	
)	
American Jewish Committee; and)	
Jonathan Levine, Director)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 16, 1987, the Commission decided by a vote of 4-2 to take the following actions in MUR 2163:

1. Approve the questions and requests for production of documents, as recommended in the General Counsel's report signed September 10, 1987.
2. Approve and send the letters with questions and requests for production of documents, as recommended in the General Counsel's report signed September 10, 1987.

Commissioners Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioners Aikens and Elliott dissented.

Attest:

9-16-87
Date

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

Received in the Office of Commission Secretary:	Fri.,	9-11-87,	1:54
Circulated on 48 hour tally basis:	Mon.,	9-14-87,	11:00
Deadline for vote:	Wed.,	9-16-87,	11:00

210403244382



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

1 October 1987

Stuart Gerson, Esquire
Epstein Becker Borsody & Green, P.C.
1140 19th Street, N.W.
Washington, D.C. 20036-6601

RE: MUR 2163
Anti-Defamation League
and Nathan Perlmutter,
National Director

Dear Mr. Gerson:

On June 19, 1987, you were notified that the Federal Election Commission had found reason to believe the Anti-Defamation League and Nathan Perlmutter, National Director, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act").

Pursuant to its investigation of this matter, the Commission requests that you answer the enclosed questions and request for production of documents, which will assist the Commission in carrying out its statutory duty of supervisory compliance with the Act.

If you have any questions, please direct them to John Drury, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
Acting General Counsel

Enclosure

Questions and Request for Production of Documents

91040324983

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2163

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Nathan Perlmutter
National Director
Anti-Defamation League of B'nai B'rith
823 United Nations Plaza
New York, NY 10017

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 20 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1985 to the present.

The following interrogatories and request for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

21040324985

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

"The Report" shall mean a report entitled "The LaRouche Political Cult: Packaging Extremism" which was distributed in the Spring of 1986 by the Anti-Defamation League of B'nai B'rith ("ADL").

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests that you produce the following documents and materials:

1. Copies of any and all documents which relate, refer or pertain to costs associated with the production and distribution of The Report.
2. Copies of ADL's Certificate of Incorporation, Articles of Incorporation, and all By-Laws.

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INTERROGATORIES

In addition to the materials requested above, the Commission requests that you provide answers to the following interrogatories:

1. State the total cost associated with producing and distributing The Report.
2. Describe in detail the method(s) by which ADL has distributed and is distributing The Report.
3. State the number of people to whom ADL has provided The Report.
4. State the number of the recipients of The Report who were members of ADL.
5. State whether ADL has received funds from business corporations and labor unions at any time from January 1, 1985 to the present. If the answer to question 5 is in the affirmative:
 - a. State the total amount of funds received from business corporations and labor unions.
 - b. State what percent of ADL's total receipts were received from business corporations and labor unions.
6. State whether ADL has a policy regarding the acceptance of funds from corporations or labor unions. If so, state what that policy is.
7. For the period January 1, 1985 to the present, state whether ADL has accepted any money in return for goods or services where the total amount of money received was not considered to be a donation to ADL.

If so, for each such acceptance state the amount of money accepted, identify the party from whom the money was accepted, and state the goods or services provided in return for the money.

91040324987



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

1 October 1987

Samuel Rabinove, Esquire
Legal Director
American Jewish Committee
165 East 56 Street
New York, NY 10022-2746

RE: MUR 2163
American Jewish Committee
Jonathan Levine, Director

Dear Mr. Rabinove:

On June 19, 1987, you were notified that the Federal Election Commission had found reason to believe the American Jewish Committee and Jonathan Levine, Director, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended (the "Act").

Pursuant to its investigation of this matter, the Commission requests that you answer the enclosed questions and request for production of documents, which will assist the Commission in carrying out its statutory duty of supervisory compliance with the Act.

If you have any questions, please direct them to John Drury, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

Enclosure
Questions and Request for Production of Documents

21040324988

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)

MUR 2163

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Jonathan Levine
Director
American Jewish Committee
55 East Jackson Street
Chicago, IL 60604

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 20 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, on or before the same date, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

91040324989

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1985 to the present.

The following interrogatories and request for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

21040324990

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

"The List" shall mean all list(s) of candidates as referenced in the following quote of Jonathan Levine from page eight of the March 28 - April 3, 1986 edition of "Jewish World:" "Even now a list is being put together of all of the LaRouche candidates in races around the country."

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests that you produce the following documents and materials:

1. Copies of The List.
 - a) Copies of all documents and materials which relate, refer or pertain to the compilation of The List.

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- b) Copies of all documents and materials which relate, refer or pertain to the cost of the compilation of The List.
2. Copies of the American Jewish Committee's Certificate of Incorporation, Articles of Incorporation and all By-Laws.

INTERROGATORIES

In addition to the materials requested above, the Commission requests that you provide answers to the following interrogatories:

1. State the total cost of compiling The List.
2. Describe in detail the method(s) by which the American Jewish Committee (AJC) has distributed and is distributing information regarding the candidates on The List.
3. State the number of persons to whom the AJC has distributed such information.
 - a. State the cost of the distribution of this information to these persons.
 - b. State the number of persons to whom the information was distributed who are members of AJC.
4. State whether AJC has received funds from business corporations and labor unions at any time from January 1, 1985 to the present. If the answer to question 4 is in the affirmative:
 - a. State the total amount of funds received from business corporations and labor unions.
 - b. State what percent of AJC's total receipts were received from business corporations and labor unions.
5. State whether AJC has a policy regarding the acceptance of funds from corporations or labor unions. If so, state what that policy is.

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6. For the period January 1, 1985, to the present, state whether AJC has accepted any money in return for goods or services where the total amount of money received was not considered to be a donation to AJC.

If so, for each such acceptance state the amount of money accepted, identify the party from whom the money was accepted, and state the goods or services provided in return for the money.

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EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 861-0900

TELEX 786-260

DID# _____

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3600

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 566-8861

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 661-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 346-3737

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 5101008171

106 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334 0701

TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302

October 15, 1987

*P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

HAND DELIVERED

Chief Clerk
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163

To Whom It May Concern:

Please accept for filing the Objection of American Jewish Committee to Interrogatories and Request for Production of Documents of the Respondents The American Jewish Committee.

Thank you for your attention.

Yours truly,



Stuart M. Gerson

SMG:cr

Enclosures

cc: John Drury, Esquire
Office of the General Counsel

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
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BEFORE THE FEDERAL ELECTION COMMISSION

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
07 OCT 15 AM 11:38

In the Matter of

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MUR 2163

**OBJECTION OF AMERICAN JEWISH COMMITTEE
TO INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

The American Jewish Committee ("AJC") and its Midwest Regional Director, Jonathan Levine, by their undersigned attorneys, respectfully object to the Interrogatories and Request for Production of Documents propounded by the Federal Election Commission ("FEC" or "Commission") in this matter.

The Commission's discovery requests all relate to a document which it calls "The List," by which it means "all list(s) of candidates as referenced in the following quote of Jonathan Levine from page eight of the March 28 - April 3, 1986 edition of 'Jewish World': 'Even now a list is being put together of all of the LaRouche candidates in races around the country.'"

Apparently, due to an unexplainable oversight,^{1/} the Commission seems somehow unaware of the August 7, 1987 letter

^{1/} The fact that the FEC addressed its discovery to the respondents' in-house attorney, rather than to the undersigned designated counsel, also would seem to evidence the fact that the papers previously submitted by the AJC somehow have been overlooked.

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from the ADL's counsel to the FEC's Acting General Counsel in which, inter alia, the matter of the so-called "List" was discussed (at page 2 and footnote 1) as follows:

"In short, we are unaware of the "list" to which the Commission has referred, or of the "federal election" with which it supposedly was connected.

* * *

The only mention of a list in the record of this MUR is contained in the article attached as exhibit A to the complaint. There, Mr. Levine is quoted in a misleading way as saying: 'Even now a list is being put together of all of the LaRouche candidates in races around the country.' In making that statement, Mr. Levine expressed his belief that various Democratic committees and others indeed have distributed such information. However, the AJC has never prepared, sponsored or disseminated such a list and no such list is before the Commission."

In the event that the FEC in fact has overlooked the August 7, 1987 submission, we include another copy as Attachment A hereto. Because all of the documentary requests and interrogatories herein propounded by the Commission are premised upon the erroneous assumptions that there is a "list" and that the AJC complied and disseminated it, the AJC respectfully objects to each and all of the Commission's inquiries. In addition, the AJC objects to the provision of the financial information sought because it is privileged, because it would be unduly burdensome to compile and because it is unrelated to any matter over which the Commission has appropriate jurisdiction.^{2/}

^{2/} If the Commission or its staff were able to identify an existing "list" attributable to the AJC and provide a copy of it for our examination, the AJC, of course, would reconsider its position as to discovery in this matter.

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Finally, for the reasons stated in the aforementioned letter of August 7, 1987, the AJC reiterates its view that, even if there were a "list" of the kind described by the Commission, the Commission nevertheless should hold that there is no probable cause to believe that the AJC has violated the Federal Election Campaign Act of 1971.

Respectfully submitted,

EPSTEIN BECKER & GREEN, P.C.

By: Stuart M. Gerson
Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900

Attorneys for the Respondents

21040324997

21040324998

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 861-0900

TELEX 756-280

DID# _____

**250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 370-9800
TELEX 5101008171**

**108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314*
(703) 684-1204**

**201 MAIN STREET
FORT WORTH, TEXAS 76102-3105
(817) 334 0701**

**TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302**

**FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5984
(415) 398-3500**

**1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861**

**515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2824
(904) 681-0596**

**SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737**

August 7, 1987

*P.C. NEW YORK, WASHINGTON, D.C.
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HAND DELIVERED

**Lawrence M. Noble, Esquire
Acting General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20463**

**Re: MUR 2163
American Jewish Committee
Jonathan Levine, Director**

Dear Mr. Noble:

We are the attorneys for the American Jewish Committee ("AJC") and its Midwest Regional Director, Jonathan Levine, ("respondents") who were informed by letter dated June 24, 1987, that the Federal Election Commission ("the Commission") had found reason to believe that they had violated the Federal Election Campaign Act of 1971 ("the Act").

The AJC, founded in 1906, is a religious and educational organization incorporated in New York State and exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code. The AJC is among the oldest human-relations agencies in the country and is dedicated to the protection of the civil and religious rights of Jews throughout the world.

An inherent and longstanding feature of that role is the AJC's vocal opposition to anti-Semitism wherever it might be found. However, while the AJC is dedicated to identifying and exposing anti-Semitic extremists who, among other things, seek to participate in political processes, the AJC does not endorse or oppose candidates for office or participate in any political campaign. The Commission's preliminary finding is therefore as surprising as it is unsupported.

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GENERAL COUNSEL**

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According to the Chairman's letter, the Commission's finding of a possible violation of 2 U.S.C. § 441b(a) was predicated upon the view that "it appears that the American Jewish Committee, a corporation, made expenditures in connection with a federal election when it compiled a list of candidates affiliated with Lyndon LaRouche and disseminated information about these candidates to the public."

The factual basis for the Commission's determination concerning "a list" is somewhat elusive inasmuch as the finding is derivative of a complaint attacking the research and informational efforts undertaken by the AJC after the 1986 Illinois state Democratic primary elections. The product of those efforts is a study, a copy of which is attached hereto, entitled "Lyndon LaRouche and the Politics of Deception, a Background Report."

The study describes the overtly anti-Semitic and extremist views espoused by Lyndon LaRouche and his followers and examines possible reasons for the primary successes of certain LaRouche-backed candidates for statewide office. The report details the political and economic forces that assisted these candidates and warns of the dangers that could ensue if the electorate is not informed of the social and political views of candidates like them. It does not, however, contain anything remotely resembling the express advocacy that is a necessary precondition for an adverse finding under section 441b(A) -- even assuming arguendo that it was a list or was compiled or disseminated "in connection with a federal election." Nor does any other document published by the AJC.

In short, we are unaware of the "list" to which the Commission has referred,^{1/} or of the "federal election" with

^{1/} The only mention of a list in the record of this MUR is contained in the article attached as Exhibit A to the complaint. There, Mr. Levine is quoted in a misleading way as saying: "Even now a list is being put together of all of the LaRouche candidates in races around the country." In making that statement, Mr. Levine expressed his belief that various Democratic committees and others indeed have distributed such information. However, the AJC has never prepared, sponsored or disseminated such a list and no such list is before the Commission.

With respect to the information that the AJC has distributed, Mr. Levine is quoted correctly as saying: "We are not urging people to vote for or against. We simply want to inform them of the activities of an extremist organization running candidates and let them make their own decision. The more information people have, the better the democratic process

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which it supposedly was connected. Nevertheless, under the assumption that the Commission might have been referring to the presidential candidacy of Lyndon LaRouche or the federal candidacy of one or more of his supporters, we strenuously submit that any action by the Commission to penalize or inhibit the AJC in informing the public of the anti-Semitic or any other views of such candidates would exceed the congressionally-intended scope of the Act and would violate the Constitution.

LEGAL DISCUSSION

- A. As a Matter of Statutory Construction, The Act Does Not Prohibit a Corporation Like The AJC From Making Expenditures For Communications Referring to Federal Election or Candidates as Long as They Refrain From Express Political Advocacy. The AJC Has Not Violated This Standard.

Section 441b(a) of the Act prohibits corporate contributions or expenditures "in connection with any election to [federal] political office." Congress did not define the term "in connection with," but the Commission historically and systematically has limited its jurisdiction to communications that clearly and specifically are intended to influence an election rather than to provide information of an educational nature.

The Supreme Court recently endorsed this dichotomy, holding that "an expenditure must constitute 'express advocacy' in order to be subject to the prohibition of § 441b." FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616, 623 (1986). Nothing done by the AJC transgresses this standard.

The attached LaRouche study, which is the probable focus of the complaint and the Commission's attention, was issued after a primary election and so, could not have been intended to influence its outcome. It contains a clear statement of purpose: it "is designed to cast light on the side of Lyndon LaRouche's movement that his followers were careful to keep hidden from the voters of Illinois, as well as to analyze the Democratic primary results and the political and economic forces that helped to make them happen." The publication is entirely consistent with this intention, as are all other informational efforts undertaken by the AJC.

will operate." As we explain, this projected conduct is outside of the Act's coverage and the Commission's jurisdiction.

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The AJC has never urged its audience to "defeat" or "vote against" Lyndon LaRouche, but instead has limited itself to providing information of a purely educational nature. That form of activity could not more clearly represent the difference between public information which is not covered by section 441b(a) of the Act and partisan electioneering which is.

B. Even if The AJC's Communications Were Held to Have Been Made "in Connection With a Federal Election," The Act Could Not be Constitutionally Applied to the AJC.

As we have discussed, we believe that the Commission's reason-to-believe finding is tainted by its erroneous reference to "a list." Moreover, the communications that accurately may be attributed to the AJC do not constitute the "express advocacy" that is required to support an adverse finding under section 441b. However, if the Commission were to hold that the AJC's publications constituted partisan electioneering, the application of the Act to the AJC would, in view of the Massachusetts Citizens for Life case, be unconstitutional.

In that case, the Supreme Court first considered whether the subject group was engaged in partisan activity. The answer there was clearly in the affirmative, inasmuch as the Massachusetts Citizens for Life were blatantly urging the recipients of their materials to take specific electoral action. The Court thus held that the group's communications fell within the scope of the Act.

Nevertheless, the Court held, the Commission's restriction of such expenditures by a corporation formed for the express purpose of disseminating ideas would improperly interfere with the protected speech that is the essence of the reason for that organization's existence. In clear contradiction of the Supreme Court's pronouncement, that is what the Commission threatens to do here.

In view of the longstanding religious and educational nature of the AJC, it presents an even stronger case than did the Massachusetts Citizens for Life, which itself ultimately prevailed in its litigation with the Commission. For both reasons of statutory authority and constitutional law, the Commission should abandon its incorrect determination in this matter.

CONCLUSION

Because there is no "list" of the type cited by the Commission that can be attributed to an expenditure made by the

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AJC, and because the Commission has not remotely described the federal election or elections with which it is concerned in this MUR, the Commission's reason-to-believe finding is factually flawed. In addition, the communications that are attributable to the AJC do not contain the "express advocacy" that has been required by the Supreme Court before section 441b can be applied. Finally, even if the AJC were expressly to advocate the electoral defeat of Lyndon LaRouche or his supporters on the basis of their anti-Semitism and extremism, the AJC would have constitutional license to do so.

The AJC has been engaged in promoting and protecting civil and religious rights for 81 years, and throughout that time has dedicated itself to exposing those who would deny them. Merely because extremists like Mr. LaRouche declare themselves candidates for public office, the Commission may not thwart the AJC's maintenance of its traditional educational role.

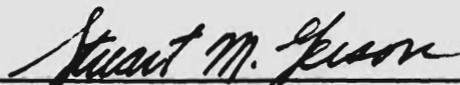
Fundamental to the purpose of the AJC is the exercise of the right of free speech. It is precisely the type of organization which the Supreme Court held in Massachusetts Citizens for Life warrants the fullest protection of the First Amendment. For the Commission to hold otherwise would be statutorily and constitutionally erroneous as well as morally unacceptable.

Given the clear statutory and constitutional authority that supports it, the respondents are fully-prepared to protect their rights judicially. We strongly hope, however, that the Commission will preclude that event by closing the file in this MUR forthwith, without risking the further chilling of the free exchange of information by the AJC.

Sincerely,

EPSTEIN BECKER BORSODY & GREEN, P.C.

By:


Stuart M. Gerson

Attorneys for Respondents

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Lyndon LaRouche and the Politics of Deception

A Background Report

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THE AMERICAN JEWISH COMMITTEE, Institute of Human Relations, 105 East 56 Street, New York, NY 10022-2746

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PREFACE

The American political process requires candidates who offer themselves for office to air their views in the public marketplace. American voters have the right to know what a candidate stands for, so that they may determine whether he or she reflects their own views on major public issues. Because we believe the results of the March 18 Democratic primaries in Illinois represent a serious distortion of this process, the American Jewish Committee is deeply concerned about the victories of several Lyndon LaRouche candidates in those primaries.

Immediately after the results were released, the AJC's midwestern regional director, Jonathan Levine, commissioned two surveys designed to assess the nature of the LaRouche campaign and to determine whether overt anti-Semitism, racism and other extremist themes were part of the LaRouche message to the electorate. Mr. Levine asked Chicago journalist Tom Johnson to interview a sampling of voters in downstate Illinois, an area sharply hit by the farm crisis where the LaRouche candidates were most successful. He then asked Professor Robert Albritton, of Northern Illinois University, to undertake a precinct-by-precinct analysis of the vote, in order to learn how the LaRouche candidates fared among voters of different economic, ethnic, racial and religious neighborhoods. Dr. Albritton's study will take some time to complete. Mr. Johnson's interviews, however, support the widespread conclusion that the overwhelming majority of those who voted for the LaRouche candidates did not realize they were voting for representatives of an extremist organization, and knew little, if anything, of LaRouche's right-wing and racist ideology.

As an organization dedicated to the principle that all Americans thrive in an environment of civility and pluralism, the American Jewish Committee has consistently supported efforts to ensure that candidates for national, state and local office indicate their positions clearly, observe fair-campaign practices and avoid fostering religious, racial or ethnic tensions among the electorate.

This report is designed to cast light on the side of Lyndon LaRouche's movement that his followers were careful to keep hidden from the voters of Illinois, as well as to analyze the Democratic primary results and the political and economic forces that helped to make them happen.

David M. Gordis
Executive Vice President
The American Jewish Committee

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THE LAROUCHE PHENOMENON

Harold Applebaum*

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The surprising success in the March 18 Illinois Democratic Party primaries of candidates affiliated with Lyndon LaRouche's National Democratic Policy Committee has attracted nationwide attention. The outcome was particularly astonishing because there was little campaign effort by the LaRouche candidates. They spent no money on election advertising, and their activities received little attention from either the media or the Democratic Party leadership. LaRouche adherents have, however, been active in the Midwest for some time in areas where large numbers of family farmers are experiencing economic hardship, foreclosure and bankruptcy.

Although the LaRouche movement has fielded political candidates since the early 1970's, they have not, in recent years, used their political campaigns to disseminate the movement's more extreme and bizarre doctrines. Thus few Illinois voters are familiar with LaRouche's allegations that the British royal family is the center of an international drug-trafficking conspiracy; that the Trilateral Commission controls international financial and economic institutions; or that a Rockefeller-Zionist-KGB cabal is seeking world domination.

For the present, infiltration of the political process appears to be an end in itself for the LaRouche movement. LaRouche-sponsored candidates have campaigned for offices high and low, from the Presidency, governorships and the United States Senate, to community-level contests for school boards and state and district committees of the Democratic Party. LaRouche operates under a variety of official-sounding fronts. His current political vehicle, the National Democratic Policy Committee, for example, may well mislead the unsophisticated voter into believing it is an affiliate of the Democratic Party. In 1982, LaRouche managed to convince Mexican officials that he was an official of the Democratic Party and succeeded in arranging a meeting with the President of Mexico.

*Harold Applebaum is coordinator of anti-Semitism and extremism programs for the American Jewish Committee.

Overt anti-Semitism is unquestionably his most constant message. A statement by the U.S. Labor Party, one of LaRouche's many political arms, declared in February 1978:

The U.S. Zionist lobby, since its creation by Theodore Herzl, Louis Brandeis, Eugene Meyer of Lazard Freres and the British Foreign Office early in this century, has served as a foot-in-the-door for British sabotage of U.S. industrial growth and for the terrorizing of American industrialists and workers.

In an article in his publication New Solidarity, in October 1978, LaRouche stated that "the kernel of The Protocols of the Elders of Zion* is factual." In the December 1978 issue of the same publication, LaRouche wrote:

The contemptible but impassioned sophistry which the Zionist demagogue offers to all foolish enough to be impressed is the "holocaust" thesis. [The murder of 6 million Jews]...is a commonplace delusion of the American Zionist or Zionist fellow traveler.

And a leaflet signed by LaRouche in July 1982 includes the following story about former Secretary of State Henry Kissinger:

During May of this year, Kissinger traveled to London to conduct a series of meetings. There were four main points agreed upon. These points included plans for immediate destabilization of Mexico and India. The third of the four points...was an agreement to run a dirty operation against me and my associates, concluding with the planned assassination of my wife and myself, in that order.

More recently, The New York Times quoted a New Solidarity editorial suggesting how to deal with Secretary of State George P. Shultz:

Wouldn't it be more sensible -- and a whole lot more fun -- to 'support George Shultz' and his allies by organizing an old-fashioned necktie party on the steps of the State Department? There's no need to break the law, of course. Let's give Shultz a fair trial first -- and then hang him.

"Perhaps the most dangerous aspect of the LaRouche network," the Heritage Foundation study concluded, "is the ability to adapt whatever

*A vicious anti-Semitic canard circulated in various forms for a century.

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coloration is best able to hide its real nature at any given moment. Through its fronts and publications, it continues to influence thousands of Americans, who have no inkling of the bizarre and viciously anti-Semitic conspiracy that underlies its philosophy."

The Democratic primary results in Illinois would seem to bear out these fears. But if LaRouche is determined to poison the political process through dissembling and deception, a sharp spotlight on his unsavory views, activities and bedfellows would seem to be the most effective antidote.

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THE LAROCHE VICTORY IN ILLINOIS

Jonathan Levine*

In the days following the Illinois Democratic primaries on March 18, 1986, a number of explanations were offered for the upset victories of two Lyndon LaRouche candidates over those selected by the party leaders.

1. The "ethnic-name" explanation: It is believed that many voters, not knowing much about any of the individual candidates, made their choices according to what they perceived to be the ethnic backgrounds of the candidates, choosing what one downstater termed "smooth-sounding" English or Scotch-Irish names.
2. The "position-on-the-ticket" explanation: Because none of the candidates was well known, it is suggested, the voters simply selected the top name on the ballot for each office. The LaRouche candidates were listed first in about half of the wards and counties.
3. The "low-turnout" explanation: It is conventional wisdom that low voter turnout benefits third parties and fringe groups; but this is only true if such groups start out with a significant following. There is, however, no evidence of a committed grass-roots constituency for the LaRouchites.
4. The "internecine warfare" explanation: The Democratic Party of Illinois is sharply divided. One wing is controlled by Mayor Harold Washington of Chicago; a faction led by Chicago Alderman Edward Vrydolyak strongly opposes Mayor Washington; the mainline state organization follows the leadership of the party's candidate for governor, Adlai Stevenson. Since all factions of the party sup-

*Jonathan Levine is the Midwest Regional Director of the American Jewish Committee

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ported Stevenson in the primary, the campaign in Chicago focused on the contest between the Washington and Vrydolyak forces for seven seats on the City Council. In fact, neither the Washington nor the Vrydolyak factions prepared sample ballots listing the organization candidates for state office.

It is reasonable to assume that pro-Washington voters opposed Aurelia Pucinski, the organization candidate for secretary of state, as a protest against her father, Roman Pucinski, a leader of the Vrydolyak faction. Others may have voted against George Sangmeister, the organization candidate for lieutenant governor, in protest over Stevenson's failure to select a black woman, Carol Mosely Braun, as his running mate.

Many believe that the downstate vote for Janice Hart -- the LaRouche candidate -- was an anti-Pucinski vote, since Roman Pucinski had run a disastrous campaign many years earlier as Mayor Richard Daley's handpicked candidate for the U.S. Senate; and that Sangmeister, because of his ethnic-sounding name, was also perceived as a Chicago candidate (he is not).

5. The "disillusionment-with-politics" explanation: Observers point out that voters have been turned off by party politics in recent years and are ever more inclined to vote for independents or unknowns as a protest against the unwillingness, or inability, of the major parties to address their frustrations and needs. Thus, a relatively unknown, extremely conservative GOP candidate for the Senate upset the "mainline" Republican candidate, just as the LaRouchites upset the mainline Democratic candidates. It should be noted, however, that survey evidence does not confirm the assumption that the voters actually knew the affiliations of the candidates.
6. The "LaRouche" explanation: This view assumes that the voters knew exactly what they were doing and whom they were voting for, and that they voted against the "establishment" and for candidates who spoke to their concerns -- the economy, the rural crisis, drugs, AIDS, etc. This also assumes that the LaRouche message reached the voters, especially downstate, where the LaRouche candidates did so well. But reports indicate that the LaRouche forces ran a sporadic downstate campaign, making few public appearances except for a few TV talk shows.

On the basis of our analysis, my colleagues and I believe that the great majority of those who voted for the LaRouche candidates did not know they were voting for members of an extremist organization and were not aware of the LaRouche platform.

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Tom Johnson, a free-lance journalist we commissioned to talk with downstate voters, also found no evidence of a visible LaRouche presence during the campaign. He believes that voter disillusionment and aversion to "ethnic" names were the strongest factors in these counties.

The disillusionment theory is supported by the dire economic situation downstate and the bitterness of the financially stricken toward the Cook County Democratic machine. Downstaters are also likely to connect ethnic names with the Chicago Democratic machine, and enough people have admitted voting on the basis of the candidates' names to give this explanation legitimacy.

While the rural crisis has not hit Illinois as hard as it has other midwestern states, it has nevertheless created severe economic, social and psychological dislocations. There is a growing number of frustrated and desperate people who might be open to the simplistic arguments and remedies offered by right-wing extremists. There is ample evidence that the Populists, the National Agricultural Press Association, the Ku Klux Klan and other extremist groups have been "working" depressed areas downstate, and that LaRouche people have been among those trying to exploit the crisis. (William Brenner, the LaRouche candidate for Congress in the 15th Congressional District, learned about LaRouche from literature he picked up at a meeting of the National Farmers Organization.)

To sum up, my colleagues and I believe that most of those who voted for the LaRouchites did not do so knowingly. But it is increasingly clear that voters are fed up with politics in general and are more inclined to support independent candidates. This tendency certainly makes it easier for extremists to gain a foothold in the political process. It is, therefore, increasingly important for the media and individuals concerned about the integrity of that process to monitor and expose the activities and ideology of any organization that espouses religious or racial bigotry or other extremist positions threatening our open, pluralistic society.

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THE "LAROUCHE FACTOR" IN THE 1986 PRIMARIES IN DOWNSTATE ILLINOIS

Tom Johnson*

In the March 18 Illinois Democratic primary, several followers of right-wing extremist Lyndon LaRouche won nominations over party-designated candidates. Mark Fairchild and Janice Hart won the Democratic nomination for lieutenant governor and secretary of state, respectively; Dominick Jeffrey and William J. Brenner became the nominees for U.S. Representative for the 13th and 15th Congressional districts; and other LaRouchites came out ahead in various local contests. Sheila Jones, midwest director of LaRouche's National Democratic Policy Committee, has declared herself a candidate in Chicago's 1987 mayoral election.

The media, which largely ignored the primary, have been busy analyzing and interpreting the unexpected results, and the LaRouche victories have caused intense embarrassment to the state Democratic party, already beset by division and conflict. Adlai Stevenson III, the party's nominee for governor, has refused to run on the same ticket with the LaRouche candidates.

This report, commissioned by the American Jewish Committee, is based on intensive research, including personal and phone interviews, examination of local newspapers, and analysis of county voting records in five central Illinois counties -- Macon, DeWitt, Moultrie, Christian, and Shelby -- where the LaRouche candidates received large pluralities.

Contrary to the claims of the LaRouche candidates that they had worked the farm areas of downstate Illinois extensively, no one we interviewed -- political leaders, farm organizers, journalists, people on the street -- could recall any campaign activity by any of the LaRouche candidates or their front organizations. All agreed that it

*Tom Johnson is a free-lance investigative reporter whose articles have appeared in the Chicago Tribune, the Chicago Sun-Times, and Present Tense.

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would have been virtually impossible to conduct any sort of grass-roots campaign in this area without detection.

The public exposure of the LaRouche candidates was minimal. The candidate for governor, Peter Bowen, was interviewed on a Decatur (Macon County) TV show by right-wing newspaper editor and commentator Paul Osborne. And when Lillian Cade, Democratic chairwoman of Champaign County (which is adjacent to the five-county area), invited all statewide candidates to a forum for her precinct workers, LaRouche candidates Mark Fairchild and Peter Bowen showed up. (Their presentations were greeted with anger and laughter, and Ms. Cade instructed her precinct captains to actively oppose them; nevertheless, Hart won 57 percent of the vote in Champaign County and Fairchild 52 percent.)

It would appear, therefore, that the LaRouchite victories were unrelated to any campaign activity and had little to do with LaRouche programs. None of the people we spoke with acknowledged voting for the LaRouche candidates or professed any intention of voting for them in the general election. Typical comments were "Are you kidding?" and "I'm appalled!"

While a number of factors have been suggested to account for the LaRouche victories, the economic distress now widespread in rural America was certainly a contributing factor. The tragedy of the depression in rural America is the real story, according to most farmers and rural advocates. Yes, anti-Semitism and racism are active and virulent. But these human diseases are symptoms of something else.

Rural America is often described as being in a crisis, but I think "crisis" is the wrong word. It implies a temporary economic downturn that can be reversed with temporary economic aid. In fact, rural America is being socially, economically, and permanently transformed, and neither major political party has responded to the disinvestment in rural America with any kind of coherent farm policy.

A day before the Illinois primary, the Congressional Office of Technology Assessment reported that, if present trends continue, it is likely that the number of farms in the United States will shrink from about 2.4 million today to about 1.25 million by the end of the century, a decline of 40 percent. Illinois alone is losing 5,000 farms a year, almost all of them moderate-size family farms that have been viewed as the backbone of American agriculture. By the end of the century, according to the Congressional Office of Technology Assessment, about 50,000 of the largest farms (4 percent of the total) will account for nearly 75 percent of all farm production. Meanwhile, the U.S. imports \$20 billion in agricultural products yearly while exporting only \$5 billion, and farm debt is approaching \$22 billion. The suicide and "accidental death" statistics in rural America are an index of the severity of the problem.

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Driving through rural America, you see town after town that appear to be ghost towns. In one small burg of 3700 I saw ten "For Sale" signs on a single street, and farm auction signs were displayed in every public place. Many farmhouses have only a single light or are altogether darkened at night to save on electric bills.

In such an environment, extremism flourishes. Central and southern Illinois is home to a variety of right-wing, populist, and paranoid agitators whose targets range from environmentalists to the Federal Reserve System.

William F. Brenner, the LaRouche candidate for the U.S. House of Representatives in the 15th District, is a decent man. His farm on the outskirts of Onarga, Illinois, was the last stop on my trip. The 250-acre farm is organic, and Brenner and his late wife jointly ran a health food store. As I waited in Brenner's kitchen while he spoke to another reporter on the phone, I engaged a local fellow in conversation. Having guessed that I was from Chicago, he began to compare the "dark" northside of Kankakee with Chicago's southside. When I didn't take the bait, he hustled out the door. I expected that I would have a hard time speaking with Brenner, but I was wrong.

The first question I asked was why he chose the Democratic ticket. He said that the LaRouchites came to him four days before the filing deadline with petitions to run. They had heard of him from his work in the National Farmers Organization.

I asked what his program was. He said to get parity and support for small businesses. (One of his sons is a used-car dealer who ran as a LaRouchite for the State Assembly and lost.) "To save the farms," he said, "they have to be taken away from control of the 'cartel'." When I asked him to be more specific, he broke into a long analogy about local school consolidation -- it was sold as a device to lower taxes, but they were raised anyway and local schools were shut. His point was that some outside force was manipulating everything. "We're gonna have to get to the head of what's causing everything," he said. Again, I asked him to be more specific and he said that it's the Federal Reserve and the IMF (International Monetary Fund). "They control everything. And you can't go to the boys in Washington because they're all on the special-interest payrolls through political action funds. Neither party makes much of a difference. You have to do something. You have to do what has to be done."

Then I began to ask him about specific issues. He's an environmentalist, he said, who became politicized when he realized that the chemical companies were controlling the farm industry. "Now that they have polluted all the water, they want us to pay 'em for purified water." He's also worried about nuclear waste and the fact that nuclear power is too costly. He's a trade protectionist, but realizes that "a big problem is that these other countries, they just don't have the money and they need our trade. It's a situation, I'll tell you."

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Brenner is against aid to the contras for economic reasons: "We need the money here." Unlike his sponsors, he doesn't think that Walter Mondale is an agent of the KGB, but "I understand that he has something to do with the grain elevator cartel."

He condemns contemporary technology and built-in obsolescence as schemes to increase profits. When asked about industrializing Mars and the Moon to solve the unemployment problem (as the LaRouchites have proposed) he just laughs. "If they have the money and aren't interfering with the atmosphere, I don't care. Maybe they want to be closer to heaven."

When asked about racism and anti-Semitism, he is evasive. "It's biblical, isn't it? I guess we have to learn to live with each other."

"Are you your own man?" I ask. "It sounds to me like you're being used and you don't even agree with these people."

"If there's something that doesn't suit me, I'd be my own man," he answers. "Sure, there's some in the LaRouchites, like in the other parties, that don't want us to know what's going on. But you gotta have an organized unit to get enough people thinking the same way, to change what's going on. We're facing the big boys, not the politicians, but them who's running them -- the big power."

Brenner also noted that the LaRouche people had given him no campaign funds or organizers. He does not even have a flyer to outline his positions.

I doubt whether the LaRouchites will fill the vacuum that has been created in depressed rural America. If you look at them over time, you can see, even though they have enough money to field candidates, they are not really successful organizers. Perhaps their objective is not to win, but to disrupt and discredit reputable progressive organizations rather than to replace them.

Perhaps what is most troubling is that despite all the expressions of concern about the LaRouchites, neither the major political parties nor the news media are looking very hard at the whys behind the rise of the radical right. It seems clear that unless they start to do this, there may well be other post-primary, and even post-election surprises.

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Appendix A

THE LAROUCHE NETWORK

Organizations and Publications

The National Democratic Policy Committee
The National Caucus of Labor Committees
The International Caucus of Labor Committees
The Fusion Energy Foundation
The National Anti-Drug Coalition
The LaRouche Campaign
The Schiller Foundation
The Lafayette Foundation for the Arts and Sciences
The New Benjamin Franklin Publishing House
The Humanist Academy
New Solidarity (a newspaper)
New Solidarity International Press Service
Executive Intelligence Review
The Club of Life

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Appendix B

SUGGESTED READING

Anti-Defamation League of B'nai B'rith. The LaRouche Network: A Political Cult. September 1982.

Copulos, Milton R. The LaRouche Network. Washington, D.C.: The Heritage Foundation, Institution Analysis, November 28, 1984.

Foster, Douglas. "Teamster Madness." Mother Jones Magazine, January 1982.

King, Dennis. "Nazis on the Rise," "LaRouche Calls for Final Solution," "Where LaRouche Gets His Money," "Trained to Kill." Our Town, August-September 1979.

King, Dennis, and Radosh, Ronald. "The LaRouche Connection." The New Republic, November 19, 1984.

NBC News. "Leader LaRouche." Transcript of "First Camera" broadcast, March 4, 1984.

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PCN # 4568

EPSTEIN BECKER BORSODY & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N. W.

WASHINGTON, D.C. 20036-6601*

(202) 661-0900

TELEX 756-260

DID# _____

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077†
(212) 370-9800
TELEX 5101008171

108 NORTH ST. ASAPH STREET
ALEXANDRIA, VIRGINIA 22314†
(703) 684-1204

201 MAIN STREET
FORT WORTH, TEXAS 76102-3108
(817) 334 0701

TWO FOREST PLAZA
12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 239-1302

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-6661

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 661-0596

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

October 15, 1987

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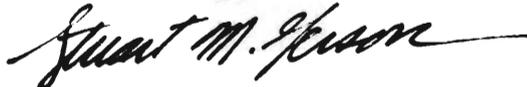
Re: MUR 2163

To Whom It May Concern:

Please accept for filing the Response of Anti-Defamation League of B'nai B'rith to Interrogatories and Request for Production of Documents of the Respondents Anti-Defamation League of B'nai B'rith.

Thank you for your attention.

Yours truly,



Stuart M. Gerson

SMG:cr

Enclosures

cc: John Drury, Esquire
Office of the General Counsel

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OFFICE OF GENERAL COUNSEL
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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 OCT 15 AM 11:49

In the Matter of)
)
) MUR 2163
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**RESPONSE OF ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
TO INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS**

The Anti-Defamation League of B'nai B'rith ("ADL") and its National Director, Abraham H. Foxman,^{1/} respectfully respond to the Interrogatories and Request for Production of Documents propounded by the Federal Election Commission ("FEC" or "Commission") in this matter.

GENERAL OBJECTION

The Commission's discovery requests all relate to a document which it denominates as "The Report," an ADL publication entitled "The LaRouche Political Cult: Packaging Extremism" which was disseminated in the Spring of 1986.

As we noted in our July 6, 1987 letter to the FEC Acting General Counsel, the ADL is a nonprofit corporation whose principal purpose is to counter anti-Semitism and extremism, primarily by exposing to the public at large and leaders of government individuals who engage in such odious activities.

^{1/} Abraham H. Foxman became the National Director of the ADL upon the recent death of Nathan Perlmutter, who had been listed as a respondent in this MUR. Pursuant to the Commission's rules and practice, Mr. Foxman's name should be substituted for that of Mr. Perlmutter.

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Although the ADL engages in constitutionally-protected speech to convey its message, the ADL, by choice, is not a participant in the electoral process.

It is the view of the ADL that Lyndon LaRouche and his organization are both extremist and anti-Semitic and, as such, monitoring and exposing their activities fall within the purposes and purview of ADL's charter. The Report is a factual public description of these matters and, while it contains no election-eering message and does not relate to the electoral process, it would be constitutionally-protected even if it did. See FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616, 625 (1986). The happenstance that Mr. LaRouche has styled himself as a candidate for President of the United States cannot in any way circumscribe the right of the ADL to inform the public about his beliefs and activities or to respond to his charges against the ADL.^{2/}

All of the information requested by the Commission is superfluous to the resolution of the instant Matter Under Review. The Commission should plainly hold that The Report cannot and does not conflict with any requirement of the election laws, and this finding need have no reference to the sponsorship or means

^{2/} In an interview published in The Village Voice of October 13, 1987, a copy of which is appended hereto as Attachment A, LaRouche continues his bizarre attacks against the ADL. The Report, at least in part, is a response to earlier, similar statements by LaRouche, and the ADL has the right to respond similarly, in any manner it chooses, without running afoul of the federal election laws. The mere fact that LaRouche considers himself a candidate for office cannot strip a public-interest group of its right to communicate about him.

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of production of the Report. For this reason, the ADL objects to the discovery sought by the Commission, although it is providing much of the information sought. This submission should not be taken as a waiver by ADL of any objection or right.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Copies of any and all documents which relate, refer or pertain to costs associated with the production and distribution of The Report.

RESPONSE: The Report was produced and distributed by the ADL itself and, other than its normal accounting records, there are no documents of the kind referred to by the Commission. However, all of the information sought in this regard is provided in response to Interrogatory No. 1, infra.

2. Copies of ADL's Certificate of Incorporation, Articles of Incorporation, and all By-Laws.

RESPONSE: These documents are appended as Attachment B.

INTERROGATORIES

1. State the total cost associated with producing and distributing The Report.

RESPONSE: The Report was produced and distributed by the ADL itself, and involved the use of salaried personnel already on hand. There was no incremental labor cost experienced in regard to The Report and the only accrued costs relate to printing and mailing. These costs are as follows:

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Printing

Includes: paper, supplies, labor and machinery plus \$750.00 for typesetting. This comes to \$1.00 per copy (or about .03 per page) and a total cost of \$7,000.00.

Mailing

\$3,210.00 for First Class postage and \$180.00 for Third Class postage, for a total of \$3,390.00.

The entire accrued cost experienced by ADL was, therefore \$10,390.00.

2. Describe in detail the method(s) by which the ADL has distributed and is distributing The Report.

RESPONSE: All distribution has been done by mail and the copies have been sent to media representatives, Members of Congress, the ADL's National Executive Committee, other ADL committees, and the ADL's Regional Offices. In addition, copies were also sent out in response to requests of various researchers or libraries.

3. State the number of people to whom ADL has provided The Report.

RESPONSE: Copies of The Report were disseminated as follows:

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1,580 to Media (newspapers, radio and TV)
510 to Members of Congress
80 ADL National Executive Committee
1,500 other ADL Committees
500 research and library requests
2,454 distributed to and by ADL Regional offices
6,624 total copies distributed

4. State the number of recipients of The Report who were members of ADL.

RESPONSE: See response to No. 3, supra.

5. State whether ADL has received funds from business corporations and labor unions at any time from January 1, 1985 to the present. If the answer to question 5 is in the affirmative:

- a. State the total amount of funds received from business corporations and labor unions.
- b. State what percent of ADL's total receipts were received from business corporations and labor unions.

RESPONSE: ADL, which is not a political organization and which does not participate in electoral politics, undoubtedly has received funds from many business corporations and some from labor unions in the period described. However, ADL has no ready means to delineate which contributions were so originated and it would be unduly burdensome and unnecessary to make such an attempt. ADL receives over 150,000 donations annually, and

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assuming that it were possible to do so, the record of each donation would have to be examined and an individual determination made as to whether the contributor was an individual, a corporation or a labor union. In addition to its general objection, ADL therefore objects to Interrogatory No. 5 for this specific reason.

6. State whether ADL has a policy regarding the acceptance of funds from corporations or labor unions. If so, state what that policy is.

RESPONSE: ADL accepts contributions from all well-meaning persons and organizations who support its goals.

7. For the period January 1, 1985 to the present, state whether ADL has accepted any money in return for goods or services where the total amount of money received was not considered to be a donation to ADL.

If so, for each such acceptance state the amount of money accepted, identify the party from whom the money was accepted, and state the goods or services provided in return for the money.

RESPONSE: This Interrogatory bears no reasonable relationship to The Report or any matter properly subsumed within this MUR. It also calls for information that would be unduly burdensome to produce in exact form. For these reasons, as well as those stated in its general objection, ADL objects to Inter-

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rogatory No. 7. Nonetheless, it notes that it has received some revenues from subscriptions to and sales of various of its publications and these amounts, which are about one percent of ADL's total revenues, are not considered donations. Moreover, ADL believes that it is in a net loss position as to these subscriptions and sales.

Respectfully submitted,
EPSTEIN BECKER & GREEN, P.C.

By: *Stuart M. Gerson*
Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900

Attorneys for Anti-Defamation League of
B'nai B'rith

ATTESTATION

I HEREBY DECLARE, under penalty of law, that the foregoing responses are complete and accurate to the best of my knowledge and belief.

David A. Brody
DAVID A. BRODY
Director, Washington Office
Anti-Defamation League of B'nai B'rith

Sworn to before me this 15th day
of October, 1987.

Karen Brown Arnold
Notary Public

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Secret Agent Man

As His Trial For Fraud Begins, Lyndon LaRouche Spills His Gut

THE MOVING TARGET

BY JAMES RIDGEWAY

BOSTON—Lyndon H. LaRouche Jr., once cordially received at the Reagan White House as a purveyor of useful intelligence, now stands trial here for fraud and obstruction of justice. In a frantic effort to stay afloat, his organization has launched a determined campaign to expand LaRouche's bid for the Democratic presidential nomination in New Hampshire. At the same time, LaRouche claims to be innocent of the government's charges and that, over the last decade, he provided a secret channel of communications, between the U.S. and the Soviet Union.

LaRouche was indicted in June on charges of conspiring to obstruct a credit card fraud investigation. If convicted, he faces five years in prison and a \$250,000 fine. His aides and organizations are also accused of credit card fraud and plotting to cover it up. Other cases against LaRouche followers are pending in Virginia and New York, and there is a federal tax investigation of LaRouche in Virginia.

In New Hampshire, where LaRouche is making a fourth bid for the Democratic presidential nomination, his supporters say they now have filed one, sometimes two complete slates for elected office in every ward in the state.

In the past LaRouche has run thousands of candidates in local, state, and congressional races across the country. Last year in Illinois the LaRouchites successfully won the Democratic nominations for lieutenant governor and secretary of state, humiliating Adlai Stevenson III and forcing him to quit the ticket.

LaRouche's political support for Gerald Ford in 1976, and his implicit backing of Reagan in 1980, is part of the reason, his associates insist, that he was so well received at high levels at the outset of the Reagan administration. The other reason is acknowledgment by friends and enemies alike that he had built an impressive, international private intelligence system. Across the upper reaches of government from the Defense Intelligence Agency to the National Security Council to the CIA there was interest in what he had to say—along with the suspicion that he himself might be an enemy agent. Abroad, his trumpeted connections to the Reagan White House opened new doors for him with Europeans, who anxiously gobbled up news about the intentions of the then unknown hard-line President.

Who is this man who once was warmly welcomed into the upper reaches of Reagan's Washington? This man who has called Queen Elizabeth a dope dealer, Walter Mondale a KGB agent, and who suggested that the President's good friend George Shultz be treated to an "old-fashioned necktie party" on the steps of the State Department? Last week he consented to an exclusive print interview. You can decide for yourself.

VILLAGE VOICE: *What's behind the trial?*

LYNDON LAROUCHE: It's to try and eliminate me as a political factor from the American situation... I've been told, of course, that if I were to drop out of the presidential campaign most of my legal problems would begin to vanish... Casey at some point certainly said 'Okay. You can hit him.' I don't think Casey intended to kill me. I think Casey intended to torture me, and probably take away a few of my appendages and leave me around to mutter as a tamed entity...

Did you ever know Casey?

Indirectly. I never met him... We had a lot of mutual acquaintances. But I never met the curmudgeon.

You came back from Europe voluntarily

to talk to the grand jury.

I'm absolutely clean of all the charges... I was accused of having adopted a conspiracy to obstruct justice, proposed by a government agent working under the supervision of a CIA agent in the dirty operations section of the CIA. So therefore I didn't do anything illegal.

People think you're crazy. But you gained access to high levels of government in the White House, intelligence services, and so on. You have an intelligence organization that even your enemies praise. How come you are on the outs?

We were never assets of the intelligence service. We were never on that track.

What were you doing?

We were approached by these fellows in 1976, shall we say, the circles associated with [acting director of the CIA] E. Henry Knoche at the time he was replacing Bush. [He asked,] "What is the possibility of dealing with the Soviet Union? How can additional channels be cultivated, used, interpreted, and influenced..."

And Strategic Defense Initiative?

That was my proposal... I suggested we explore my conception of a strategic option to this escalation in Europe, the SDI... And there were other things of common interest, economic development for the developing sector.

Before the 1976 presidential election you made a speech urging people to vote for Ford over Carter. Why did you do that? Because I knew what Carter was. I knew what was behind him... Now Jerry Ford was a disaster but he was a human being.

And Carter was not. What owned him, what was pushing him was downright evil. Carter was a neo-Malthusian, and I don't think Jerry Ford could spell it. And Carter's policy was to murder the developing sector through economic measures, which to me amounted to the same thing in a different guise as Hitler's full occupation policies for Europe during the last war. George Ball and that crowd simply said they were committed to reducing the

population of Mexico from 70 million to 30 million by these methods. To me that's genocide.

Was it then that you began to have practical relationships with the Republicans? Oh, before. I never had this left-right thing in the ordinary sense. I played the game, but for whole complicated reasons. I don't believe the seating arrangements of the French National Assembly of 1793 have permanently frozen politics for the end of time.

In the 1980 New Hampshire primary, Bush was running hard against Reagan.

He was hit among conservatives with the charge of having been involved with the Trilateral Commission.

We did to poor George what Dukakis is accused of having done to poor Biden.

Did you then know Reagan?

We knew Reagan. We knew there wasn't much to him because we had been in touch with him in 1976, direct touch. And with his campaign people because we were concerned about this Carter men-ace. We knew he was a lightweight. We knew economically he was an ayatollah, and we weren't pushing him. But Bush came in and what Bush was pushing in 1980 was another version of what Carter was pushing in 1976...

So, when Reagan became president, his people took you seriously. Why?

They were looking at something else. They were looking at the fact that we were right when they had been wrong, that we had an understanding of areas and an ability to develop an understanding which they did not have... on strategic intelligence. There are people in the intelligence community today at a very high level who will state, sometimes grudgingly, that probably we have the best strategic intelligence operation in the world. That does not mean we're running the biggest spy net in the world. It means we are able to think better than they are.

And now they see you being hung out to dry? Don't you think the right people can call it off?

This is not one that can be called off. This is to the death. Somebody's going to give up.

So you'll be down there in K unit in solitary at Marion [Penitentiary in Illinois]?

No living martyrs. Dead ones. They don't intend to put me in prison. I'm not an Ed Wilson. I'm an internationally known... If I were seized and taken away to prison I would be dead. I would be killed. And it would be reported as a heart attack or something else. Or some lone assassin put in the same cell with me.

Do they think you are a Soviet agent?

No. They know better. Why do they know better? Because they are the ones doing things often on demand of the Soviet government... In February and March people in the White House, State Department, and elsewhere... personal friends of Armand Hammer, through channels like Charles Z. Wick and Co., got orders from the Soviets that the United States would get me out of the way. The Soviets were screaming. But who got them to scream? Armand Hammer and company. Why? Soviet demands all over Europe. Get him out of there. It's your problem, you eliminate him.

And the Palme murder?

The Soviets did it. And the accusations against me also were done by the Soviets.

Why did the Soviets want to kill Palme?

I'm not sure. First of all, he was coming to the end of his usefulness. He was about to be destroyed politically. They got more out of his bloody shirt than they'd gotten out of his living body. It was a complicated operation, assassinations of that type. There is no lone assassin. Everything was absolutely orchestrated.

That's why people said you did it?

No. Every one of them was working for the Soviets.

The suspicions voiced in the press?

Forget the press. You know the press is a pile of garbage. No. The operation started with Houkka who is a Soviet citizen of Baltic origin and who has been a stringer for the intelligence bureau of the Swedish military and foreign office... So he was the one who set up the operation under Soviet direction. He's a KGB agent... The ADL [the Anti-Defamation

League], which is also a Soviet agent of influence... a bunch of filth. Social Democratic filth, they were the ones who were pulled in... British Intelligence is brought in through Reuters... The FBI then and the Department of Justice through the ADL came in. Remember Houkka is a known Soviet intelligence operative. So you have a foreign counter-intelligence section of the U.S. Department of Justice working with a known Soviet agent in conjunction with the Boston case against me. Naturally the press repeats it. But why? Ha ha. I think the Walsh investigation will bring this to the surface. There is a real intelligence war going on in Europe around the Iran weapons shipping. And the key to the Palme killing is the Iran weapons traffic...

What about the Iran-contra scandal?

The most important thing in the [Woodward] book is what he attributes to Casey on the subject of Nancy and Ronald Reagan. The whole book is a vehicle for saying that about the president and his wife. This vacuous, lazy, indecisive man, dissociated from reality to a large degree, the narcoleptic of strategy, being manipulated by people. Except when Cap or somebody at the Defense Department can wake him up and keep him awake long enough to make policies. Being run by a domineering Mrs. Babbitt, friendless Nancy Reagan. Who is a killer. No brains. Close friend of Liz Taylor, Warner, and the Mellons.

And Oliver North?

North is a zombie. The guy is a throw-away. Look, Casey set up an operation which is a really stupid operation, which I am sure he didn't design. I'm sure Casey was covering for somebody.

Who?

Maybe Nancy Reagan. I know some of the things she's involved in. The kinds of things she likes to talk about with Elizabeth Taylor. She hates my guts. And that's a good deal of my problem.

Why does she hate your guts?

She doesn't like me because she's Mrs. Babbitt.

Have you ever met her?

No.

Why would she even think about you?

No, just for example I don't like Jesse Helms.

Stick with Nancy Reagan for a moment.

Same thing. Helms never was able to work with Reagan because of Nancy. You're talking about Mrs. Babbitt. You're talking about a little girl... who goes to school and at the age of seven or eight (imitates a spoiled little girl) I'm so pretty. I don't have to think.' Ha ha. She's a creature of prejudice.

Wait a moment. Go back to Nancy Reagan. Why would she be so interested in the contra business?

Casey was all upset about the hostages. Nancy is under the very strong influence of the circles of Armand Hammer through Charles Wick. Michael Devious. She's an idiot. What happens is this, and this is one of the problems I ran into. The President is pussy-whipped.

What's going to happen?

Either I become president or Cap Weinberger becomes president as an alternative. Is the United States going to survive? I say if I'm president then the United States is going to survive. If I'm not there, could anybody save the United States who is in a position to be made president?

Do you know Weinberger?

I talked to him just once by telephone. But he knows me very well, and I know him very well. Like fish know the sea.

What about Dole?

Oh my God. We've had eight years of Nancy. Do we want eight years of Elizabeth? Dole can't cut it. No intellectual guts. The time has come for truth and all this crap has got to go.

The other candidates?

I don't dislike Jack Kemp even though he has an attention span that would embarrass a grasshopper. Bush knows a few things.

Dukakis?

Dukakis is a piece of crap. He's a Kennedy throwaway. Kennedy's got Gephardt and Dukakis running for him. And the family laughs at Ted because Ted thinks that if he fixes it up with Joan and kicks the bottle for a few months then maybe he'll have a tied convention and he won't have to campaign which he couldn't do because he couldn't keep off the bottle that long. And he couldn't stop chasing girls that long unless his lights gave out. He's going to go down there in a hung convention and get the nomination by acclamation. He doesn't care if he gets to be president. He wants to finally be nominated as president. The family is laughing at him.

If you don't get it, who will get it?

If I don't get it, it's not a question of who, but what. Nothing running will get it.

...be a dog will get it.
A horse with no legs or something...
They're playing a game. The preference in the so-called committees is to maintain the continuity of the Reagan administration by putting [up] something from the Republican side. Now to do that you have to self-destruct the Democrats because it is very tough to elect Republicans in 1988. Therefore, the only way you can do that is to avoid a monetary crash by postponing it until after the election and causing the Democrats to self-destruct. The person who thinks he ought to inherit the position is George Bush. Even if Dukakis runs an operation against Biden I would still look for the connects between Atwater and Dukakis as having run it through the Dukakis campaign... My being in the picture makes it terribly complicated. In a 1988 presidential campaign as a Democratic nominee I would wipe the floor with any of these characters.

So what happens to you?

I'll probably be dead. Forget it. It's gone. We'll live under chaos or under Soviet domination for a long time to come, until the Soviet empire eventually crumbles.

Research: Joe Levin

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B'NAI BRITH NEWS

BENEVOLENCE. BROTHERLY LOVE AND HARMONY

Vol. VI

OCTOBER, 1913

No. 2

Entered as second-class matter September 14, 1912, at the post office at Chicago, Illinois, under the Act of August 24, 1911.

ANTI-DEFAMATION LEAGUE

For a number of years a tendency has manifested itself in American life toward the caricaturing and defaming of Jews on the stage, in moving pictures. The effect of this on the unthinking public has been to create an untrue and injurious impression of an entire people and to open the Jew to undeserved contempt and ridicule. The caricatures center around some idiosyncrasy of the Jew which, by the thoughtless public, is often taken as a pivotal characteristic of the entire people.

The evidence of prejudice and discrimination has been abundant, both in social and in business circles, as well as in public life. All fair-minded citizens must regret the growth of this un-American sentiment. The prejudice thus displayed by no means reflects the attitude of the thinking, intelligent majority of our citizens, but is limited to an ignorant, unreasoning and bigoted minority. For many years the Jewish and non-Jewish citizens have failed to meet this tendency by any means save quiet criticism. But the tide has been rising until it calls for organized effort to stem it.

Regrettable as it is, this condition has gone so far as to manifest itself recently in an attempt to influence courts of law where a Jew happened to be a party to the litigation. This symptom, standing by itself, while contemptible, would not constitute a menace, but forming as it does but one incident in a continuing chain of occasions of discrimination, demands organized and systematic effort on behalf of all right-thinking Americans to put a stop to this most pernicious and un-American tendency. Prejudice is the child of ignorance. It knows no bounds, respects no individual, and violates the most sacred tenets of our democracy.

With the hope that the co-operation of both Jewish and non-Jewish citizens will be received in this effort of fair play for all people, the ANTI-DEFAMATION LEAGUE OF AMERICA has been formed under the auspices of the Order of B'nai B'rith.

OBJECT: The immediate object of the League is to stop, by appeals to reason and conscience, and if necessary, by appeals to law, the defaming of the Jewish people. Its ultimate purpose is to secure justice and fair treatment to all citizens alike and to put an end forever to unjust and unfair discrimination against and ridicule of any sect or body of citizens.

ORGANIZATION: Any reputable person, regardless of sex or creed, may become a member by signing a membership card. No membership fees nor dues shall be charged. A central office has been created in the City of Chicago, with a competent office force. All communications or complaints should be addressed to Mr. Sigmund Livingston, 722 First National Bank Bldg., Chicago, Illinois.

Sage defamation will be dealt with by enlisting the assistance and co-operation of the producers and managers of the theaters, so that inauguration of proposed performances may be made before the staging of the same, thus correcting evils before any harm is done. If the inauguration of these in authority cannot be secured, then the patrons of the theater will be enlisted for active co-operation.

Newspaper and magazine defamation will be met by protest to the editor, by correcting all defamations through subsequent articles upon the same subject matter, thereby reaching the same reading public and correcting errors; and in case of willful abuse, by appealing to the patrons and advertisers for co-operation.

Defamation in textbooks which pervert the minds of children and tend to prejudice, will be met by attempts to eliminate them from the course of study.

No effort will be made by this organization to shield any malefactor. In founding this League, the Order of B'nai B'rith pledges its hearty support in the future, as it has done in the past, to the enforcement of law against all violators, Jew or non-Jew.

A committee of one hundred citizens, residents in the various cities throughout the United States, has been selected to perfect the organization and to carry out its objects.

(Signed) ADOLF KRAUS, President
Independent Order of B'nai B'rith

The following members of the I. O. B. B. compose the Executive Committee of the League.

- | | | | |
|---|--|---|--|
| <p>Mr. Charles L. Aaron, Attorney, Milwaukee, Wis.
 Mr. Victor Abraham, Attorney, Cincinnati, Ohio
 Mr. Samuel Alcabuler, Attorney, Aurora, Ill.
 Mr. Benjamin Altshuler, Banker, St. Louis, Mo.
 Mr. Maurice Berkson, Attorney, Chicago, Ill.
 Mr. Edward Bettman, Manufacturer, Cincinnati, Ohio
 Mr. Nat Bieder, Attorney, Newark, New Jersey
 Mr. George N. Black, Broker, New York City
 Mr. Louis B. Block, Attorney, Los Angeles, Cal.
 Mr. D. S. Blondheim, Professor Univ. of Ill., Urbana, Ill.
 Mr. Abraham E. Cohen, Attorney, Richmond, Va.
 Mr. Alfred M. Cohen, Attorney, Cincinnati, Ohio
 Mr. Frederick Cohen, Rabbi, Omaha, Neb.
 Mr. Henry Cohen, Rabbi, Galveston, Texas
 Mr. James Cohen, Judge Court of Common Pleas, Pittsburgh, Pa.
 Mr. Nathan Cohen, Attorney, Nashville, Tenn.
 Mr. Joseph D. Coons, Attorney, Wilkesbarre, Pa.
 Mr. Israel Cowen, Attorney, Chicago, Ill.
 Mr. Gottard Deutsch, Professor Hebrew Univ. Chicago, Cincinnati, Ohio
 Mr. Charles S. Eglutter, Attorney, Omaha, Neb.
 Mr. Sol Flatow, Attorney, Dayton, Ohio
 Mr. Samuel Fleischman, Attorney, New York City
 Mr. Samuel Felt, Merchant, Ealamasson, Mich.
 Mr. Leo M. Franklia, Rabbi, Detroit, Mich.
 Mr. J. Walter Freilberg, President Union of American Hebrew Congregations, Cincinnati, Ohio
 Mr. Charles J. Freund, Rabbi, Harrisburg, Pa.
 Mr. A. L. Friberg, Attorney, Sioux City, Iowa
 Mr. William S. Friedman, Rabbi, Denver, Colo.
 Mr. Jacob Furtb, Insurance, St. Louis, Mo.
 Mr. Isaac M. Golden, Attorney, San Francisco, Cal.
 Hon. Henry Goldfogel, Member of Congress, New York City</p> | <p>Mr. N. Goodman, Jr., Manufacturer, Chattanooga, Tenn.
 Dr. Nathan Gordon, Rabbi, Montreal, Can.
 Mr. Samuel Graubfelder, President National Jewish Hospital for Consumptives, New York City
 Hon. S. Hart Green, Member of Parliament, Winnipeg, Can.
 Mr. J. B. Greenhut, Merchant, New York City
 Dr. Moses J. Grice, President Conference of American Rabbis, Cleveland, Ohio
 Mr. Leonard Haas, Attorney, Atlanta, Ga.
 Mr. Henry Hanaw, Attorney, New York City
 Hon. Julius Harburger, Sheriff, Mobile, Ala.
 Dr. Maurice H. Harris, Rabbi, New York City
 Mr. Charles Hartman, Printer, New York City
 Mr. Sylvan E. Hess, Attorney, St. Paul, Minn.
 Dr. Emil G. Hirsch, Chicago, Ill.
 Mr. Joseph Hirsch, Attorney, Yonkers, N.Y.
 Hon. Charles Jacobson, State Senator, Little Rock, Ark.
 Mr. Abraham Jonas, Merchant, Oakland, Cal.
 Hon. Julius Kahn, Member of Congress, San Francisco, Cal.
 Mr. Sol S. Kiser, Banker, Indianapolis, Ind.
 Mr. Jacob B. Klein, Attorney, Bridgeport, Conn.
 Mr. Arthur L. Kramer, Dallas, Texas
 Mr. Adolf Kraus, Attorney, President I. O. B. B., Chicago, Ill.
 Dr. Joseph Krasskopf, Rabbi, Philadelphia, Pa.
 Mr. Isaac Kuhn, Merchant, Chicago, Ill.
 Mr. Fred Lazarus, Merchant, Columbus, Ohio
 Dr. Morris Laskowitz, Rabbi, Duluth, Minn.
 Mr. Morris M. Lampert, Merchant, Toledo, Ohio
 Dr. Charles S. Levi, Rabbi, Milwaukee, Wis.
 Dr. J. Leonard Levi, Rabbi, Pittsburgh, Pa.
 Dr. M. M. Levy, Rabbi, San Francisco, Cal.
 Mr. S. Lewentz, Attorney, Cleveland, Ohio
 Mr. Louis J. Lewis, Attorney, Chicago, Ill.
 Mr. S. L. Lewis, Attorney, Chicago, Ill.</p> | <p>Mr. Jacob L. Lurie, Attorney, Kansas City, Mo.
 Mr. Isaac M. Louis, Merchant, Danville, Ill.
 Mr. Eugene Mannheim, Rabbi, Des Moines, Iowa
 Mr. Arthur Marks, Manager Washington Post, Washington, D. C.
 Mr. Martin A. Marks, Manufacturer, Cleveland, Ohio
 Mr. Archibald A. Marx, Merchant, New Orleans, La.
 Mr. Julius M. Meyer, Insurance, Chicago, Ill.
 Mr. M. S. Meyerhoff, Merchant, Philadelphia, Pa.
 Mr. M. Mohr, Merchant, Montgomery, Ala.
 Mr. Charles F. Morris, Insurance, Montgomery, Ala.
 Dr. Isaac S. Moses, Rabbi, New York City
 Dr. N. Moscovitch, Editor Jewish Tribune, Portland, Ore.
 Mr. A. Leo Oberdorfer, Attorney, Birmingham, Ala.
 Hon. Hugo Pam, Judge of the Superior Court, Chicago, Ill.
 Mr. Julius I. Peyer, Attorney, Washington, D. C.
 Mr. Leo Pfeifer, Merchant, Little Rock, Ark.
 Dr. David Phillipson, Rabbi, Cincinnati, Ohio
 Dr. B. S. Pollak, Physician, Secaucus, N. J.
 Hon. Henry W. Pollock, Attorney, State Senator, New York City
 Dr. Joseph Ruch, Rabbi, Louisville, Ky.
 Dr. A. B. Rhine, Rabbi, Hot Springs, Ark.
 Mr. Charles Rosen, Attorney, Buffalo, N. Y.
 Mr. David Ruslander, Attorney, New Orleans, La.
 Hon. A. J. Sabath, Member of Congress, Chicago, Ill.
 Dr. Samuel Sali, Rabbi, St. Louis, Mo.
 Mr. Benjamin J. Samuels, Attorney, Chicago, Ill.
 Mr. Jacob M. Schiff, Banker, New York City
 Mr. Harry T. Schloss, Merchant, Terre Haute, Ind.
 Mr. Sol S. Schoeneman, Attorney, Houston, Texas
 Dr. Samuel Schulman, Rabbi, New York City
 Mr. Leon Schwartz, Insurance, Mobile, Ala.
 Mr. A. B. Seelenfreund, Secretary I. O. B. B., Chicago, Ill.</p> | <p>Mr. Sig. Sichel, Attorney, Portland, Ore.
 Dr. Joseph Silverman, Rabbi, New York City
 Dr. Abram Simon, Rabbi, Washington, D. C.
 Mr. Harry Simon, Broker, St. Louis, Mo.
 Hon. Jacob Singer, Attorney, Philadelphia, Pa.
 Mr. A. L. Solomon, Merchant, Pittsburgh, Pa.
 Dr. George Solomon, Rabbi, Savannah, Ga.
 Mr. Lucius L. Solomons, Attorney, San Francisco, Cal.
 Mr. Edward Sonnenschein, Attorney, Chicago, Ill.
 Mr. Hugo Sonnenschein, Attorney, Chicago, Ill.
 Dr. M. Spitz, Rabbi, Editor of Jewish Voice, St. Louis, Mo.
 Hon. Philip Stein, Attorney, Chicago, Ill.
 Mr. Max Steinkopf, Attorney, Winnipeg, Can.
 Mr. Charles M. Stern, Attorney, Albany, N. Y.
 Mr. William Mita, Merchant, St. Louis, Mo.
 Mr. Sol Sulzberger, Retired, New York City
 Mr. Edmund Taushky, Attorney, San Francisco, Cal.
 Mr. Joseph M. Ullman, Attorney, New Haven, Conn.
 Mr. Abraham Weil, Manufacturer, Philadelphia, Pa.
 Mr. Jonas Weil, Attorney, Minneapolis, Minn.
 Mr. Lionel Weil, Attorney, Goldboro, N. C.
 Mr. Solomon Weil, Goldboro, N. C.
 Mr. Adam Wiener, Attorney, New York City
 Mr. Adolph H. Weiner, Attorney, Chicago, Ill.
 Mr. William Wilharts, Attorney, Chicago, Ill.
 Mr. Leo Wise, Publisher American Israelite, Cincinnati, Ohio
 Mr. Gustave A. Wolf, Attorney, Grand Rapids, Mich.
 Hon. Simon Wolf, Attorney, Washington, D. C.
 Hon. Edward J. Wolfe, Attorney, San Francisco, Cal.
 Mr. Wm. R. Wollner, Manufacturer, Peoria, Ill.
 Mr. Martin Zionas, Rabbi, El Paso, Texas</p> |
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91040325032

Office of Recorder of Deeds

CORPORATION DIVISION

WASHINGTON



This is to certify that the pages attached hereto constitute a full, true, and complete copy of CERTIFICATE OF INCORPORATION OF ANTI-DEFAMATION LEAGUE OF BIVAI BIRBI, RECORDED DECEMBER 26, 1946 AT 1:50 P.M. IN BOOK 65 AT FOLIO 147 AS INSTRUMENT #30306.

as the same appears of record in this office.

In Testimony Whereof,

I have hereunto set my hand and caused the seal of this office to be affixed, this

the _____ 20th _____ day of

AUGUST _____ A. D. 19__75

PETER S. RIDLEY,

Recorder of Deeds, D. C.

By Peter S. Ridley
Assistant Deputy Recorder of Deeds, D. C.

P-344

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1. To invest and reinvest any and all moneys received by it in securities or properties and to sell, lease, convey, transfer, encumber, exchange, deliver and dispose of all or any part of its funds or property and to borrow money or moneys when and if needed, provided, however, that such powers are to be exercised solely for the conservation, upkeep and benefit of the corporation and not to be used for special dividend purposes or for profit to any of its individual members.

e. To conduct educational activities and publish literature as from time to time it shall deem advisable, the same to be used solely in promoting the objects of the corporation.

f. To provide for the creation, maintaining and upbuilding of one or more trust and endowment funds, and the money, securities, other personal property and real property so acquired to be used solely for the purposes of this corporation.

FOURTH: The number of its Trustees for the first year shall be thirty-one.

FIFTH: The affairs of this corporation shall be administered by a Board of Trustees who shall be known and designated as "Anti-Defamation Commission of B'nai B'rith", consisting of not less than 15 or more than 50 members. The qualifications for election to membership, term of office, and the manner of filling vacancies shall be provided for as embodied in the By-Laws of this corporation. This Board shall elect such officers as may be provided by the By-Laws of the corporation.

SIXTH: This Certificate of Incorporation may be amended, altered, or repealed at any time in accordance with such requirements as the law shall provide.

IN TESTIMONY WHEREOF, we have hereunto subscribed our names and affixed our seals this 17th day of December, 1946.

Isidor Feinstein (SEAL)
Henry Moskowitz (SEAL)
Joseph A. Wisner (SEAL)
Samuel T. C. C. C. (SEAL)
Isidor Feinstein (SEAL)

21040325035

I, Arnold Furster, a Notary Public in and for the County of New York, State of New York, do hereby certify that Meier Steinhilber, party to a certain Certificate of Incorporation bearing date on the 17th day of December 1946, and hereto annexed personally appeared before me in said County of New York, State of New York, the said Meier Steinhilber, being personally well known to me as the person who executed the said Certificate of Incorporation and acknowledged the same to be his act and deed.

Given under my hand and seal this 21st day of December, A.D. 1946.

Arnold Furster
Notary Public
County of New York
State of New York



STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

I, Arnold Furster, a Notary Public in and for the County of New York, State of New York, do hereby certify that Henry Hensky, party to a certain Certificate of Incorporation bearing date on the 17th day of December 1946, and hereto annexed personally appeared before me in said County of New York, State of New York, the said Henry Hensky, being personally well known to me as the person who executed the said Certificate of Incorporation and acknowledged the same to be his act and deed.

Given under my hand and seal this 21st day of December, A. D. 1946.

Arnold Furster
Notary Public
County of New York
State of New York



*Arnold Furster Attorney
& Counselor at Law
Office 100 Nassau Street
New York City
17-111-1111
17-111-1111
17-111-1111
17-111-1111*

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DISTRICT OF COLUMBIA) SS:

I, *M. J. Lawrence*, a Notary Public in and for the District of Columbia, do hereby certify that Joseph A. Wilner, party to a certain Certificate of Incorporation bearing date on the 17th day of December 1946, and hereto annexed personally appeared before me in said District of Columbia, the said Joseph A. Wilner, being personally well known to me as the person who executed the said Certificate of Incorporation and acknowledged the same to be his act and deed.

Given under my hand and seal this 17th day of December, A.D. 1946.



M. J. Lawrence
Notary Public, D. C.

DISTRICT OF COLUMBIA) SS:

I, *M. J. Lawrence*, a Notary Public in and for the District of Columbia, do hereby certify that Louis Ottenberg, party to a certain Certificate of Incorporation bearing date on the 17th day of December 1946, and hereto annexed personally appeared before me in said District of Columbia, the said Louis Ottenberg, being personally well known to me as the person who executed the said Certificate of Incorporation and acknowledged the same to be his act and deed.

Given under my hand and seal this 17th day of December, A.D. 1946



M. J. Lawrence
Notary Public, D. C.

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DISTRICT OF COLUMBIA) SS:

I, *Samuel B Brown*, a Notary Public in and for the District of Columbia, do hereby certify that Maurice Sigyer, party to a certain Certificate of Incorporation bearing date on the 17th day of December 1946, and hereto annexed personally appeared before me in said District of Columbia, the said Maurice Sigyer, being personally well known to me as the person who executed the said Certificate of Incorporation and acknowledged the same to be his act and deed.

Given under my hand and seal this 26th day of December, A.D. 1946.

Samuel B Brown
Notary Public, D. C.

My commission expires Feb 17, 1950



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Feb
14,*

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Handwritten notes:
S. B. ...
1774 ...
C. J. D.

26.6 39045

RECEIVED FOR RECORD on the
day of A. D. 19 at 65
It is also recorded in Library
Vol. 147 at seq. 72 of the
Non Records of the District of Columbia

Handwritten signature:
Marshall P. S. ...
Recorder

Handwritten note:
P. S. ...

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Dec 25 1 54 PM '47
U. S. DEPARTMENT OF JUSTICE

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Office of Recorder of Deeds

CORPORATION DIVISION

WASHINGTON



This is to certify that the pages attached hereto constitute a full, true, and complete copy of CERTIFICATE OF AMENDMENT TO THE CERTIFICATE OF INCORPORATION OF ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH RECEIVED AND FILED OCTOBER 2, 1963.

as the same appears of record in this office.

In Testimony Whereof,

I have hereunto set my hand and caused the seal of this office to be affixed, this

the 23rd day of

MARCH A. D. 1964.

PETER S. RIDLEY,

Recorder of Deeds, D. C.

By *Richard J. [Signature]*
Assistant Superintendent of Corporations, D. C.

P-3044

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CERTIFICATE OF AMENDMENT

To The

CERTIFICATE OF INCORPORATION

Of

ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

We, the undersigned, being respectively the National Chairman and the Secretary of the Anti-Defamation League of B'nai B'rith, do hereby make sign and acknowledge this certificate of amendment and do further state that the amendments set forth in this certificate were all approved with the written consent of at least two-thirds of the trustees of the corporation.

1. Article THIRD (a) only is hereby deleted and the following is substituted therefor.

To eliminate defamation of Jews and other religious and ethnic groups: to advance proper understanding among all peoples: and to preserve and translate into greater effectiveness the principles of freedom, equality and democracy.

2. Article FIFTH is hereby deleted and the following is substituted therefor.

The affairs of this corporation shall be administered by a Board of Trustees who shall be known and designated as "Anti-Defamation Commission of B'nai B'rith," consisting of not less than 50 or more than 150 members. The qualifications for election to membership, term of office, and the manner of filling vacancies shall be provided for as embodied in the By-Laws of this corporation. This Board shall elect such officers as may be provided by the By-Laws of the Corporation.

FILED

10-2-63

BY: _____

Alfred Goldstein

Superintendent of Corporations

National Chairman

Secretary

91040325041

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

I, HAROLD SAKS , a Notary Public in and for the County of NASSAU , State of NEW YORK , do hereby certify that Dore Schary, party to a certain Certificate of Amendment bearing date on the 16th day of SEPTEMBER, 1963, and hereto annexed personally appeared before me in said County of NEW YORK , State of NEW YORK , the said Dore Schary, being personally well known to me as the person who executed the said Certificate of Amendment and acknowledged the same to be his act and deed.

Given under my hand and seal this 16th day of SEPTEMBER, A.D. 1963

Harold Saks
Notary Public
County of NEW YORK
State of NEW YORK

STATE OF ILLINOIS }
COUNTY OF DUPAGE } SS:

I, EDWIN A SCHUBERG , a Notary Public in and for the County of DUPAGE , State of ILLINOIS , do hereby certify that Herbert Levy, party to a certain Certificate of Amendment bearing date on the 16th day of SEPTEMBER 1963, and hereto annexed personally appeared before me in said County of DUPAGE , State of ILLINOIS , the said Herbert Levy, being personally well known to me as the person who executed the said Certificate of Amendment and acknowledged the same to be his act and deed.

Given under my hand and seal this 16th day of SEPTEMBER , A.D. 1963.

Edwin A. Schuberg
Notary Public
County of DUPAGE
State of ILLINOIS

MY COMMISSION EXPIRES OCT. 10, 1965

21040325042

June 1986

BYLAWS OF THE ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH

(A corporation not for pecuniary profit, incorporated pursuant to the provisions of the several sections under Chapter 6 of Title 29 of the Code of Law for the District of Columbia 1940, on December 26, 1946, and as amended October 2, 1963.)

The Board of Trustees of the Anti-Defamation League of B'nai B'rith, also known and designated as the Anti-Defamation Commission of B'nai B'rith, pursuant to the provisions of Article Fifth of the Certificate of Incorporation and in accordance with Sections 55 and 58 of the Constitution of B'nai B'rith (as amended September 2-6, 1984) hereby adopts the following rules and regulations as the Bylaws:

Article I: Name

The name of this corporation is "Anti-Defamation League of B'nai B'rith."

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Article II: Purposes

The Corporation is formed to carry out the objects and purposes as set forth in the Certificate of Incorporation and as set forth in Section 55 of the Constitution of B'nai B'rith as follows:

"There is hereby created an Anti-Defamation Commission to which is entrusted the supervision of the activities of the Anti-Defamation League of B'nai B'rith, designed to eliminate defamation of Jews and other religious and ethnic groups; to advance proper understanding among all peoples; and to preserve and translate into greater effectiveness the principles of freedom, equality and democracy."

Article III: Members

Section 1. The members of this Corporation shall be those elected, designated, appointed or serving by reason of office in the manner prescribed in these Bylaws and in a number not to exceed two hundred (200), the majority of whom shall be and shall continue to be citizens of the United States. The majority of the members of the Corporation shall be members in good standing of B'nai B'rith.

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Wherever in these Bylaws the term members or Trustees of the Corporation is used, it shall refer to the members of the Anti-Defamation League Commission, and wherever the term members of the Anti-Defamation League Commission is used, it shall refer to the members or Trustees of the Corporation.

Section 2. The direction and administration of the affairs of the Corporation and the control and management of its business and funds shall be vested in a National Commission consisting of not less than one hundred (100) nor more than two hundred (200) members.

Section 3. The Commission shall be constituted as follows:

- (a) The President, Honorary Presidents and Executive Vice-President of B'nai B'rith, the President and Executive Director of B'nai B'rith Women, the ADL Chairman of B'nai B'rith Women, the Chairman of the National Commission and the National Director of the Anti-Defamation League, the Associate National Director of the Anti-Defamation League, the President, Executive Vice President and General Counsel of the Anti-Defamation League Foundation, each by virtue of his office as such;

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- (b) Three (3) members from each North American District, two (2) of whom shall be elected by each District at its convention immediately preceding the International Convention and the third shall be the District ADL Committee Chairman;
- (c) One (1) representative from AZA and one (1) representative from BBG, as designated by their respective organizations;
- (d) One (1) member from each District outside of North America who shall be selected in a manner determined by the respective District;
- (e) Twenty-nine (29) members appointed by the President of B'nai B'rith with the approval of its Board of Governors;
- (f) Thirteen (13) members designated by B'nai B'rith Women;
- (g) Seventy-two (72) members elected by the Commission with the advice of the President of B'nai B'rith. The seventy-two (72) members shall be elected to serve in the following manner: at the Annual Meeting in 1986, thirty-six (36) such members shall be elected for a term of two (2) years and three (3) shall be elected for a term of one (1) year. Thereafter, and at each succeeding Annual Meeting, thirty-six (36) members shall be elected for a full two-year term;

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(h) All National Chairmen of the Commission, and any retired National Director or Associate National Director, after having completed their terms of office, heretofore or hereafter, automatically shall be voting members for life.

Section 4. All members of the Commission, except those designated in paragraphs (a) and (h) in Section 3 above, or except as otherwise provided in these Bylaws, shall hold office for a term of two (2) years or until their successors are qualified. Members elected by the District Conventions or otherwise selected by the Districts, appointed by the President of B'nai B'rith and designated by the B'nai B'rith Women, shall be qualified when notification of such election, selection, appointment or designation shall be received.

Section 5. No person who has been selected or elected to the Commission by the B'nai B'rith Districts for two (2) consecutive full terms, shall be eligible further to succeed himself as such District representative without the lapse of at least one (1) full term.

No person who has been appointed to the Commission by the President of B'nai B'rith for two (2) consecutive full terms, shall be eligible for further appointment by the President of B'nai B'rith without the lapse of at least one (1) full term.

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No person who has been designated to the Commission by B'nai B'rith Women for two (2) consecutive full terms shall be eligible for further designation by B'nai B'rith Women without the lapse of at least one (1) full term.

At any election of the class of thirty-six (36) members of the Commission who are to be elected by the Commission, no more than thirty (30) who had previously been elected for a full two (2)-year term at the preceding regular election, shall be eligible for reelection. Said thirty (30) members shall be eligible for reelection, notwithstanding other provisions of these Bylaws limiting tenure of Commissioners.

Section 6. If a vacancy shall occur among members of the Commission representing Districts, such vacancy shall be filled by the General Committee or Board of Governors of the particular District for the unexpired term of the member who is to be succeeded. Any other vacancy shall be filled for the unexpired term of the member who is to be succeeded in the manner as provided for in the original appointment or designation as set forth in Section 3 of this Article, or in the case of a Commissioner elected by the Commission, by election at the next Annual Meeting of the Commission for the unexpired term of the member to be succeeded.

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Section 7. Other classes of membership may be established, from time to time. Such other classes of membership need not be members of B'nai B'rith and shall have no vote.

Section 8. The Commission may elect if it deems advisable, from time to time, Honorary Life Members to serve without vote.

Section 9. A Commissioner must be a member of B'nai B'rith or B'nai B'rith Women to be eligible for reelection, reappointment, or redesignation.

Section 10. The Corporation may, but shall not be required to, indemnify any person who served at its direction or request, whether or not for compensation, or if such person is deceased, such person's legal representative, against judgments, amounts paid in settlement, expenses (including attorney fees) and fines actually and reasonably incurred in connection with any threatened, pending or completed civil or criminal action, suit or proceeding, or any appeal therein in which such person or such person's legal representative was or is a party or is threatened to be made a party by reason of his or her activities on behalf of or in connection with the Corporation, provided that 1) such person acted in good faith for a purpose and in a manner which he or she reasonably believed to be in or not opposed to the best interests of the Corporation, ii) with respect to any criminal action

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or proceeding, such person had no reasonable cause to believe his or her conduct was unlawful, and iii) such person agrees that the defense and settlement of any such action shall be under the direction and control of the Corporation should the Corporation so request.

Article IV: Officers

Section 1. The following officers shall be elected by the Commission at the next Annual Meeting following the International Convention of B'nai B'rith: a Chairman, Chairman of the National Executive Committee, six (6) Vice-Chairmen, a Treasurer, an Assistant Treasurer, a Secretary, an Assistant Secretary, a National Director, and an Associate National Director.

The Commission may elect such honorary officers as it deems advisable, from time to time, to serve without vote.

The Commission may elect an Executive Vice-Chairman to serve in a consultative and advisory capacity.

Section 2. Only members of the Commission shall be eligible to serve as officers. They shall hold office for not more than two (2) two-year terms or until their successors shall have been elected and qualified. In

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the event of a vacancy in any office provided for by this Article, the same shall be filled by the National Executive Committee until the next Annual Meeting of the Commission, at which time the Commission shall fill such office for the balance of the unexpired term, unless otherwise provided in these Bylaws.

Section 3. It shall be the duty of the Chairman to preside at all meetings of the Commission. He shall appoint all Chairmen of Standing Committees. He shall appoint all Standing Committees and Subcommittees, in consultation with the Chairmen of the respective Standing Committees. He shall appoint all Special Committees and shall designate the officers thereof. The Chairmen of Subcommittees shall be appointed by the respective Standing Committee Chairman, except as otherwise provided in these Bylaws.

He shall be the executive officer of the Corporation and the Commission and an ex-officio member of all committees. In addition, he shall perform such other functions which pertain to the office of Chairman.

Section 4. It shall be the duty of the Chairman of the National Executive Committee to preside at all meetings of the National Executive Committee. It shall be the duty of the Chairman of the National Executive Committee to assist the Chairman as he may require. In the absence of the Chairman, or in case of his inability to serve or incapacity to serve, the Chairman of the National Executive Committee shall serve in his place.

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Section 5. It shall be the duty of the Vice-Chairmen to assist the Chairman as he may require. In the absence of the Chairman, and Chairman of the National Executive Committee, or in case of their inability to serve or incapacity to serve, the National Executive Committee will designate one of the Vice-Chairmen to serve in their place.

Section 6. It shall be the duty of the Treasurer to have general supervision of the financial affairs of the Corporation and the deposit, management and investment of its funds and other property, both real and personal. He shall supervise all expenditures authorized in accordance with the budget and establish appropriate controls. He shall issue periodic financial reports and provide for an annual audit, and he shall perform such other functions which pertain to the office of Treasurer. The Assistant Treasurer shall assist the Treasurer in the execution of his duties.

Section 7. It shall be the duty of the Secretary to supervise the maintenance of the records and correspondence of the Corporation, and to direct the issuance of notices for all meetings of the Commission and other notices for the transaction of the business of the Corporation. He shall perform such other duties which may be assigned to him, from time to time, by the Commission or its National Executive Committee and exercise such functions as are usual to this office. The Assistant Secretary shall assist the Secretary in the execution of his duties.

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Section 8. It shall be the duty of the National Director to formulate and administer the program of the Anti-Defamation League, subject to the policies established by the Commission and its National Executive Committee and any of its other appropriate committees. The Associate National Director shall assist the National Director in the execution of his duties.

Section 9. All officers and Commissioners, except the National Director, Associate National Director and the Executive Vice-Chairman, shall serve without compensation.

Article V: Meetings

Section 1. The Annual Meeting of the Commission shall be deemed to be and shall be the Annual Meeting of the Corporation.

Section 2. The Commission shall meet annually at such time as shall be determined, and at such place as shall be designated by the National Executive Committee, or the Chairman of the Commission, upon thirty (30) days notice in writing, by mail, to each Commissioner.

Section 3. Special meetings of the Commission may be called by the Chairman or by the President of B'nai B'rith, and shall be called upon the

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written request of ten (10) members of the Commission, upon a minimum of five (5) days notice by mail, telegraph, telephone or other personal communication.

Section 4. At any Annual or special meeting, forty-five (45) Commissioners attending in person, shall constitute a quorum. Determination of all matters shall be by a majority of those present and voting. The Commission, at any such meeting, may direct that the absent Commissioners be polled by mail or telegraph, in which event a majority of the total of the votes cast at the meeting and the votes cast by mail or telegraph and received within ten (10) days shall determine the matters.

Section 5. The minutes of the National Commission shall be prepared and sent to all members within ninety (90) days following each Annual Meeting.

Article VI: Committees

Section 1. There shall be the following Standing Committees: National Budget Committee, National Intergroup Relations Committee, National Community Service Committee, National Civil Rights Committee, National Planning Committee, National Communications Committee, National Development

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Committee, National Administration Committee, National Leadership Committee, and the International Affairs Committee.

Section 2. Special Committees, necessary to carry out the purposes and functions of the Anti-Defamation League, shall be constituted by the Chairman.

Section 3. The Chairman shall appoint the members of all Standing Committees and all Subcommittees of Standing Committees, in consultation with the Chairmen of the respective Standing Committees. The Chairmen of Standing Committees shall designate the Chairmen of Subcommittees of their respective Standing Committees. The Chairman shall appoint the members of all Special Committees and designate the officers thereof.

Section 4. All Standing Committees shall report to the Commission at the Annual Meeting, or sooner, if called upon to do so, to the National Executive Committee.

Section 5. Members of the National Executive Committee and the National Nominating Committee must be chosen from among the members of the National Commission in the manner provided in these Bylaws. Members of Standing, Special and Subcommittees may be chosen from among the members of the National Commission, from Anti-Defamation League Regional Boards or from the community at large.

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Section 6. Chairmen of Standing Committees must be appointed from among the members of the Commission, other than officers of the Commission. No person who will have served as a Chairman of a Standing Committee for four (4) one-year terms, shall be eligible to further succeed himself or herself as Chairman of that Standing Committee without the lapse of at least one (1) full year.

Section 7. Meetings of the committees shall be called by their respective Chairmen as deemed necessary. One-third of the members of each committee shall constitute a quorum for the transaction of its business. Voting shall be by a majority of those present and voting, unless the committee shall direct that the absent members be polled by mail, telephone or telegraph, in which event a majority of the total of the votes cast at the meeting and the votes cast by mail, telephone or telegraph, and received within ten (10) days, shall determine the matters.

Article VII: National Executive Committee

Section 1. At each Annual Meeting, a Vice-Chairman of the National Executive Committee shall be elected by the Commission.

Section 2. The National Executive Committee shall consist of the Chairman and Vice-Chairman of the National Executive Committee, together

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with the elected officers of the Commission, the Honorary Chairman of the Commission, the President, Honorary Presidents and Executive Vice-President of B'nai B'rith, the President, Executive Director and ADL Chairman of B'nai B'rith Women and the Chairmen of the National Budget, the National Community Service, the National Intergroup Relations, the National Civil Rights, the National Planning, the National Communications, the National Development, the National Administration, the National Leadership and the International Affairs Committees, the President of the ADL Foundation and the retired National Director of the Anti-Defamation League and the retired Associate National Director of the Anti-Defamation League, who in 1978 were elected as life members, together with fifteen (15) additional members of the Commission who shall be elected annually by the Commission. A majority of the members of the National Executive Committee shall be members of B'nai B'rith.

Section 3. The National Executive Committee shall act for the Commission between meetings of the Commission, and shall have full power to conduct all the affairs of the Anti-Defamation League in the interim periods. In addition, it may be vested with such functions and powers as the Commission may, from time to time, determine.

Section 4. The National Executive Committee shall meet at the call of the Chairman of the National Executive Committee, or the Chairman of the

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Commission, or the President of B'nai B'rith, or upon the written request of six (6) members of the National Executive Committee.

Section 5. Fifteen (15) members of the National Executive Committee shall constitute a quorum. Voting shall be by a majority of those present and voting, unless the National Executive Committee shall direct that the absent members be polled by mail or telegraph, in which event a majority of the total of the votes cast at the meeting and the votes cast by mail or telegraph, and received within ten (10) days, shall determine the matters. Meetings of the National Executive Committee shall be presided over by the Chairman or, in his absence, by the Vice-Chairman of the National Executive Committee.

Section 6. The minutes of the National Executive Committee shall be prepared and sent to all members of the National Commission within sixty (60) days after each meeting.

Section 7. If a vacancy shall occur among the members of the National Executive Committee elected by the Commission, the vacancy shall be filled by the National Executive Committee for the unexpired term.

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Article VIII: National Nominating Committee

Section 1. A National Nominating Committee of nine (9) members shall be elected by the Commission at each Annual Meeting. It shall present at the next Annual Meeting nominations for all officers to be filled in accordance with these Bylaws.

Section 2. No member of the National Nominating Committee shall be eligible to succeed himself or herself, except that the Chairman of an incumbent Nominating Committee shall be eligible to succeed himself or herself as a member but not as a Chairman of the succeeding Nominating Committee. The President of B'nai B'rith shall serve as an ex-officio member.

Section 3. If a vacancy shall occur among the members of the National Nominating Committee, such vacancy shall be filled by the National Executive Committee. If the National Executive Committee shall not meet between the date of the vacancy and the next Annual Meeting, the vacancy shall be filled by the National Chairman.

Section 4. Nominations also may be made from the floor at the Annual Meeting, provided such nominations have been previously submitted to the Nominating Committee.

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Section 5. Whenever a nomination is to be presented for the office of Chairman of the National Commission, it shall have been made in consultation with the President and Executive Vice-President of B'nai B'rith.

Article IX: Standing Committees

Section 1. The National Budget Committee shall prepare and submit an annual budget to the National Executive Committee for adoption and to the National Commission for ratification. It shall be responsible, together with the Treasurer for the investment of agency funds and for such budgetary revisions as may be necessary from time to time within the policy as established by the National Commission or National Executive Committee.

Section 2: The National Intergroup Relations Committee shall implement the policies of the National Commission respecting all matters pertaining to educational efforts affecting attitudes towards minority groups in America. These programs should include cooperation with such institutions as schools, churches, national organizations and public and private agencies interested in such programs. It should also include production and distribution of intergroup relations materials and the utilization of mass media as they relate to educational programs about minority groups and efforts to strengthen democracy. The Program Committee should also have responsibility

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for social research and the development of techniques for the reduction of prejudice.

Section 3. The National Civil Rights Committee shall make recommendations to the National Commission on policy and shall implement policies established and determined by the Commission. It shall concern itself with fact-finding and investigation, discrimination, research and legal action in all matters relating to discrimination and prejudice against and defamation of Jews and other minority groups, and the impairment of freedom of religion and equality of opportunity in the fundamental fields of community life, employment, education, housing and access to facilities open to the public.

Section 4. The National Community Service Committee shall implement the policies formulated and determined by the Commission with respect to the Anti-Defamation League's program on the local level and the maintenance of relationships with representatives of local communities, including local Community Relations Councils. It shall also supervise the direction of the regional offices and have responsibility for the functioning of Regional Boards.

Section 5. The National Planning Committee shall engage in an ongoing study of all agency operations and programs. It shall make recommendations concerning these and suggest priorities among them. It shall meet at stated

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intervals and report regularly to the National Commission and the National Executive Committee.

Section 6. The National Communications Committee shall create an understanding within the general public and the Jewish community of the policies, programs and purposes of ADL as determined by the National Commission. It shall utilize the mass media as channels for its work; prepare the policy statements and major reports of the agency and its official institutional publications. It shall provide a supportive public relations program for the ADL Appeal and implement the production of all of the agency's printed materials.

Section 7. The National Development Committee which shall include the Chairman of the New York Appeal, the Chairman of the Chicago ADL Appeal, the Chairman of the ADL Welfare Funds Appeal, the Chairman of the Direct Gifts Appeal and the Chairman of the Society of Fellows, shall have the responsibility for initiating, conducting and supervising the fund raising activities of the agency.

Section 8. The National Administration Committee shall establish appropriate procedures for management, administration and operations of the agency. This shall include the establishment of policies in respect to personnel practices and compensation; office management and methods; insurance; real estate and such other matters as relate to operations and management.

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Section 9. The National Leadership Committee shall have responsibility for the League's nationwide program of leadership development, including recruitment, orientation and involvement in League activities. It shall also serve in an advisory capacity to the League in the implementation and direction of existing leadership programs.

Section 10. The International Affairs Committee shall be responsible for the Anti-Defamation League's activities in behalf of Jews in foreign countries. The Committee shall implement policies of the National Commission in matters relating to the welfare of Jews in all countries outside of North America.

Article X: Regional Bodies

Section 1: The National Commission may constitute regional bodies such as Regional Boards, Regional Advisory Boards, Boards of Directors, local and area committees, local executive committees and similar bodies. A majority of each such Board, committee and body shall be members of B'nai B'rith or B'nai B'rith Women.

Section 2. Regional Boards and committees, when established, shall advise the respective regional offices with respect to program and activity carried on in their areas as determined and authorized by the Commission.

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Section 3. Regional Boards and committees may formulate and interpret policy with respect to local problems in connection with those activities under their jurisdiction in accordance with national policy and subject to the approval of the Commission.

Section 4. Regional Boards and committees may submit recommendations to the National Commission respecting national policies of the Anti-Defamation League.

Section 5. Regional Boards and committees shall enact bylaws for the administration of their affairs, subject to and not inconsistent with the Bylaws of the Commission. Such bylaws shall be subject to approval by the Commission.

Article XI: National Advisory Council

Section 1. There shall be a National Advisory Council which shall consist of all persons who formerly were members of the ADL Commission and who indicate their willingness to serve on such Council, together with such community leaders as may be nominated by the Nominating Committee and elected to the Council by the Commission.

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Section 2. Each member of the Council shall be invited to attend all Annual Meetings of the Commission and shall, when called upon, give advice and guidance to the National Chairman and the National Commission.

Section 3. The immediate past Chairman of the National Commission shall serve as Chairman of the National Advisory Council.

Article XII: Annual Report

Section 1. Pursuant to Section 61 of the Constitution of B'nai B'rith, the Commission shall submit an Annual Report of activities and finances to the Board of Governors of B'nai B'rith.

Article XIII: Amendments

Section 1. The Bylaws may be adopted or amended at any Annual or special meeting of the corporation by a vote of two-thirds of the members of the Commission present and voting. Thirty (30) days notice in writing of proposed amendments to the Bylaws must be given to the members of the Commission before voting upon such changes.

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Article XIV: Construction of the Bylaws

These Bylaws shall be construed and interpreted in accordance with the principles, concepts and policies of the Anti-Defamation League of B'nai B'rith as heretofore outlined.

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
)
Anti-Defamation League of)
B'nai B'rith of New York and)
Chicago and Abraham H. Foxman,)
National Director)
American Jewish Committee and)
Jonathan Levine, Director)

EXECUTIVE SESSION
JUN 07 1988
SENSITIVE

MUR 2163

GENERAL COUNSEL'S REPORT

BACKGROUND

On June 16, 1987, the Commission found reason to believe the American Jewish Committee and Jonathan Levine, Director, ("AJC") violated 2 U.S.C. § 441b(a), the provision of the Act prohibiting corporate contributions and expenditures in connection with federal elections. The basis for the Commission's determination, as stated in the reason to believe notification letter, was that it appeared AJC, "a corporation, made expenditures in connection with a federal election when it compiled a list of candidates affiliated with Lyndon LaRouche and disseminated information about these candidates to the public."

Also, on June 16, 1987, the Commission found reason to believe the Anti-Defamation League of B'nai B'rith of New York and Chicago and Nathan Perlmutter, National Director, ("ADL") violated 2 U.S.C. § 441b(a). 1/ The basis for the Commission's determination, as stated in the reason to believe notification letter, was that ADL, "a corporation, made expenditures in connection with a federal election when it published and

1/ Respondents identify Abraham H. Foxman as the current national director who assumed this position at the death of Nathan Perlmutter.

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distributed a report on presidential candidate Lyndon LaRouche and candidates affiliated with Lyndon LaRouche." This report, entitled "The LaRouche Political Cult: Packaging Extremism", (hereinafter "ADL Report") was published by the Civil Rights Division of the ADL in the Spring of 1986. 2/ Also on this date, the Commission directed the Office of the General Counsel to prepare for approval revised interrogatories for both respondents.

II. STATUS OF THE INVESTIGATION TO DATE

A. The AJC

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The AJC submitted a response to the Commission's reason to believe determination on August 7, 1987, denying that AJC had compiled "a list" as noted in the news account attached to the complaint and in the notification letter. AJC stated that the news account contained in the complaint was inaccurate. AJC asserts that there was not, and has never been, a "list" as identified in this news account. Rather, the news account should have referred to a study commissioned by AJC after the 1986 Illinois primary. AJC attached a copy of this document entitled "Lyndon LaRouche and the Politics of Deception, A Background Report" (hereinafter, "AJC Study"). 3/

2/ According to a news accounts attached to the complaint, this report was formally released on May 21, 1986.

3/ AJC also raised the issue whether under FEC v. Massachusetts Citizens for Life, 107 S.Ct. 616 (1986), section 441b(a) may be constitutionally applied to a non-profit corporation without finding that the expenditure in question was for an express advocacy communication. As discussed infra, this Office has reviewed the AJC study, and based on this review, we recommend that the Commission take no further action as to AJC. Thus, we do not address this argument.

On October 15, 1987, AJC submitted its response to the Commission's interrogatories. Because the interrogatories primarily sought information regarding AJC's compilation of a list, 4/ the AJC objected to the interrogatories. Additionally, AJC objected to the financial information sought by the Commission "because it is privileged, because it would be unduly burdensome to compile and because it is unrelated to any matter over which the Commission has appropriate jurisdiction." AJC Interrogatory Response at 2. As discussed below, a further review of the AJC Study leads this Office to recommend that the Commission take no further action as to these respondents and close the file as to them.

1. **The AJC Study**

The AJC Study is eleven pages long and also includes a one page preface and two short appendices. The study is composed of three articles entitled, respectively "The LaRouche Phenomenon," "The LaRouche Victory in Illinois" and "The 'LaRouche Factor' in the 1986 Primaries in Downstate Illinois." As indicated by the preface, the AJC Study is a retrospective collection of writings.

There appear to be two main concerns of the AJC Study. First, the AJC Study examines the ideology of Lyndon LaRouche and

4/ While this Office understood from AJC's August 7, 1987, response that it was their position that no formal "list" was developed by AJC, we did not believe this response to be dispositive of the issue given the news account contained in the complaint. The additional interrogatories sought to probe the activity, however it may have been characterized by AJC, alluded to in the complaint.

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groups said to be associated with him. The AJC Study examines the theories of LaRouche groups and cites a variety of sources to support their proposition that the writings of LaRouche and groups associated with him are anti-semitic.

Second, the AJC Study examines the voting patterns in the 1986 Illinois primary and posits the reasons for the outcomes of various races. The study discusses in detail six possible explanations of the voting patterns observed in that election. It also includes a few indirect references to federal races. The overall focus, however, is to determine the reasons certain voters selected candidates of a particular ideology. The AJC Study concludes that it is the responsibility of the news media and the major political parties to look at the "whys" behind the rise of the new right. Because the overall focus of this study is historical, this Office concludes that there is insufficient evidence to warrant further investigation into this matter. Therefore, this Office recommends that the Commission take no further action and close the file as to these respondents.

B. ADL

1. Response To RTB

ADL submitted a response to the Commission's reason to believe determination and then submitted an objection and response to the Commission's interrogatories. ADL's reason to believe response, submitted on July 6, 1987, reiterated prior

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statements that ADL is an educational group whose communications regarding LaRouche were "non-electioneering communications about someone of longstanding concern who incidently decides to seek public office -- to which Congress clearly did not intend the Act to apply." ADL Response at 1. Respondents' argue that the ADL Report is not an expenditure as defined by the Act, and that to so construe this report would be unconstitutional in light of FEC v. Massachusetts Citizens For Life, 107 S.Ct. 616 (1986), (hereinafter "MCFL"). Id. at 3. ADL asserts that the Commission's actions have had a chilling effect on its First Amendment Rights, and urges the Commission to enter a no probable cause finding.

As discussed separately below, due to a lack of complete information in this matter and the small amount of material presenting the possible section 441b violation, this Office recommends that the Commission take no further action and close the file in this matter.

2. **ADL's Response to Interrogatories and Request for Production of Documents**

The Commission's interrogatories to ADL sought information regarding factors deemed controlling by the Supreme Court in its decision in MCFL. In MCFL, the Supreme Court concluded that the Act's prohibition regarding corporate expenditures was unconstitutional as applied to certain not-for-profit membership corporations making expenditures in connection with a federal

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election. Three factors were cited by the Court as controlling its decision, and thus must be present for a not-for-profit membership corporation to come within the purview of the MCFL decision.

First, a corporation must be formed for the express purpose of promoting political ideas and cannot engage in business activities. Second, a corporation cannot have shareholders or other persons affiliated so as to have a claim on its assets or earnings. Third, a corporation cannot be established by a business corporation or labor union and must have a policy of not accepting contributions from such entities. The interrogatories approved by the Commission probed ADL's policy regarding corporate and labor contributions, its acceptance of such contributions, and whether ADL provides goods and services for funds that are not considered donations.

ADL's response to those interrogatories continues to raise the arguments presented in its initial responses and states that it objects to the Commission's discovery in this matter. Thus, ADL has filed selectively incomplete responses^{5/}. ADL has refused to provide requested documents relating to the cost to produce the ADL Report, maintaining that such documents do not exist, other than "ADL's normal accounting records." ADL's states, however, that the cost of the report was \$10,390, but this figure excludes the cost of internal labor.

^{5/} Certain organizational materials, ADL's Certificate of Incorporation and Articles of Incorporation and By-Laws, were produced.

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Additionally, ADL's response notes that its contribution policy is to accept contributions from all well-meaning persons, but ADL refuses to delineate the sources of these contributions on the grounds of burdensomeness. Similarly, ADL refuses to answer questions regarding goods and services it produces, stating that this question bears no reasonable relationship to the matter and is also burdensome.^{6/} Thus, although ADL has asserted it is the type of corporation within the MCFL exception, it has steadfastly refused to provide this Office with the type of information necessary to test this defense. Moreover, given ADL's strong assertions and its intransigence to providing information, it is apparent from ADL's responses that the Commission would face protracted subpoena enforcements proceedings to obtain this information.

3. Election Related Statements

The ADL Report is 54 pages in length and includes two addenda. The ADL Report is a unique document focusing on the LaRouche Organization, an entity whose activities spans more than twenty years. The overall focus of the ADL Report is a factual examination of the history of the LaRouche Organization, causes the Organization has embraced, the Organization's facilities in Leesburg Virginia, international affairs, litigation that the LaRouche Organization has been involved in, a discussion of LaRouche as an individual, and a discussion of LaRouche candidates in various election cycles, including 1986.

^{6/} ADL notes that it receives about one percent of its total revenues that are not considered donations.

Two small segments of the ADL Report appear to be election related, and thus could provide evidence to support of a finding of a violation of section 441b. The first segment encompasses the 1986 elections and is implicated in discussions at pages 20-23. It discusses the victories of persons associated with the LaRouche Organization in Illinois, identifies a few federal candidates associated with the LaRouche Organization, and notes that LaRouche candidates are running in state and local races. The segment concludes with the prediction that increased media scrutiny on the LaRouche movement will lead to its increased rejection by an informed American public.

The second segment that could provide evidence to support a possible violation of section 441b is at page 40 and is more veiled. It states that when the "extremism characteristic of [the LaRouche] phenomenon is subjected to the piercing light of public exposure, it is rejected by the vast majority of the American people." The segment notes, however, that the presence of such an extremist movement must cause concern to all citizens of a democracy.

In the opinion of this Office, these two segments could be perceived as election related in that they might lead persons to conclude that they should not support candidates associated with LaRouche. However, as discussed below, the specific facts in this matter militate against a recommendation of probable cause to believe a violation of section 441b has occurred.

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First, these two segments must be viewed in the context of the ADL Report as a whole. As previously noted, the ADL Report is essentially an historical overview of the extensive LaRouche Organization and contains descriptions of a number of separate entities said to be associated with LaRouche. Thus, in most respects, the ADL Report is a factual, albeit unflattering, portrayal of this Organization. Second, the two apparent election related segments are not directly exhortative. Moreover, much of the thrust of these segments is directed to state and local candidates. Additionally, although in the opinion of this Office that a fair reading of these two segments might persuade readers that LaRouche candidates are not the best candidates, it is also possible to read these segments as a calling for increased media scrutiny and further public discussion of LaRouche candidates. Thus, although this material might be sufficient for a probable cause finding, the relatively small size of the election related segments in the content of the large ADL Report and the ambivalent tone of its message mitigates against proceeding with this matter.

4. Summary

As discussed above, ADL has filed selectively incomplete responses to the Commission's interrogatories that are not sufficient to fully determine whether it is within the MCFL exception.^{7/} Additionally, the segments of the ADL Report that

^{7/} It is also possible that even in the event the Commission obtains this information with judicial assistance, post-probable cause litigation will ensue.

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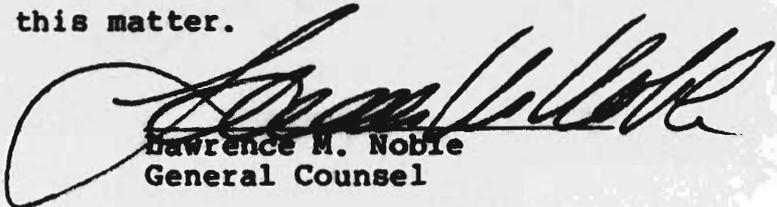
appear to support possible violations of section 441b are small in size and of limited impact when viewed in the context of the ADL Report as a whole. Therefore, given the incomplete information provided, and the presence of the small amount of election-related material in the context of a factual report discussing primarily retrospective activity, this Office recommends that the Commission take no further action as to ADL and close the file in this matter.

III. RECOMMENDATIONS

1. Take no further action as to the American Jewish Committee and Jonathan Levine, Director.
2. Take no further action as to the Anti-Defamation League of B'nai B'rith of New York and Chicago, and Abraham Foxman, National Director.
3. Approve the attached letters.
4. Close the file in this matter.

Date

6/1/88


Lawrence M. Noble
General Counsel

Attachments

1. ADL RTB Response
2. ADL Interrogatory Response
3. AJC Interrogatory and RTB Responses (combined)
4. Proposed Letters (2)

Staff Person: Patty Reilly

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20541

MEMORANDUM TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN *JM*

DATE: JUNE 6, 1988

SUBJECT: OBJECTIONS TO MUR 2163 - General Counsel's Report
Signed June 1, 1988

The above-captioned document was circulated to the Commission on Thursday, June 2, 1988 at 11:00 A.M.

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

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X _____

This matter will be placed on the Executive Session agenda for June 7, 1988.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Anti-Defamation League of)
B'nai B'rith of New York and)
Chicago and Abraham H. Foxman,) MUR 2163
National Director)
American Jewish Committee and)
Jonathan Levine, Director)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 14, 1988, do hereby certify that the Commission decided by a vote of 5-1 to reject the recommendations contained in the General Counsel's June 1, 1988 report and instead return MUR 2163 to the Office of General Counsel for briefing.

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

Attest:

6-15-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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In the Matter of)
)
Anti-Defamation League of)
B'nai B'rith of New York and)
Chicago and Abraham H.)
Foxman, Director)
American Jewish Committee)
and Jonathan Levine,)
Director)

MUR 2163

SENSITIVE
EXECUTIVE SESSION
JUL 26 1988

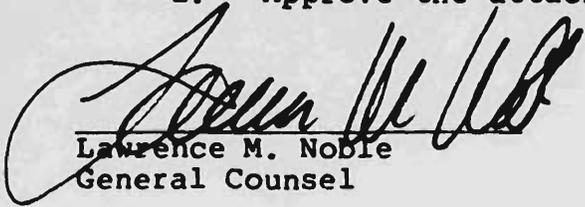
GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 14, 1988, the Commission considered the General Counsel's recommendation to close the file in the above captioned matter and determined the matter should proceed to briefs. Because the investigation in this matter is not complete, this Office has attached a subpoena for each of the respondents.

II. RECOMMENDATIONS

- 1. Approve the attached subpoenas (2) and letter.



Lawrence M. Noble
General Counsel

Date 7/11/88

Staff Person: Patty Reilly

- Attachments
- 1. ADL Subpoena
 - 2. AJC Subpoena
 - 3. Proposed Letter

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/KAREN E. TRACH *KET*
COMMISSION SECRETARY

DATE: JULY 14, 1988

SUBJECT: OBJECTION TO: MUR 2163 - GENERAL COUNSEL'S REPORT
SIGNED JULY 11, 1988

The above-captioned document was circulated to the
Commission on TUESDAY, JULY 12, 1988, at 4:00 P.M..

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

Commissioner Aikens _____
Commissioner Elliott _____
Commissioner Josefiak _____
Commissioner McDonald _____
Commissioner McGarry _____
Commissioner Thomas X

This matter will be placed on the meeting agenda
for JULY 26, 1988.

Please notify us who will represent your Division before the
Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Anti-Defamation League of)
B'nai B'rith of New York)
and Chicago and Abraham) MUR 2163
H. Foxman, Director)
American Jewish Committee)
and Jonathan Levine,)
Director)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of July 26, 1988, do hereby certify that the Commission decided by a vote of 4-2 to approve the subpoenas and letter attached to the General Counsel's July 11, 1988 report on MUR 2163.

Commissioners Elliott, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioners Aikens and Thomas dissented.

Attest:

7-27-88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 1, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stuart Gerson, Esquire
Epstein, Becker, Borsody & Green
1140 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2163
Anti-Defamation
League of B'nai
B'rith of New York
Chicago, and
Abraham Foxman,
Director
American Jewish
Committee and
Jonathan Levine,
Director

Dear Mr. Gerson:

On June 24, 1987, your clients were notified that the Federal Election Commission had found reason to believe they violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended. Additionally, on October 1, 1987, your clients were sent interrogatories and a request for production of documents in this matter. The Commission acknowledges receiving responses to its reason to believe notifications and its discovery requests from both your clients.

Pursuant to its investigation of this matter, the Commission has issued the attached subpoenas requiring your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code. It is required that you submit all answers to questions under oath within 15 days of your receipt of these subpoenas.

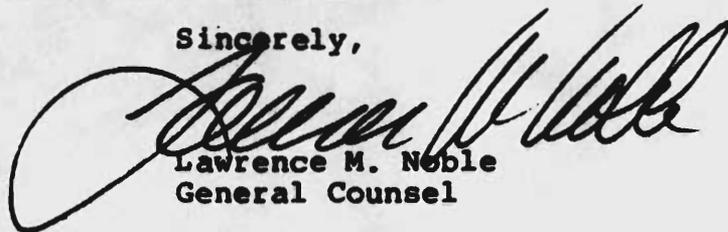
91040325082

gls

Stuart Gerson, Esquire,
Page 2

If you have any questions, please contact Patty Reilly, the
attorney assigned to this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

Enclosure
Subpoenas (2)

21040325083

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
)
)

MUR 2163

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: American Jewish Committee and Jonathan Levine, Director
c/o Stuart Gerson, Esquire
Epstein, Becker, Borsody & Green
1140 19th Street, N.W.
Washington, D.C. 20036

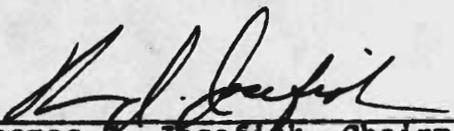
Pursuant to 2 U.S.C. § 437d(a) (1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of your receipt of this Order and Subpoena.

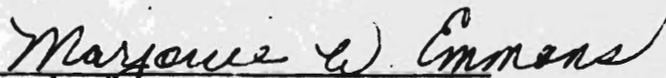
21040325084

Jonathan Levine, Director
Page 2

WHEREFORE, the Chairman of the Federal Election Commission has
hereunto set his hand in Washington, D.C. on this 29th day of
July, 1988.


Thomas S. Josefiek, Chairman
Federal Election Commission

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request
Questions

31540325085

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1986 to January 1, 1987.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

21040325086

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" or "AJC" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

The "AJC Report" shall mean the report entitled "Lyndon LaRouche and the Politics of Deception, A Background Report."

91040325087

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2163

TO: The American Jewish Committee and Jonathan Levine,
Director

INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS

1. State the total cost (including internal labor) associated with producing and distributing the AJC Report. Specify the sources of funds used to pay for the report.
2. Describe in detail the methods by which AJC distributed and is distributing the AJC Report.
3. State the number of AJC Reports printed.
4. State the number of people to whom the AJC Report was provided. State the number of members to whom the AJC Report was provided.
5. State whether AJC has received funds from business corporations and labor unions at any time during 1986. If so:
 - a. state the total amount of funds received from business corporations and labor unions,
 - b. state what percent of AJC's total receipts were received from business corporations and labor unions.
6. State whether AJC has a policy regarding the acceptance of funds from corporations or labor unions. If so, state this policy.
7. Identify the criteria used by AJC to determine its membership. State whether memberships or honorary memberships are extended to corporations and labor unions.
8. What are AJC's annual dues? If AJC has different classifications of members, list each classification, the criteria for determining membership in each classification, the number of members in each classification, and the amount of dues assessed members in each classification.
9. List and describe all benefits of membership provided by AJC, including but not limited to having access to publications, to informational, educational, or health programs or services, to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.

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a) As to each good, service or benefit described, detail the extent to which, if at all, it is made available or accessible to non-members.

b) State the total dollar amount of all commissions or other benefits AJC has received as a result of each good, service or benefit.

c) Identify the entities providing such commissions or other benefits.

10. State the total amount received by AJC for membership dues for 1986.

11. List all of AJC's sources of revenue other than membership dues. List each source of income by type of activity generating such revenue and state the amount received by AJC for 1986 from each source. State AJC's gross receipts and expenditures for 1986.

12. Does AJC have any individual memberships paid for by corporations or labor organizations or charged to the accounts of corporations or labor organizations?

13. If answer to interrogatory number 12 is affirmative,

a) list the total number of corporation-paid and labor-paid memberships,

b) identify each entity paying such membership.

14. List each magazine or other publication published or distributed by AJC. For each such magazine or publication:

a) list the total amount of funds collected in paid advertisements or sponsorships,

b) state whether such funds are placed into AJC's general treasury, and if not, identify where such funds are deposited,

c) identify each corporation or labor organization that was a paid advertiser or sponsor and state the amount each paid AJC.

15. Identify all documents maintained by AJC relating to the receipt of funds from any source, including but not limited to advertising, revenue, contributions or other revenue generating activity.

91040325089

16. List each AJC conference, meeting or other event financially supported by any business corporation or labor organization during 1986. For each event list the identity of each corporate or labor entity sponsoring the event and dollar amount of the support of each.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Copies of any and all documents which relate, refer or pertain to costs associated with the production and distribution of The AJC Report.
2. Copies of AJC's Certificate of Incorporation, Articles of Incorporation, and all By-Laws.
3. All documents identified in your response to this subpoena, identifying each of them as to paragraph number of the interrogatory pursuant to which the document is produced.
4. Copies of AJC's completed Internal Revenue Service Form 990 for 1986.

21040325090

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2163

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Anti-Defamation League of New York and Chicago and
Abraham H. Foxman, Director
c/o Stuart Gerson, Esquire
Epstein, Becker, Borsody & Green
1140 19th Street, N.W.
Washington, D.C. 20036

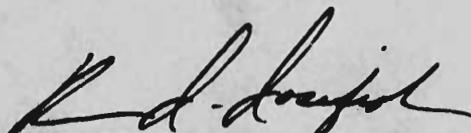
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of your receipt of this Order and Subpoena.

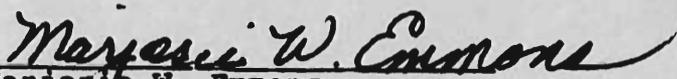
91040325091

Abraham H. Foxman, Director
Page 2

WHEREFORE, the Chairman of the Federal Election Commission has
hereunto set his hand in Washington, D.C. on this 29th day of
July, 1987.


Thomas J. Josefiak, Chairman
Federal Election Commission

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request
Questions

91040325092

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1986 to January 1, 1987.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

91040325093

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" or "ADL" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

The "ADL Report" shall mean the report entitled "The LaRouche Political Cult: Packaging Extremism" which was distributed in the Spring of 1986 by the Anti-Defamation League of B'nai B'rith.

91040325094

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2163

TO: Anti-Defamation League of B'nai B'rith of New York and
Chicago and Abraham H. Foxman, Director

INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS

1. Your October 15, 1987, response stated the cost of producing the ADL Report as \$10,390, but noted this figure excluded internal labor costs.

- a) State the number of persons who worked to produce the report and the duties each performed,
- b) State the cost of this internal labor,
- c) Specify the source of funds used to pay for the costs of the ADL Report,
- d) Attach all documents relating to the calculation of internal labor costs.

2. Identify the criteria used by ADL to determine its membership. State whether memberships or honorary memberships are extended to corporations and labor unions.

3. What are ADL's annual dues? If ADL has different classifications of members, list each classification, the criteria for determining membership in each classification, the number of members in each classification, and the amount of dues assessed members in each classification.

4. List and describe all benefits of membership provided by ADL, including but not limited to having access to publications, to informational, educational, or health programs or services, to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.

a) As to each good, service or benefit described, detail the extent to which, if at all, it is made available to non-members.

b) State the total dollar amount of all commissions or other benefits ADL has received as a result of each good, service or benefit.

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c) Identify the entities providing such commissions or other benefits.

5. State the total amount received by ADL for membership dues for 1986.

6. List all of ADL's sources of revenue other than membership dues. List each source of income by type of activity generating such revenue and state the amount received by ADL for 1986 from each source. State ADL's gross receipts and expenditures for 1986.

7. Does ADL have any individual memberships paid for by corporations or labor organizations or charged to the accounts of corporations or labor organizations?

8. If answer to interrogatory number 7 is affirmative,

a) list the total number of corporation-paid and labor-paid memberships,

b) identify each entity paying such membership.

9. List each magazine or other publication published or distributed by ADL. For each such magazine or publication:

a) list the total amount of funds collected in paid advertisements or sponsorships,

b) state whether such funds are placed into ADL's general treasury, and if not, identify where such funds are deposited,

c) identify each corporation or labor organization that was a paid advertiser or sponsor and state the amount each paid ADL.

10. Identify all documents maintained by ADL relating to the receipt of funds from any source, including but not limited to advertising, revenue, contributions or other revenue generating activity.

11. List each ADL conference, meeting or other event financially supported by any business corporation or labor organization during 1986. For each event list the identity of each corporate or labor entity sponsoring the event and dollar amount of the support of each.

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12. The second amendment to the complaint in this matter included a fundraising letter signed by Burton S. Levinson. State:

- a) the number of persons to whom this letter was sent and specify how many of these persons are members of ADL.
- b) the cost of producing this letter (including internal labor costs).

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests the following documents:

1. All documents identified in your response to this subpoena, identifying each of them as to paragraph number of the interrogatory pursuant to which the document is produced.
2. Copies of ADL's completed Internal Revenue Service Form 990 for 1986.

91040325097

600476

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601*

(202) 661-0900

TELEX 786-260

TELECOPIER: (202) 296-2882

DID: _____

88 AUG 11 AM 9:57

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077*
(212) 351-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704*
(203) 348-3737

212 CARNEGIE CENTER
PRINCETON, NEW JERSEY 08540-6212
(609) 452-2445

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 490-3143

ONE WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3412
(313) 965-3190

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132*
(703) 684-1204

August 11, 1988

* RC, NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

HAND DELIVER

Patty Reilly, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163 - Anti-Defamation League of B'nai Brith,
et al.; and American Jewish Committee, et al.,
Respondents

Dear Ms. Reilly:

This will confirm our telephone conversation in the following regards:

1. We are the attorneys for the Respondents in the above-captioned Matter Under Review.
2. You and I, along with appropriate FEC legal-supervisory personnel, will meet to discuss this matter on August 24, 1988, at 2:15 p.m., in the offices of the Commission.
3. In view of the meeting, the Respondents formally request that the return date on the Subpoenas to Produce Documents and Orders to Submit Written Answers that they have received be extended through and including 15 days following our meeting, i.e., September 8, 1988.

Thank you for your consideration in the matter.

Yours very truly,

Stuart M. Gerson

SMG:gj

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RECEIVED
FEDERAL ELECTION COMMISSION

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELEX 756-260

TELECOPIER: (202) 296-2882

DID: _____

88 AUG 15 AM 9:30

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 351-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

212 CARNEGIE CENTER
PRINCETON, NEW JERSEY 08540-6212
(609) 452-2445

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 490-3143

ONE WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3412
(313) 965-3190

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132
(703) 684-1204

August 11, 1988

* RC. NEW YORK, WASHINGTON, D.C.
CONNECTICUT AND VIRGINIA ONLY

91040325099

Patty Reilly, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163 - Anti-Defamation League of B'nai B'rith,
et al.; and American Jewish Committee, et al.,
Respondents

88 AUG 15 PM 3:13

RECEIVED
FEDERAL ELECTION COMMISSION

Dear Ms. Reilly:

This will confirm that our meeting has been moved to
August 29 at 3:00 p.m.

Yours very truly,

Stuart M. Gerson

SMG:gj



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 19, 1988

Stuart Gerson, Esquire
Epstein, Becker, Borsody & Green, P.C.
1140 19th Street, N.W.
Washington, D.C. 20036-6601

RE: MUR 2163
Anti-Defamation League
of New York and
Chicago, and Abraham
Foxman, Director
American Jewish Committee
and Jonathan Levine,
Director

Dear Mr. Gerson:

The Office of the General Counsel is in receipt of your recent letter requesting an extension of time to respond to the Commission's subpoenas in the above-captioned matter. This Office will grant your requested extension of fifteen days following the August 29, 1988 meeting scheduled to discuss this matter. Accordingly, your response is due no later than September 13, 1988.

If you have any questions please contact Patty Reilly, the attorney assigned to this matter, at 376-5690.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

21040325100

BEFORE THE FEDERAL ELECTION COMMISSION

08 AUG 22 PM 12:48

In the Matter of)
)
Anti-Defamation League of B'nai B'rith)
of New York and Chicago and)
Abraham Foxman, Director)
American Jewish Committee and)
Jonathan Levine, Director)

MUR 2163

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #1

On June 14, 1988, the Commission considered the General Counsel's recommendation to close the file in the above-captioned matter and determined that the matter should proceed to briefs. On July 26, 1988, the Commission approved a subpoena to produce documents and an order to submit written answers for both respondents. These materials were mailed on August 1, 1988.

On August 9, 1988, respondents' counsel contacted this Office in order to discuss the scope of the Commission's subpoenas. It was agreed that counsel would confer with staff on August 29, 1988. Accordingly, counsel requested an extension of time to respond to the subpoenas until after this meeting. Subsequently, on August 10, 1988, counsel submitted a written request for a twenty-five day extension of time until September 13, 1988. Under this circumstance, this Office granted the requested extension. After meeting with counsel this Office will report to the Commission.

21040625101

8/22/88
Date

Lawrence M. Noble (L.M.N.)
Lawrence M. Noble
General Counsel

Staff Person: Patty Reilly



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS
SECRETARY OF THE COMMISSION *MWE*

DATE: AUGUST 23, 1988

SUBJECT: MUR 2163
Comprehensive Investigative Report #1
Signed August 22, 1988

The above-captioned report was received in the Secretariat at 12:48 P.M. on Monday, August 22, 1988 and circulated to the Commission on a 24-hour no-objection basis at 4:00 P.M. on Monday, August 22, 1988.

There were no objections to the report.

91040325102

OGC# 399

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2163

88 SEP 16 PM 12:47

FEDERAL ELECTION COMMISSION
OFFICE

**RESPONSE OF ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
TO SUPPLEMENTAL INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

The Anti-Defamation League of B'nai B'rith ("ADL") and its National Director, Abraham H. Foxman, respectfully respond to the supplemental Interrogatories and Request for Production of Documents propounded by the Federal Election Commission ("FEC" or "Commission") in this matter.

GENERAL OBJECTION

The Commission's most-recent inquiries relate to an ADL publication entitled "The LaRouche Political Cult: Packaging Extremism" (which has been denominated in this matter as "the ADL Report" or "the Report"), which was disseminated in the Spring of 1986. The thrust of this Report, and the statements and fundraising activity related to it, is the identification of Mr. LaRouche and his organization as anti-Semitic extremists.

As we have stated before, this Report is a factual description which contains no electioneering message and which is unrelated to the electoral process. Its publication is consistent with the decades-long mission of the ADL and, we submit, it is a matter entirely beyond the jurisdiction of the FEC. The mere fact that Mr. LaRouche has declared himself a candidate for President cannot be held to circumscribe ADL's right to inform the public about him.

21040325103

Nor, even if the Report were held to have been published in connection with a Federal election (which it was not), could ADL, a clearly ideological organization, be held to the registration and reporting requirements of the Federal Election Campaign Act ("The Act"). See FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616 (1986).

Notwithstanding the lack of connection of the Report to electoral activity and the inapplicability of the Act to ADL even if the Report were so connected, the Commission's latest subpoena, interrogatories and documentary request are all presumptive of FEC jurisdiction.

In an attempt to narrow and expedite matters without waiving their jurisdictional objections, counsel for the respondents met with the FEC's General Counsel and staff. The upshot of that meeting was the General Counsel's statement that the Commission was faced with a number of cases in which entities were claiming exemptions under Massachusetts Citizens for Life and the need for the Commission to assure itself that such entities were true ideological committees, albeit incorporated ones, and not mere ciphers for labor unions and industrial corporations.

ADL notes again that, in its view, the nature of its publication does not even cross the threshold of electoral connection, and so it would be entirely proper to dismiss this matter without even reaching the constitutional-exemption question. Nevertheless, we

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also submit that the following answers and materials, particularly ADL's most recent Internal Revenue Service Form 990, demonstrate that the conduct which is the subject of this MUR represents only a miniscule portion of ADL's activities and that ADL is a true ideological corporation that represents its principles and not the commercial interests of anyone else.

INTERROGATORIES

1. Your October 15, 1987, response stated the cost of producing the ADL Report as \$10,390, but noted this figure excluded internal labor costs.
 - a) State the number of persons who worked to produce the report and the duties each performed;
 - b) State the cost of this internal labor;
 - c) Specify the source of funds used to pay for the costs of the ADL Report; and
 - d) Attach all documents relating to the calculation of internal labor costs.

RESPONSE

- a) 12 persons doing various research, writing and editing tasks; 5 persons performing final edit and review functions.
- b) The total cost of this internal labor (calculated on an hourly pro-rata based on annual salaries) was \$4,021.25 (\$3,861.42

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for the initial research, writing and editing, and \$159.83 for the final edit and review).

c) General funds.

d) These calculations were generated solely for the purpose of this response and the document reflecting those calculations is attorney work-product and is otherwise privileged.

2. Identify the criteria used by ADL to determine its membership. State whether memberships or honorary memberships are extended to corporations and labor unions.

RESPONSE

ADL is not a membership organization.

3. What are ADL's annual dues? If ADL has different classifications of members, list each classification, the criteria for determining membership in each classification, the number of members in each classification, and the amount of dues assessed members in each classification.

RESPONSE

Not applicable. See response to No. 2.

4. List and describe all benefits of membership provided by ADL, including but not limited to having access to publications, to informational, educational, or health programs or services,

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to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.

- a) As to each good, service or benefit described, detail the extent to which, if at all, it is made available to non-members.
- b) State the total dollar amount of all commissions or other benefits ADL has received as a result of each good, service or benefit.
- c) Identify the entities providing such commissions or other benefits.

RESPONSE

Not applicable. See response to No. 2.

- 5. State the total amount received by ADL for membership dues for 1986.

RESPONSE

Not applicable. See response to No. 2.

- 6. List all of ADL's sources of revenue other than membership dues. List each source of income by type of activity generating such revenue and state the amount received by ADL for 1986 from each source. State ADL's gross receipts and expenditures for 1986.

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RESPONSE

See Attachment A, ADL's 1986 Form 990, Schedule A, line 15 (p.2) -- gifts, grants and contributions.

7. Does ADL have any individual memberships paid for by corporations or labor organizations or charged to the accounts of corporations and labor organizations?

RESPONSE

Not applicable. See response to No. 2.

8. If answer to interrogatory number 7 is affirmative,
- a) list the total number of corporation-paid and labor-paid memberships; and
 - b) identify each entity paying such membership.

RESPONSE

Not applicable. See response to No. 2.

9. List each magazine or other publication published or distributed by ADL. For each such magazine or publication:
- a) list the total amount of funds collected in paid advertisements or sponsorships;
 - b) state whether such funds are placed into ADL's general treasury, and if not, identify where such funds are deposited; and

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- c) identify each corporation or labor organization that was a paid advertiser or sponsor and state the amount each paid ADL.

RESPONSE

For reasons previously stated, ADL objects to Interrogatory No. 9. Notwithstanding that objection, ADL states as follows:

ADL produces four main publications: ADL Bulletin, a monthly informational digest of ADL activities; Face to Face, an interreligious bulletin devoted to theological and social issues surrounding Jewish/Christian relations in America; Dimensions, a journal of scholarly and popular materials concerning the holocaust; and Education and Society, a review of educational issues with special emphasis on the role of the educational system in reducing bigotry and prejudice.

These publications contain very little commercial advertising. For example, a grant from the Pepsico foundation sponsored a special supplement to the premier edition of Education and Society, which contained an acknowledgement thereof and a rear-cover advertisement for PepsiCola. The most-recent Education and Society also includes an advertisement for The New Yorker magazine. Dimensions features several advertisements for educational materials sold by organizations other than ADL, e.g., The Social Studies School Service and MacMillan Publishing Company. ADL receives compensation for

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these advertisements which is placed in ADL's general treasury. The ADL Bulletin contains no commercial advertising.

ADL also produces a series of reports which focus on special issues of concern to itself and its constituency and which are not generally distributed to the public. This series includes: Memo and Date Book (annual calendar); ADL Law Reports (periodic); Audit of Anti-Semitic Incidents (annual); Law Enforcement Bulletin (periodic); Global Notes (periodic); Latin American Report (periodic); "Shaved for Battle: Skinheads Target America's Youth"; "Extremism on the Right"; "Hate Groups in America: A Record of Bigotry and Violence"; Community (periodic); "When Hate Comes to Campus"; International Report (periodic); "Pro-Arab Propaganda in America: Vehicles and Voices"; "ADL Handbook on Israel"; Litigation Docket (annual).

These publications do not include any form of commercial advertising and have no sponsorship outside of ADL.

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10. Identify all documents maintained by ADL relating to the receipt of funds from any source, including but not limited to advertising, revenue, contributions or other revenue generating activity.

RESPONSE

For reasons previously stated, ADL objects to Interrogatory No. 10, but invites the Commission's attention to Attachment A

hereto, which ADL believes provides an ample public basis upon which to review its sources of income.

11. List each ADL conference, meeting or other event financially supported by any business corporation or labor organization during 1986. For each event list the identity of each corporate or labor entity sponsoring the event and dollar amount of the support of each.

RESPONSE

For reasons previously stated, ADL objects to Interrogatory No. 11, but notes that its conferences, meetings and events are not sponsored by outside sources such as labor unions or business corporations (although representatives of such entities might attend such events by paying the fees or admissions charged the public for them). ADL's landmark prejudice-reduction project, "A World of Difference," has been cosponsored in a number of American cities by local television stations and corporations. No advertising is conducted by the sponsors other than acknowledging the fact of sponsorship. The cost of these programs includes the cost of commercial television time which varies from city to city. Various educational and promotional materials are prepared and disseminated in connection with these programs.

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12. The second amendment to the complaint in this matter included a fundraising letter signed by Burton S. Levinson. State:
- a) the number of persons to whom this letter was sent and specify how many of these persons are members of ADL; and
 - b) the cost of producing this letter (including internal labor costs).

RESPONSE

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests the following documents:

- 1. All documents identified in your response to this subpoena, identifying each of them as to paragraph number of the interrogatory pursuant to which the document is produced.

RESPONSE

For reasons previously stated, ADL objects to Request No. 1. Its 1986 Internal Revenue Service Form 990 is attached hereto.

- 2. Copies of ADL's completed Internal Revenue Service Form 990 for 1986.

RESPONSE

See Attachment A.

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Respectfully submitted,
Epstein Becker & Green, P.C.

By: *Stuart M. Gerson*
Stuart M. Gerson

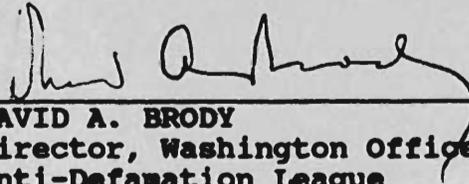
1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900

Attorneys for Anti-Defamation League
of B'nai B'rith

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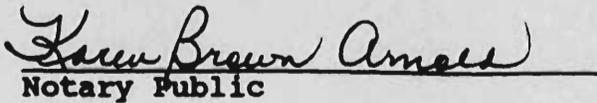
ATTESTATION

I HEREBY DECLARE, under penalty of law, that the foregoing responses are complete and accurate to the best of my knowledge and belief.



DAVID A. BRODY
Director, Washington Office
Anti-Defamation League
of B'nai B'rith

Sworn to before me this 15th day
of September, 1988.


Notary Public

My Commission Expires 1-1-89

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**EXHIBIT A (INTERNAL REVENUE SERVICE FORM 990) HAS BEEN
REMOVED FROM THE FILES.**

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BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of

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MUR 2163

RESPONSE OF AMERICAN JEWISH COMMITTEE
TO SUPPLEMENTAL INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

The American Jewish Committee ("AJC") and its Midwest Regional Director, Jonathan Levine, respectfully respond to the supplemental Interrogatories and Request for Production of Documents propounded by the Federal Election Commission ("FEC" or "Commission") in this matter.

GENERAL OBJECTION

The FEC's instant interrogatories and documentary requests all relate to a document entitled "Lyndon LaRouche and the Politics of Deception, A Background Paper" (and styled by the Commission as "the AJC Report"). This Report was an after-the-fact analysis of the reasons that several LaRouche-backed candidates had been able to score upset victories over party regulars in the 1986 Illinois Democratic primary.

The Report contains no electoral message, is clearly scholarly in its approach and statements, has nothing to do with any federal election and, indeed, was written and disseminated after the state primary that it describes. Moreover, its analysis of the extremist and anti-Semitic views of Mr. LaRouche and his followers is entirely consistent with the ideological role of the AJC -- a role that dates back to 1906. As such, the Report presents a matter beyond the jurisdiction of the Commission.

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The happenstance that Mr. LaRouche has declared himself a candidate for President cannot be held to circumscribe the AJC's right to inform the public about him and his followers. Nor, even assuming that the Report related to the purported federal candidacy of Mr. LaRouche or one of his unnamed followers, could the AJC, which inarguably is an ideological organization, be required to register with and report to the FEC. See FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616 (1986).

Notwithstanding the lack of connection of the Report to federal electoral activity and the inapplicability of the Federal Election Campaign Act of 1971 to the AJC even if the Report were so connected, the Commission's latest subpoena, interrogatories and documentary request are all presumptive of its jurisdiction.

In an attempt to narrow and expedite matters without waiving their jurisdictional objections, counsel for the respondents met with the Commission's General Counsel and staff. The upshot of that meeting was the General Counsel's statement that the Commission was faced with a number of cases in which entities were claiming exemptions under Massachusetts Citizens for Life and the need for the Commission to assure itself that such entities were true ideological committees, albeit incorporated ones, and not mere ciphers for labor unions and industrial corporations.

AJC reiterates that the Report does not even cross the threshold of connection with a federal election, and so it would be entirely

proper to dismiss this matter without even reaching the question of constitutional exemption. Nevertheless, we also submit that the following answers and materials, particularly AJC's 1986 Internal Revenue Service Form 990 and its Audited Combined Financial Statements of June 30, 1987, demonstrate that the conduct which is the subject of this MUR represents only a minor portion of AJC's activities and that AJC is a true ideological corporation that represents its principles and not the interests of others such as unions and businesses.

INTERROGATORIES

1. State the total cost (including internal labor) associated with producing and distributing the AJC Report. Specify the sources of funds used to pay for the report.

RESPONSE

The requisitions concerning production costs and print run, for internally printed publications, encompassed in Interrogatories Nos. 1-4 were kept in the normal course of business by the AJC for one year. These therefore were destroyed before these interrogatories were propounded. Moreover, the individual primarily responsible for the project is no longer employed with AJC. It may be possible for AJC to reconstruct some information and furnish the Commission with estimates and approximations, but it is not possible to do so in the time within which our responses are due. Although the AJC suggests that, whatever the cost of the document, it was

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insignificant in terms of the total budget and activities of the organization, we shall attempt to furnish additional information as it becomes available.

2. Describe in detail the methods by which AJC distributed and is distributing the AJC Report.

RESPONSE

See response to No. 1.

3. State the number of AJC Reports printed.

RESPONSE

See response to No. 1.

4. State the number of people to whom the AJC Report was provided.
State the number of members to whom the AJC Report was provided.

RESPONSE

See response to No. 1.

5. State whether AJC has received funds from business corporations and labor unions at any time during 1986. If so:

- a) state the total amount of funds received from business corporations and labor unions; and
- b) state what percent of AJC's total receipts were received from business corporations and labor unions.

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RESPONSE

Notwithstanding AJC's objection to these interrogatories, the answer to the question posed by Interogatory 5 is, yes. Furthermore,

a) Although it has no specific breakdown of how much of its contributions originate with corporations, AJC estimates the level at approximately 19%, based on an analysis of sources of contributions for a subsequent fiscal year. Applying that percentage to the 1986 income figure of approximately \$18 million, AJC estimates that it received corporate contributions of about \$3.42 million.

b) Approximately 19% from corporations; an insignificant amount from labor unions.

6. State whether AJC has a policy regarding the acceptance of funds from corporations or labor unions. If so, state this policy.

RESPONSE

Such money is accepted and is considered non-membership contributions.

7. Identify the criteria used by AJC to determine its membership. State whether memberships or honorary memberships are extended to corporations and labor unions.

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RESPONSE

See Bylaws, Attachment A, p.1. There are, as a matter of administrative practice, "honorary" members who are certain retired staff and certain long-term members who advise the agency that they no longer can afford to pay membership dues.

8. What are AJC's annual dues? If AJC has different classifications of members, list each classification, the criteria for determining membership in each classification, the number of members in each classification, and the amount of dues assessed members in each classification.

RESPONSE

\$75 for regular membership; \$100 for sustaining membership; \$150 for contributing membership; \$35 for "Under 35" membership. All membership categories are entitled to receive the same benefits.

9. List and describe all benefits of membership provided by AJC, including but not limited to having access to publications, to informational, educational, or health programs or services, to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.

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- a) As to each good, service or benefit described, detail the extent to which, if at all, it is made available or accessible to non-members;
- b) State the total dollar amount of all commissions or other benefits AJC has received as a result of each good, service or benefit; and
- c) Identify the entities providing such commissions or other benefits.

RESPONSE

See Attachments B, C for description of membership benefits.

- a) Non-members may purchase those AJC publications that are intended for the public.
- b) See Attachment D. AJC objects to providing any further information on grounds of reasonable relevancy and burden.
- c) See 9. b) above.

10. State the total amount received by AJC for membership dues for 1986.

RESPONSE

\$1.34 million for fiscal 1986.

11. List all of AJC's sources of revenue other than membership dues. List each source of income by type of activity generating such

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revenue and state the amount received by AJC for 1986 from each source. State AJC's gross receipts and expenditures for 1986.

RESPONSE

See Attachment D.

12. Does AJC have any individual memberships paid for by corporations or labor organizations or charged to the accounts of corporations or labor organizations?

RESPONSE

AJC has no memberships which are attributable to or charged to business corporations or labor unions.

13. If answer to interrogatory number 12 is affirmative,
- a) list the total number of corporation-paid and labor-paid memberships; and
 - b) identify each entity paying such membership.

RESPONSE

Not applicable.

14. List each magazine or other publication published or distributed by AJC. For each such magazine or publication:
- a) list the total amount of funds collected in paid advertisements or sponsorships;

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The happenstance that Mr. LaRouche has declared himself a candidate for President cannot be held to circumscribe the AJC's right to inform the public about him and his followers. Nor, even assuming that the Report related to the purported federal candidacy of Mr. LaRouche or one of his unnamed followers, could the AJC, which inarguably is an ideological organization, be required to register with and report to the FEC. See FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616 (1986).

Notwithstanding the lack of connection of the Report to federal electoral activity and the inapplicability of the Federal Election Campaign Act of 1971 to the AJC even if the Report were so connected, the Commission's latest subpoena, interrogatories and documentary request are all presumptive of its jurisdiction.

In an attempt to narrow and expedite matters without waiving their jurisdictional objections, counsel for the respondents met with the Commission's General Counsel and staff. The upshot of that meeting was the General Counsel's statement that the Commission was faced with a number of cases in which entities were claiming exemptions under Massachusetts Citizens for Life and the need for the Commission to assure itself that such entities were true ideological committees, albeit incorporated ones, and not mere ciphers for labor unions and industrial corporations.

AJC reiterates that the Report does not even cross the threshold of connection with a federal election, and so it would be entirely

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- b) state whether such funds are placed into AJC's general treasury, and if not, identify where such funds are deposited; and
- c) identify each corporation or labor organization that was a paid advertiser or sponsor and state the amount each paid AJC.

RESPONSE

AJC objects on grounds of reasonable relevancy and burden. Notwithstanding its objection to these interrogatories, AJC states that it has no comprehensive such list. However, its various publications are described throughout Attachment E, the AJC Annual Report for 1985-6. Furthermore,

- a) See Attachment D.
- b) Said funds are deposited into the AJC's general account.
- c) AJC states that any amounts so received are negligible in terms of its overall budget.

15. Identify all documents maintained by AJC relating to the receipt of funds from any source, including but not limited to advertising, revenue, contributions or other revenue generating activity.

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RESPONSE

Although it objects to these interrogatories, AJC invites the Commission's attention to Attachments D, and F, AJC's IRS Form 990 for 1986.

16. List each AJC conference, meeting or other event financially supported by any business corporation or labor organization during 1986. For each event, list the identify of each corporation or labor entity sponsoring the event and dollar amount of the support of each.

RESPONSE

AJC objects on the grounds of reasonable relevancy and burden. Moreover, AJC states that certain events are funded through sales of tickets, which includes sales to business corporations and to an insignificant extent, to labor organizations.

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Copies of any and all documents which relate, refer or pertain to costs associated with the production and distribution of the AJC Report.

RESPONSE

See response to Interrogatory No. 1.

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2. Copies of AJC's Certificate of Incorporation, Articles of Incorporation, and all By-Laws.

RESPONSE

See attachments A, G.

3. All documents identified in your response to this subpoena, identifying each of them as to paragraph number of the interrogatory pursuant to which the document is produced.

RESPONSE

See interrogatory responses, passim.

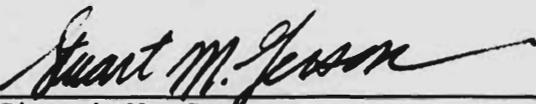
4. Copies of AJC's completed Internal Revenue Service Form 990 for 1986.

RESPONSE

See attachment F.

Respectfully submitted,

Epstein Becker & Green, P.C.

By: 

Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900

Attorneys for American Jewish Committee

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RESPONSE

See attachment F.

Respectfully submitted,
Epstein Becker & Green, P.C.

By: *Stuart M. Gerson*
Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900
Attorneys for American Jewish Committee

ATTESTATION

I HEREBY DECLARE, under penalty of law, that the foregoing responses are complete and accurate to the best of my knowledge and belief.

Ira Silverman

IRA SILVERMAN
Executive Vice President
The American Jewish Committee

Sworn to before me this 14th day
of September, 1988.

Marsha Turken
Notary Public

MARSHA TURKEN
Notary Public, State of New York
No. 31-4724531
Qualified in New York County
Commission Expires February 28, 1989

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**EXHIBIT F (INTERNAL REVENUE SERVICE FORM 990) HAS BEEN
REMOVED FROM THE FILES.**

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A

THE AMERICAN JEWISH COMMITTEE

Bylaws*

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*As Amended in 1983

BYLAWS*

MEMBERS, CHAPTERS AND UNITS

Section 1. **Eligibility** - Jews, their spouses and children, who are citizens or resident aliens of the United States and who desire to aid in furthering the purpose and program of the American Jewish Committee shall be eligible for membership in the Committee.

Section 2. **Chapter and Unit Organization** - Chapters and units shall be organized in such localities as the Board of Governors shall determine. Each chapter shall elect its own officers. The officers of a unit shall be appointed by the President of the American Jewish Committee for a period of two years. Each chapter or unit shall adopt such rules of procedure as it may determine, subject to the approval of the Secretary of the American Jewish Committee after they have been found to be consistent with these bylaws and with any standards established by the Board of Governors.

Section 3. **Charters** - Upon approval of its proposed rules, each chapter shall receive from the Board of Governors a charter setting forth the Chapter's privileges and responsibilities. Each unit shall receive a certificate setting forth its rights and obligations. No chapter or unit shall be recognized as such until it has received its charter or certificate. The charter or certificate may be revoked for cause by the Board of Governors upon consideration of the report of a special committee appointed by it to examine charges against a chapter or unit.

Section 4. **Function of Chapters and Units** - Within the framework of the established policy of the American Jewish Committee, it shall be the function of chapters and units to provide a means of bringing together all persons who share the general viewpoint of the American Jewish Committee and believe in its objectives and procedures; to mobilize community support for the viewpoints and actions of the Committee and for the financing of its work; to develop an informed membership and make recommendations relating to Committee policies and programs, and to participate in the formulation of such policies and programs; to assist in carrying out programs both nationally and locally; to handle community relations in the communities; and to report to the national office on local conditions and opinions relating to committee work. Units may be formed where the AJC members residing in a community wish to join together to perform one or more of the functions above, but whose number is insufficient to permit them to function as a chapter.

Section 5. **Chapter and Unit Membership** - Membership in a chapter or unit shall constitute membership in the American Jewish Committee.

*Amendment adopted in 1983 is indicated by underlining.

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Section 6. National Membership - Individuals ineligible by reason of their residence to become members of chapters or units, but otherwise eligible for membership in the American Jewish Committee, shall be accepted as national members.

Section 7. Dues Payment - Each member shall pay annual dues in an amount determined by the Board of Governors. Such portion of such dues as shall be determined by the Board of Governors shall be remitted to the chapters and units, and such other branches as may be determined by the Board of Governors.

NATIONAL EXECUTIVE COUNCIL

Section 8. Constituency - The National Executive Council of the American Jewish Committee shall constitute the corporate membership of the American Jewish Committee, possessing all the powers conferred upon the body corporate by the act of incorporation as from time to time amended. The National Executive Council shall be composed of membership drawn from the elements and components of the American Jewish Committee in the manner below provided.

Section 9. National Executive Council Members Designated by Chapters and Units - Designation of members of the National Executive Council by chapters and units shall be based on the number of paid-up American Jewish Committee membership units.

(a) Each chapter and each unit shall, from among its members, designate National Executive Council members equal in number to the following:

(i) Chapters or units with fewer than 50 paid-up membership units shall be entitled to designate two members.

(ii) Chapters or units having 50 to 100 paid-up membership units shall be entitled to designate five per cent (5%) of such paid-up membership units, to the nearest integer.

(iii) Chapters or units having 101 to 500 paid-up membership units shall be entitled to designate 1 member plus four per cent (4%) of such paid-up membership units, to the nearest integer.

(iv) Chapters or units having 501 to 1,000 paid-up membership units shall be entitled to designate 6 members plus three per cent (3%) of such paid-up membership units, to the nearest integer, or 30 members, whichever is less.

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(v) Chapters or units having at least 1,001 paid-up membership units shall be entitled to designate three per cent (3%) of such paid up membership units, to the nearest integer, except that the total number of National Executive Council members from any chapter shall not exceed 100.

(b) Designations to the National Executive Council by chapters and units shall be made annually. The Secretary of each such chapter or unit shall notify the national Secretary of the American Jewish Committee of its designations at least 90 days prior to the Annual Meeting.

(c) In the event that a National Executive Council member designated by a chapter or unit shall be unable to attend a meeting of the National Executive Council, such member's vote may be cast by an Alternate selected by the Chairperson of the chapter or unit, provided that the Alternate is a member of the same chapter or unit of the American Jewish Committee, and provided further that the national Secretary of the American Jewish Committee shall be notified of the name of the Alternate prior to the meeting.

(d) Where a vacancy occurs during a member's tenure, the chapter or unit Chairperson may appoint another member to fill the unexpired portion of the term on the same conditions as provided in the case of a member unable to attend.

Section 10. Members-at-Large of the National Executive Council - The Board of Governors shall elect no fewer than 150 nor more than 175 Members-at-Large to the National Executive Council at least 60 days in advance of the Annual Meeting, in accordance with the following:

(a) Such election shall be limited to candidates comprising a slate submitted to the Board of Governors by the Nominating Committee, together with the names of such candidates presented to the Board of Governors by petition of at least 20 of its members.

(b) In the event that a vacancy should occur during the tenure of a Member-at-Large, the Board of Governors may elect a Member-at-Large to fill the unexpired term.

Section 11. Ex-Officio Members of the National Executive Council - All members of the Board of Governors, including ex-officio, Honorary and Life Members thereof, shall be members of the National Executive Council and shall serve with full rights and privileges.

Section 12. Term - The term of each National Executive Council member shall be two years and until his or her successor is elected or appointed. Notwithstanding the foregoing, of those members elected or appointed in advance of the 1978 Annual Meeting one-half shall be for a term of two years and one-half for a term of one year. In advance of each Annual Meeting thereafter one-half of the members of the Council shall commence two year terms.

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Section 13. Voting - Each properly accredited member, or properly accredited Alternate shall have one vote.

Section 14. Credentials Committee - Prior to the opening of a meeting of the National Executive Council, the President, at his or her discretion, may appoint a Credentials Committee of not less than 3 nor more than 9 members in good standing of the American Jewish Committee. The Credentials Committee shall be empowered to determine and to grant or deny certification of the right to vote of any challenged National Executive Council Member or Alternate.

Section 15. Meetings - The National Executive Council shall meet at least twice annually, at times and places designated by the Board of Governors, the two required meetings being, respectively, the Annual Meeting and the Stated Meeting. Special meetings may be called by the Board of Governors or by the President, or upon the written request of at least 75 members of the National Executive Council.

Section 16. Quorum - Five per cent (5%) of the National Executive Council shall constitute a quorum at any of its meetings.

Section 17. Notice of Meetings of the National Executive Council - Written notice of each Annual and Stated Meeting of the National Executive Council shall be mailed by order of the Secretary to each member of the National Executive Council at least 10 days prior to the date of such meeting. In the case of Special Meetings, the notice shall contain a brief statement of the subject matter to be considered thereat.

Section 18. Powers - The National Executive Council shall have ultimate authority over and responsibility for the business and affairs of the American Jewish Committee.

THE BOARD OF GOVERNORS

Section 19. Authority - Subject to the powers conferred upon the National Executive Council by the act of incorporation and these Bylaws, the business and affairs of the American Jewish Committee shall be conducted by the Board of Governors.

Section 20. Constituency - The Board of Governors shall be comprised of the following:

- (a) Ninety (90) members of the American Jewish Committee, who shall be elected to the Board of Governors by the National Executive Council.
- (b) To the number of elected members, above, shall be added all the national officers of the American Jewish Committee enumerated in Section 35 of these Bylaws, who shall serve ex-officio, with full voting rights.

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(c) Those Commission and Council Chairpersons, Chairpersons of all permanent standing Committees reporting directly to the Board and Regional Presidents who are not regularly elected members of the Board shall also serve ex-officio, with full voting rights.

(d) Honorary Members and Life Members who have received such designation prior to the adoption of these Bylaws shall also be members of the Board of Governors by virtue of their designations. Elections to the category of Life Member are hereby discontinued, but nothing in this Subparagraph "(d)" shall be construed to affect the rights and privileges of those who have previously received such titles for the remainder of their respective terms of office. Honorary Members shall henceforth be nominated by the Nominating Committee and elected by the National Executive Council for rendition of exceptional and outstanding service to the American Jewish Committee, based on criteria established by the Nominating Committee. Both Life and Honorary Members shall serve on the Board of Governors with all rights and privileges.

Section 21. **Term** - The term of each elected member of the Board of Governors shall be for three years and until his successor is elected. No elected member shall serve more than two consecutive three-year terms. Such limitation shall not apply to members of the Board of Governors ex-officio or by virtue of Honorary or Life Membership designations.

In the event that a vacancy should occur during the tenure of an elected member, the Board of Governors may elect a successor to fill the unexpired term.

Section 22. **Meetings** - Regular meetings of the Board of Governors shall be held at least six times a year, at such times and places as may be fixed by the Board of Governors. Special meetings of the Board of Governors shall be held when called by its Chairperson or at the request of the President, or at the written request of at least five members of the Board of Governors.

Section 23. **Quorum** - One-fifth (1/5) of the members of the Board of Governors shall constitute a quorum at any meeting.

Section 24. **Notice of Meetings** - Written notice of each meeting of the Board of Governors shall be mailed by order of its Chairperson at least ten days in advance of the date of such meeting, or telegraphed five days prior thereto.

Section 25. **Executive Committee** - There shall be an Executive Committee consisting of the following persons:

The President; the Chairpersons of the National Executive Council, the Board of Governors and the Board of Trustees; the Treasurer; the Secretary; the Associate Treasurer; the Executive Vice-President; the National Vice-Presidents; the Honorary Presidents; the Executive Vice-Presidents Emeriti; the Chairpersons of all National Commissions, of the Community Services Committee, the Budget Committee, the Committee on Organization and the

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Management Council and the Chairpersons of all national program committees directly responsible to the Board of Governors. In addition, subject to the approval of the Board of Governors, the President, at his discretion, may appoint up to five members of the Board of Governors to serve as members-at-large of the Executive Committee for terms of one year.

The Executive Committee shall meet between meetings of the Board of Governors when convened by the President, its Chairperson, the Executive Vice-President or upon request of three or more of its members. Minutes of all meetings shall be circulated to the Board of Governors.

The Executive Committee shall act when necessary with the authority of and in place of the Board of Governors except that it shall take no action that can, without prejudice, await the next scheduled meeting of the Board of Governors.

The Executive Committee shall act by majority vote of those present at any meeting. Five members shall constitute a quorum.

The President shall designate a member of the Board of Governors to serve as Chairperson of the Executive Committee.

Section 26. Reports - The Board of Governors shall report regularly to the National Executive Council, which shall have the power of review and ultimate determination thereon. Such reports shall be rendered at the Annual and Stated Meetings of the National Executive Council and at such other times as may be required by the President.

Section 27. National Commissions, Councils and Committees - Except as otherwise provided in these Bylaws, the Board of Governors shall determine what Commissions, Councils and Committees shall be established to conduct the work and administer the affairs of the American Jewish Committee. Such bodies shall report to the Board of Governors. Each Council and Commission shall consist of at least 15 persons at large and one representative from each chapter which advises the President that it wishes to be so represented. Chapters shall be asked to make recommendations to the President, from among their members, for each Council, Commission and Committee on which they wish to be represented. The following provisions and mandates shall be applicable to these bodies:

(a) **Commissions** - The Board of Governors shall establish commissions of the American Jewish Committee for program development, operations and activities in the areas respectively allocated to them, as indicated by their respective titles and as those areas shall be more fully defined and allocated by the Board of Governors, including, without limitation, Commissions responsible for the following program areas: domestic affairs, foreign affairs, interreligious affairs; and Jewish communal affairs. Each Commission shall fix its own quorum.

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(b) **Management Council** - The Board of Governors shall establish a Management Council, which shall be responsible for management, personnel, retirement and related affairs of the American Jewish Committee, as those areas and affairs shall be more fully defined and allocated by the Board of Governors. The Management Council shall fix its own quorum.

(c) **Constituency of Commissions, Councils and Committees** - The President shall appoint a Chairperson and the members of each Commission, Council and Committee. The Chairperson and the members shall serve thereon for terms of one year, but no Chairperson of any Commission, Council or Committee shall serve as such for more than three successive one-year terms.

THE BOARD OF TRUSTEES

Section 28. **Authority** - The Board of Trustees shall be responsible for the development, investment and management of the funds of the American Jewish Committee, and shall be directly responsible to the Board of Governors.

Section 29. **Constituency** - The members of the Board of Trustees shall be appointed by the President. Its Chairperson shall be elected by the National Executive Council.

Section 30. **Term** - The term of each member of the Board of Trustees shall be one year and until his successor is appointed. In the event that a vacancy should occur during the tenure of a member of the Board of Trustees, the President may appoint a successor to fill the unexpired term.

Section 31. **Meetings** - Regular meetings of the Board of Trustees shall be held at such times and places as may be fixed by the Board of Trustees. Special meetings shall be held when called by its Chairperson, or by the President, or at the written request of at least five members of the Board of Trustees.

Section 32. **Quorum** - The Board of Trustees shall fix its own quorum.

Section 33. **Committees** - The Board of Trustees shall supervise such committees and like bodies which function within the purview of the Board's responsibility and which have been delegated by the Board of Governors to report to the Board of Trustees.

Section 34. **Reporting** - The Board of Trustees shall periodically report to the Board of Governors as to all matters and activities within the purview of the Board of Trustees.

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OFFICERS

Section 35. Enumeration of Officers and Their Election - The officers of the American Jewish Committee shall be: the President; the Chairpersons; respectively, of the National Executive Council, Board of Governors, and Board of Trustees; an Executive Vice President; not more than 11 Vice Presidents; Secretary; Treasurer; and Associate Treasurer; all of whom, with the exception of the Executive Vice President, shall be elected at the Annual Meeting of the National Executive Council. There shall also be such Honorary Officers as have already been determined or shall be determined in the future by the National Executive Council.

Section 36. Terms of Office - Terms of Officers: The term of each of the officers, other than the Executive Vice President, shall be one year from the date of annual election and until his or her successor is chosen, except that he or she shall not be elected to his or her office for more than three successive one-year terms. Honorary officers shall not be limited in the number of terms to which they may be re-elected. All officers elected prior to the adoption or amendment of these Bylaws shall be governed by those Bylaws in effect at the time of their initial election.

Executive Vice President: The Executive Vice President shall be elected by the Board of Governors for a term fixed by them in their absolute and final judgment and discretion. After such election for such term, the Board of Governors shall certify the fact of such election to such term to the Secretary, who shall report the same to the National Executive Council at the Annual or Stated Meeting next succeeding such election.

Section 37. The President - The President shall be the chief executive officer of the American Jewish Committee, shall have such powers and perform such duties as usually pertain to the office of President, shall appoint the Chairpersons and members of all commissions, councils and committees except where otherwise expressly provided in these Bylaws, and shall be ex-officio a member of all commissions, councils and committees of the American Jewish Committee — except the Nominating Committee — and shall have the right to vote.

Section 38. Chairperson of the National Executive Council - The Chairperson of the National Executive Council shall preside at meetings thereof, and shall perform such other duties as shall be assigned by the National Executive Council consistent with these Bylaws. In the event of the death, resignation, absence or disability of the President, and until a successor to the President has been elected pursuant to Section 46 of these Bylaws, the Chairperson of the National Executive Council shall exercise the powers and perform the duties of the President.

Section 39. Chairperson of the Board of Governors - The Chairperson of the Board of Governors shall preside at meetings of that Board. He or she shall have such powers and perform such duties as may be assigned by the Board of Governors.

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Section 40. Chairperson of the Board of Trustees - The Chairperson of the Board of Trustees shall preside at meetings of the Board of Trustees. He or she shall have such powers and perform such duties as may be assigned by the Board of Trustees.

Section 41. Vice Presidents - Each Vice President shall have such powers and perform such duties as may be assigned by the National Executive Council.

Section 42. Executive Vice President - Subject to the President, the National Executive Council, and the Board of Governors, the Executive Vice President shall exercise general supervision over the organization, and shall serve as chief of staff. He or she shall be ex-officio a member of all commissions, councils and committees of the American Jewish Committee — except the Nominating Committee — and shall have the right to vote.

Section 43. Secretary - The Secretary shall keep the minutes of all meetings of the National Executive Council and the Board of Governors and shall perform such duties as usually pertain to the office of Secretary.

Section 44. Treasurer - The Treasurer shall have custody of all funds of the American Jewish Committee. He or she shall perform such duties as usually pertain to the office of Treasurer, and shall render such reports as the Board of Trustees, the Board of Governors and the National Executive Council may request.

Section 45. Associate Treasurer - The Associate Treasurer shall assist the Treasurer in the performance of his or her duties.

Section 46. Vacancies - In the event of the death or resignation or permanent disability of the President, or of any of the Chairpersons described in Section 35 hereof, the successor shall be elected by the Board of Governors for the balance of the term for which that officer had been elected. This election shall take place at the next succeeding meeting of the Board of Governors, or at a special meeting of that Board convened for that purpose, after receiving from the Nominating Committee the name or names of a candidate or candidates for each such vacant office. Such nomination shall be submitted to the Chairperson of the Board of Governors, if any, or to the President if a vacancy exists in the Chairpersonship of the Board of Governors, and said Chairperson or the President, as the case may be, shall, at least ten days before the Board of Governors meets to elect a candidate or candidates for each such vacant office, submit that nomination or those nominations to the members of the Board together with notice of the date fixed for the meeting of the Board to conduct such election. Additional nominations for each such vacant office may be submitted in writing by any group of twenty or more members of the Board of Governors, provided further that they are received by the Secretary of the American Jewish Committee at least two days before the meeting of the Board of Governors convened for the purpose of voting upon such nomination or nominations as has or have already been submitted. The officer or officers so elected shall have such powers and perform all the duties and functions usually pertaining to the vacant office or offices thus filled. Other vacancies in office shall be filled by the Board of Governors for the unexpired portions of their respective terms.

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THE NOMINATING COMMITTEE

Section 47. Appointment - Each year the President shall submit for the approval of the National Executive Council a list of not less than ten nor more than fifteen members, none of whom shall be a national officer, to serve as a Nominating Committee until a new Nominating Committee has been appointed and approved. Honorary Officers shall not be precluded from membership on the Nominating Committee. The list prepared by the President shall be circulated to the National Executive Council at least two weeks in advance of the meeting at which the Nominating Committee list is to be approved.

Section 48. Functions of the Nominating Committee - The Nominating Committee shall nominate a candidate for each officer of the American Jewish Committee; for Members-at-Large of the National Executive Council; for the Board of Governors and for Honorary Members of the Board of Governors. Nominations other than those for Members-at-Large of the National Executive Council shall be mailed to the members of the National Executive Council at least three weeks prior to the Annual Meeting. Nominations for Members-at-Large shall be mailed to the members of the Board of Governors at least 60 days in advance of the Annual Meeting at which such members are to take office. Nothing herein shall be construed to disqualify a member of the Nominating Committee from nomination for election as a member of the National Executive Council, or the Board of Governors, or for any other office, but upon his or her election to the post for which he or she has been nominated, his or her place on the Nominating Committee shall thereupon become vacant and he or she shall no longer serve thereon. If any nominee shall die, withdraw his or her name or become incapable of acting, the Nominating Committee shall name another in his or her place prior to the Annual Meeting, with due notification by mail to members of the electing body, if time allows, or from the floor of the meeting at which such election shall take place if time does not allow for notice by mail. Nominations in writing for election by the National Executive Council may also be made by any group of twenty or more members of the National Executive Council, provided that such nominations are accompanied by the written consent of the nominee or nominees and provided further that they are submitted to the Secretary of the American Jewish Committee at least one week before the Annual Meeting.

Section 49. Criteria - The Nominating Committee shall formulate and establish criteria and guidelines with a view to the succession of leadership of the American Jewish Committee, in terms of age, geography and commitment.

OFFICE

Section 50. The principal office of the American Jewish Committee shall be in the City of New York. Other offices may be established by the National Executive Council or the Board of Governors.

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TERM

Section 51. Wherever in these Bylaws a term is specified for an office, membership on a committee, board or other body, the term shall continue until a successor has been appointed or elected and qualified as provided in these Bylaws.

AMENDMENT

Section 52. The National Executive Council shall have the power to amend the Bylaws provided that such amendment be carried by a plurality of at least 20 votes, and provided further that the following conditions be met: A proposed amendment to the Bylaws shall be submitted to the National Executive Council by the Board of Governors at least 30 days prior to the day of the meeting at which such proposed amendment is to be acted upon. Such amendment may be proposed by any chapter or unit or by the Board of Governors or by any fifteen members of the National Executive Council. Such proposed amendment, if not originating in the Board of Governors, shall be submitted to the Board of Governors at least forty-five days before the date of the Annual or Stated Meeting of the National Executive Council at which it is to be considered. Furthermore, any group which intends to submit such proposed amendment to the Board of Governors shall notify the Board of the intention to submit such proposed amendment at least sixty days prior to the Annual or Stated Meeting of the National Executive Council at which such amendment is to be considered.

EFFECTIVE DATE

Section 53. These Bylaws shall become effective December 4, 1970, superseding all previous Bylaws.

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**Membership
in The American Jewish Committee offers:**

PRESENT TENSE — a subscription to the special membership edition of AJC's quarterly magazine of Jewish world affairs

NEW & VIEWS — AJC's membership newsletter that reports on events and analyzes issues, programs and policies

INVITATIONS TO PARTICIPATE — in communities where AJC maintains chapters, members can participate in local program activities, discussion groups, etc. via invitations to forums, speaker events, open board meetings, programmatic committee involvement... in areas without active chapters, members can become involved through Community Network programming and also receive frequent substantive mailings from AJC's national office.

BACKGROUNDERS — and newsletters reporting on international and national affairs, interreligious activities and issues of Jewish communal concern.

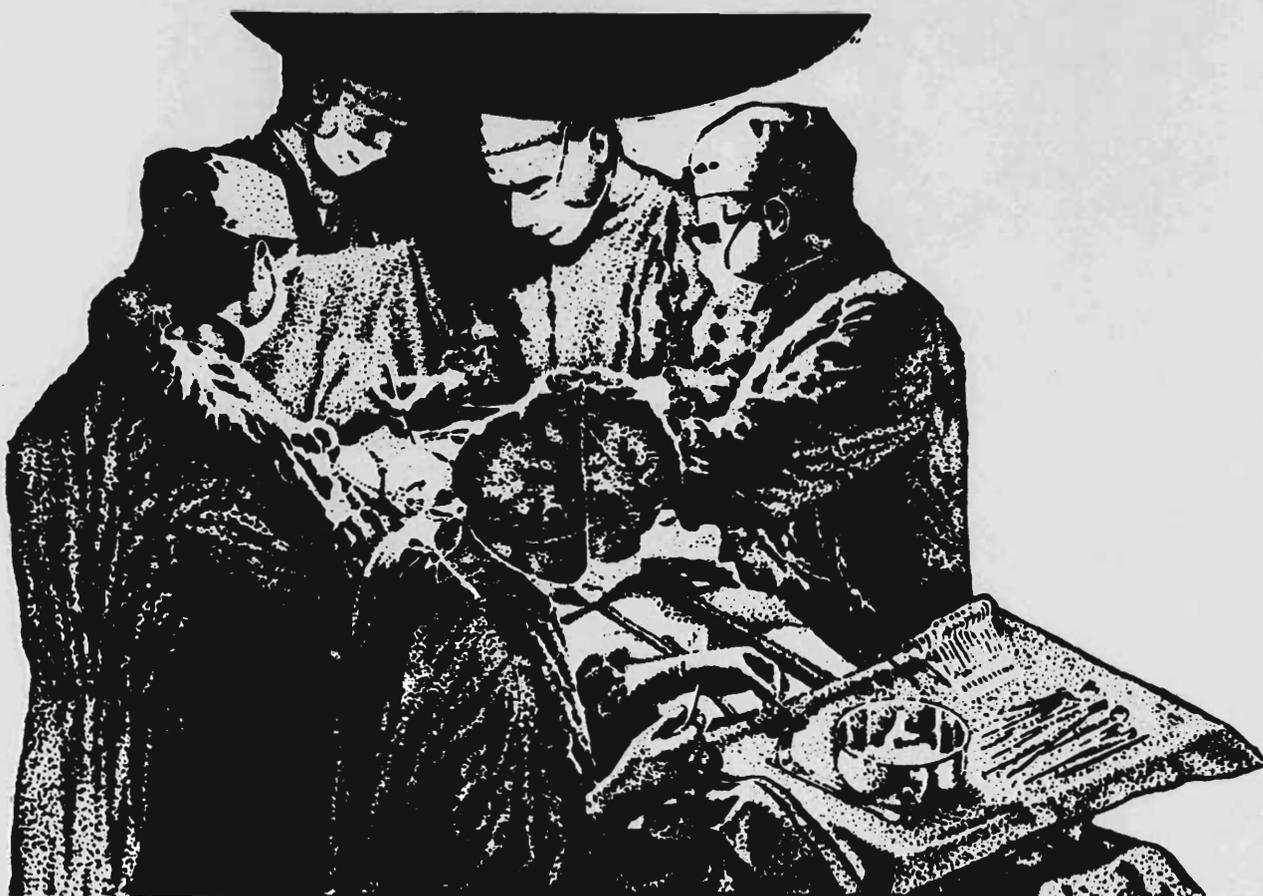


American Jewish Committee

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\$1,000,000 Excess Major Medical Insurance Plan

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Sponsored and Supervised for its members by American Jewish Committee

\$1,000,000 Excess Major

Insurance covering 100% of the following reasonable and customary expenses after the deductible*

***Choice of two deductibles:
\$25,000 or \$50,000**

Daily hospital room and board not to exceed \$300 per day.

Intensive care confinement not to exceed \$450 per day.

Treatment by a currently licensed physician, surgeon or licensed physiotherapist.

Private duty services of a licensed nurse not to exceed \$12 per hour, to a maximum of 45 days in a benefit period. Benefits will not be paid to any one nurse in excess of one 8-hour shift per day.

Surgery.

Blood and blood plasma; artificial limbs and eyes; surgical dressings, casts, splints, braces, trusses, crutches.

Prescription drugs and other medications dispensed by a licensed pharmacist.

Oxygen.

Anesthetic and its administration. :

Radiation treatment. :

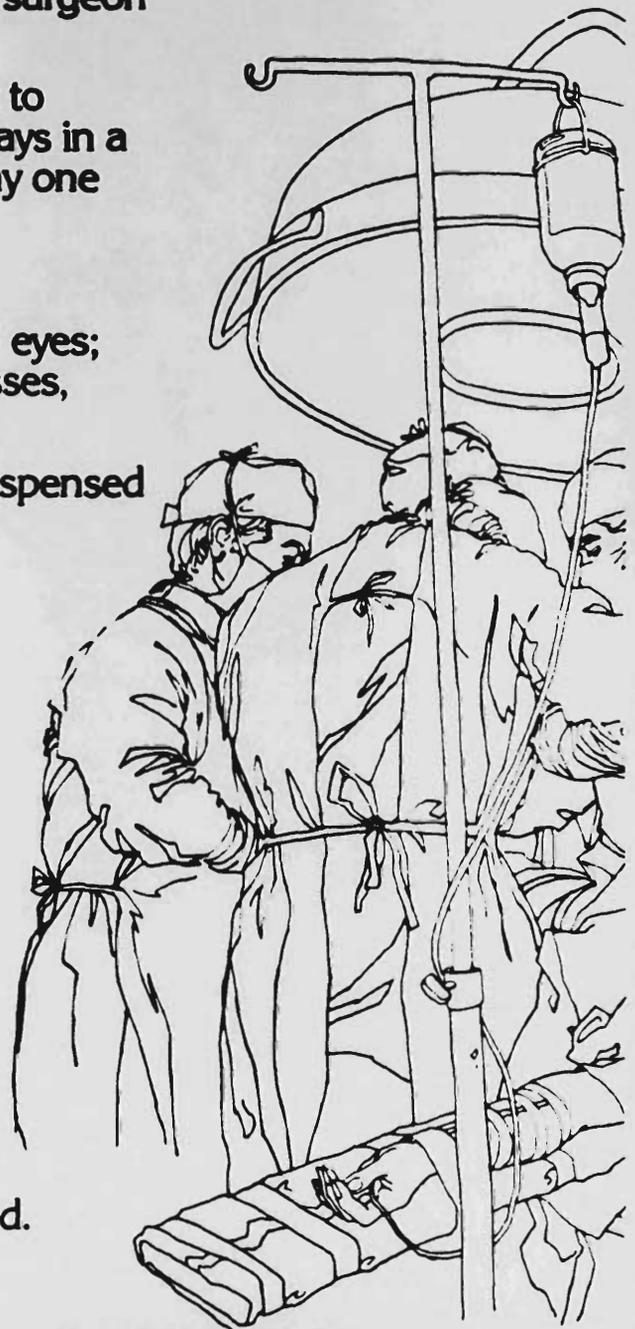
Rental of durable medical equipment prescribed by physician or surgeon.

Professional ambulance services to and from the hospital, not to exceed \$1,000 per condition.

X-ray and laboratory examination.

Dental treatment for a fractured jaw or injury to sound natural teeth.

Mental and nervous disorders not to exceed \$5,000 lifetime benefit while hospital confined.



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Medical Insurance Plan

Your AMERICAN JEWISH COMMITTEE \$1,000,000 Excess Major Medical Plan is specifically designed to cover hospital-medical-surgical expenses in excess of those covered by most major medical plans.

The Deductible feature keeps your premium low. It is important that you understand how the Deductible is applied. First, keep in mind that the Plan will not duplicate any payments for which you qualify under other insurance. Therefore, in determining the Deductible, benefit payments from other insurance plans must be considered. By definition, the Deductible will be the benefits for which you qualify from other insurance. (including Medicare Parts A & B)—OR—\$25,000 (\$50,000 if that option is selected), whichever amount is larger.

The deductible applies separately to each injury and to each sickness and must be accumulated within two years from the date the first eligible expense is incurred. After a covered person has accumulated the deductible in eligible expenses the Plan begins to pay 100% of eligible expenses for that accident or sickness during the benefit period. The benefit period ends after three years from the date the deductible is satisfied or, if earlier, the end of any 90-day period during which less than \$1,000 in covered expenses is incurred for that accident or sickness.

The maximum benefit of \$1,000,000 provides the in-depth protection you need against today's spiraling cost of medical care. Eligible expenses paid by your other medical insurance may be used to satisfy the deductible under this plan.

EXCLUSIONS: Pregnancy except for certain complications; treatment in a government hospital at government expense, unless charges are rendered; attempted suicide or self-destruction while sane or insane; war or military service; eye or hearing tests; eyeglasses, hearing aids or prescriptions therefor; personal services of relatives; cosmetic surgery; charges of donors for transplants; charges for a hospital confinement unless it begins, or any other expense unless it is incurred, while coverage is in force; any treatment of the teeth, gums, jaw or jaw joints except for fractured jaw or injury to natural teeth; outpatient care of mental or nervous disorders or drug abuse or alcoholism; statutory "No-Fault" auto payment; custodial care. The Plan does not cover charges paid by other group or individual, private and government or health plans.

PREEXISTING HEALTH CONDITIONS: A pre-existing condition is any sickness or injury for which you received advice or treatment during the 12 months just preceding the effective date of your coverage. Preexisting conditions will not be covered until 12 consecutive months have passed during which you received no medical advice or treatment for those conditions. After you have been insured under the Plan for 24 months, eligible expenses will be covered regardless of any preexisting conditions. Treatment includes consultation and medication.

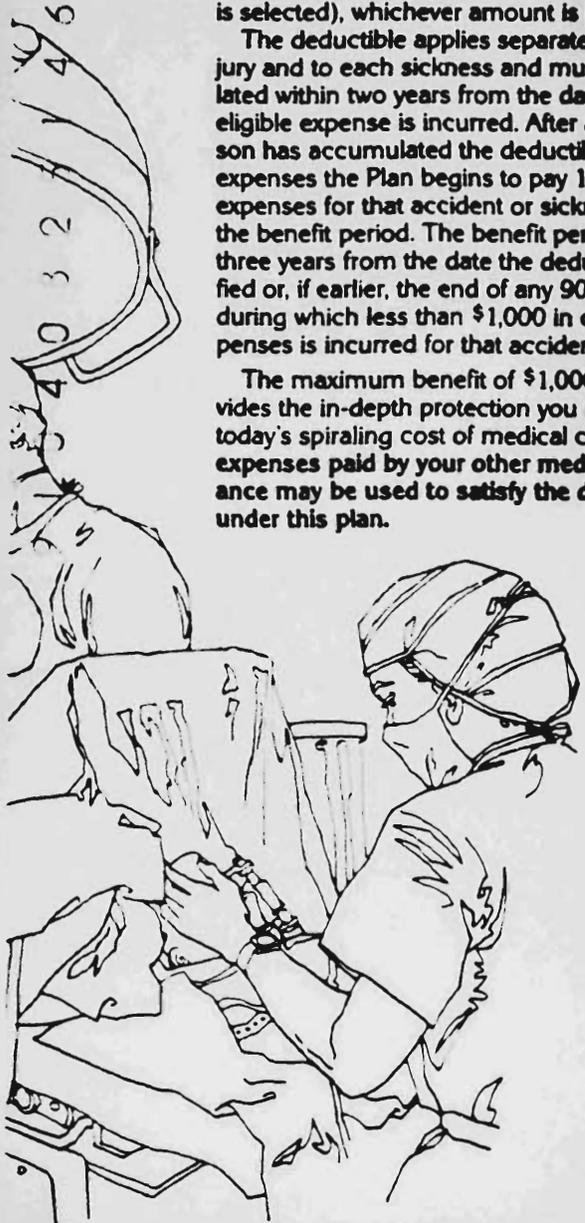
COMMON DISASTER BENEFIT: Only one deductible will apply, if more than one insured family member is injured in the same accident or contracts the same contagious disease within 30 days... each insured will be eligible for the maximum benefit.

CONVALESCENT FACILITY BENEFIT: Convalescent facility confinement benefit is available for a maximum of 30 days per calendar year and not to exceed \$100 per day. Confinement in a convalescent facility must follow within 3 days of the confinement of not less than 7 days in a general hospital. The hospital confinement must begin prior to age 65.

RENEWABILITY: Your coverage may be renewed for life as long as you remain a member, your premiums are paid and the Plan remains in force. The association and the insurance company may agree to amend the policy at any time. Either the company or the association may terminate the policy. Consent of any person is not required.

SURVIVOR CLAUSE: Dependents of deceased Members may continue their protection provided they meet the normal eligibility requirements.

A GRACE PERIOD OF 31 DAYS is allowed for payment of renewal premium.



WHO MAY APPLY: Every member and spouse under age 65. Unmarried, dependent children from birth to age 19 are also eligible. (To age 25, if full-time college student.)

HOW TO APPLY: Complete enrollment form below and return it in the envelope provided for your convenience.

Your check or money order made payable to Tarlov-Tilles Group Agency must accompany your enrollment form.

EFFECTIVE DATE OF COVERAGE: Coverage will become effective on the first of the month following the date your enrollment form is accepted and all requirements have been met. A person in a gainful occupation must be engaged in that occupation on the effective date. A person not in a gainful occupation must be performing the duties of a person of like age and sex.

Administered at no cost to AMERICAN JEWISH COMMITTEE by-



Group Administration Agency, Inc.
20 North Wacker Drive,
Chicago, Illinois 60606

Toll Free Number 800-621-1666
In Illinois 312/372-0973

Underwritten by

DURHAM LIFE INSURANCE CO.
Raleigh, NC 27611

For **TARLOV-TILLES GROUP AGENCY, INC.**

THIS BROCHURE gives an outline of the principal features of the Plan. Upon enrollment you will receive a certificate which contains all of the insuring provisions of the group master policy form G1580.

*For renewal purposes only. Premiums apply at Member's age when insurance becomes effective and at attained age on renewal dates. Premiums may be adjusted for the entire group.

G-3067 (3543) Ed. 4/87

\$25,000 Deductible Annual Premium				
Member's Age	Member	Member & Spouse	Member, Spouse & Child(ren)	Member & Child(ren)
Under 40	\$ 93.60	\$178.80	\$249.60	\$164.80
40-49	123.20	235.20	284.00	172.00
50-59	187.20	382.40	401.60	225.60
60-64	240.00	469.60	504.80	275.20
65 & over*	292.00	572.00	603.60	323.20

\$25,000 Deductible Semiannual Premium				
Member's Age	Member	Member & Spouse	Member, Spouse & Child(ren)	Member & Child(ren)
Under 40	\$ 46.80	\$ 89.40	\$124.80	\$ 82.40
40-49	61.60	117.60	142.00	86.00
50-59	93.60	181.20	200.80	112.80
60-64	120.20	234.80	252.40	137.60
65 & over*	146.00	286.00	301.80	161.60

\$50,000 Deductible Annual Premium				
Member's Age	Member	Member & Spouse	Member, Spouse & Child(ren)	Member & Child(ren)
Under 40	\$ 57.60	\$109.60	\$156.80	\$105.60
40-49	79.20	152.40	185.60	112.00
50-59	126.40	246.40	272.00	152.00
60-64	164.80	323.20	344.00	185.50
65 & over*	208.00	411.20	430.40	228.80

\$50,000 Deductible Semiannual Premium				
Member's Age	Member	Member & Spouse	Member, Spouse & Child(ren)	Member & Child(ren)
Under 40	\$ 28.80	\$ 54.80	\$ 78.40	\$ 52.80
40-49	39.60	76.20	92.80	56.00
50-59	63.20	123.20	136.00	76.00
60-64	82.40	161.60	172.00	92.00
65 & over*	104.20	205.60	215.20	114.40

ENROLLMENT FORM - AMERICAN JEWISH COMMITTEE'S \$1,000,000 EXCESS MAJOR MEDICAL INSURANCE PLAN

Premium Mode Desired: Annual Semiannual Choose your deductible: \$25,000 \$50,000

Name _____ Birthdate _____

Address _____

City _____ State _____ Zip _____

If family coverage is desired, please list below:

Spouse _____ Birthdate _____ Child _____ Birthdate _____

Child _____ Birthdate _____ Child _____ Birthdate _____

I understand that this policy will not pay benefits for a condition for which advice or treatment was received during the 12 months prior to this application until 12 consecutive months have elapsed ending on and after the effective date, without treatment for that disease—OR—the insurance has been in force for 24 months, whichever is the earlier.

SIGNATURE _____

DATE _____

GA-353 (3543) 4/87

DURHAM LIFE INSURANCE COMPANY; RALEIGH, NORTH CAROLINA

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The American Jewish
Committee

60,588
68,081
83,131

11,800

218,359
159,093
437,500
367,590
650,220
230,625

063,387

975,187

1,425,688
554,815
2,425,843
5,591,221
559,332
1,375,631
1,755,705

\$13,688,235

1,175,172
2,120,615

\$ 3,295,787

\$16,984,022

991,165
8,986,176

\$ 9,977,341

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The American Jewish
Committee

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The American Jewish Committee and Affiliated Organizations
Combined Statement of Support, Revenue and Expenses
For The Year Ended June 30, 1986

Public Support:	
Contributions	\$13,560,588
Membership Dues	1,168,081
Legacies and Bequests	<u>183,131</u>
Total Public Support	<u>\$14,911,800</u>
Revenue:	
Commentary Magazine and Related Revenue	1,218,359
Other Publications	159,093
Rent	437,500
Interest and Dividends	367,590
Gain on Sale of Investments	650,220
Other	<u>230,625</u>
Total Revenue	<u>\$ 3,063,387</u>
Total Public Support and Revenue	<u>\$17,975,187</u>
Expenses:	
Program Services:	
National Affairs	1,425,688
Interreligious Affairs	554,815
Foreign Affairs	2,425,843
Community Services and Membership	5,591,221
Jewish Communal Affairs	559,332
Commentary Magazine	1,375,631
Public Education, Information and Research	<u>1,755,705</u>
Total Program Services	<u>\$13,688,235</u>
Supporting Services:	
Management and general	1,175,172
Fundraising	<u>2,120,615</u>
Total Supporting Services	<u>\$ 3,295,787</u>
Total Expenses	<u>\$16,984,022</u>
Excess of Public Support and Revenue Over Expenses	991,165
Fund Balances — July 1, 1985	<u>8,986,176</u>
Fund Balances — June 30, 1986	<u>\$ 9,977,341</u>

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The American Jewish Committee and Affiliated Organizations
Combined Balance Sheet
June 30, 1986

Assets:	
Cash	\$ 648,318
Investments	8,414,207
Pledges receivable — less allowance for uncollectible pledges	3,428,547
Other receivables — less allowance for doubtful accounts	486,862
Other assets and prepaid expenses	435,285
Land, building, and equipment — at cost, less accumulated depreciation	<u>1,606,936</u>

Total Assets \$15,020,155

Liabilities and Fund Balances:	
Accounts payable and accrued expenses	\$ 3,720,100
Deferred Income	<u>1,322,714</u>

Total Liabilities \$ 5,042,814

Fund Balances:	
Restricted by donors	\$ 8,032,128
Unrestricted	338,277
Investment in land, building and equipment	<u>1,606,936</u>

Total Fund Balances \$ 9,977,341

Total Liabilities and Fund Balances \$15,020,155

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The American Jewish Committee

ANNUAL REPORT • JULY 1985-JUNE 1986

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THE AMERICAN JEWISH COMMITTEE

From Marginality to Involvement

The American Jewish Option

Trouble in Rural Jerusalem

Terrorist attacks deplored by AJC

AJC surveys Jewish

Relations Are Better than Ever

Watch for Jews Waitin Blacks,

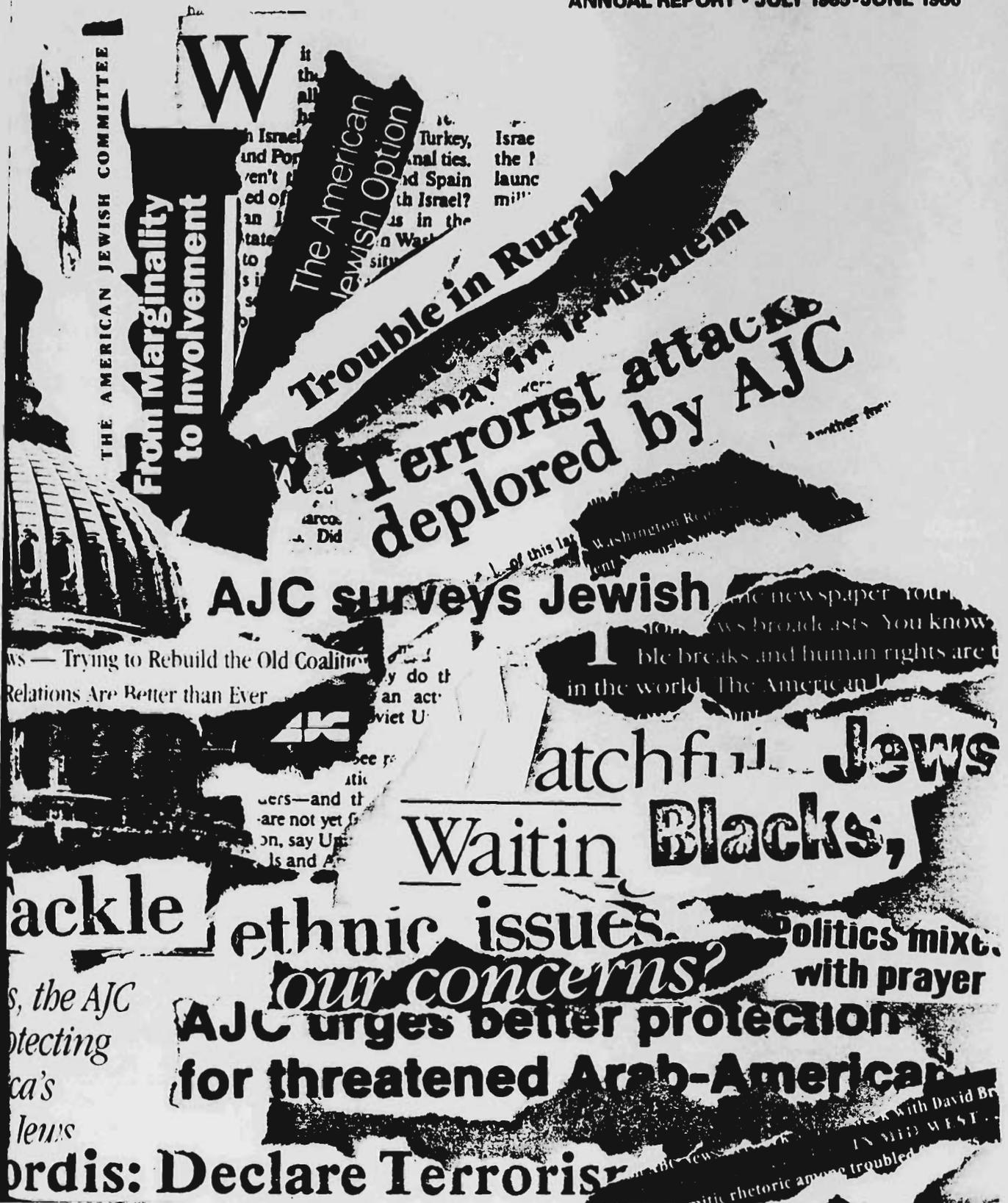
ackle

ethnic issues

our concerns?

AJC urges better protection for threatened Arab-Americans

ordis: Declare Terroris



Politics mixed with prayer

with David Br... IN MID WEST

... rhetoric among troubled

THE AMERICAN JEWISH COMMITTEE

165 East 56 Street, New York, NY, 10022-2746

AREA OFFICES

ATLANTA

3355 Lenox Road, Suite 880
Atlanta, GA 30326
(404) 233-5501

Director
Assistant Director

SHERRY FRANK
RONNIE HENDERSON

BALTIMORE

829 Munsey Building
Fayette & Calvert Sts.
Baltimore, MD 21202
(301) 539-4777

Director

LOIS ROSENFELD

BOSTON

72 Franklin Street
Boston, MA 02210
(617) 426-7415

New England Regional Director
Assistant Director

DIANE STEINMAN
REUBEN SCHWARTZ

BUFFALO

P.O. Box 407
Tonawanda, NY 14150
(716) 694-6232

Director

MARLENE GLICKMAN

CHICAGO

55 East Jackson Blvd., Suite 1870
Chicago, IL 60604
(312) 663-5500

Midwest Regional Director
Assistant Director
Assistant Director

JONATHAN LEVINE
NANCY ISSERMAN
RICHARD ZELIN

CINCINNATI

105 West Fourth Street, Suite 1008
Cincinnati, OH 45202
(513) 621-4020

Director

LORRAINE MEYER

CLEVELAND

625 Hanna Building
Cleveland, OH 44115
(216) 781-6035

Director
Assistant Director

MARTIN PLAX
ELLEN VENDELAND

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9 1 0 4 0 3 2 5 1 5 3

DALLAS
12890 Hillcrest Road, Suite 103
Dallas, TX 75230
(214) 387-2943
Director
Assistant Director

MILTON TOBIAN
HARRIET ABRAHM

DENVER
300 South Dahlia, Room 201
Denver, CO 80222
(303) 320-1742
Director

ZEV KESSLER

DETROIT
163 Madison Avenue
Detroit, MI 48226
(313) 965-3353
Director

SHERWOOD SANDWEISS

FAIRFIELD COUNTY
P.O. Box 263
Glenville Station
Greenwich, CT 06830
(203) 531-1388
Director

MURIEL BERMAR

HOUSTON
2600 Southwest Freeway, Suite 714
Houston, TX 77098
(713) 524-1133
Director
Assistant Director

ELLEN COHEN
VIKKI BRAVO

INSTITUTE FOR AMERICAN PLURALISM, MIDWEST OFFICE
55 East Jackson Blvd., Suite 1880
Chicago, IL 60604
(312) 663-5400
Midwest Coordinator
Editor
Director of Urban Traditions
Research Assistant

DAVID ROTH
PAMELA DEFIGLIO
MARGUERITE MCCLAIN
JONATHAN SHAMIS

KANSAS
2200 West 75th Street, Suite 218
Prairie Village, KS 66208
(913) 236-8313
Director

CONNIE REITZES

LONG ISLAND
P.O. Box 901
Great Neck, NY 11021
(516) 466-2980
Director

JOAN SILVERMAN

9 1 0 4 0 3 2 5 1 5 4

LOS ANGELES
6505 Wilshire Blvd., Suite 315
Los Angeles, CA 90048
(213) 655-7071

Western Regional Director
Assistant Director
Assistant Director

NEIL SANDBERG
MINTO KEATON
ANNETTE LAWRENCE

MIAMI
3000 Biscayne Blvd., Suite 412
Miami, FL 33137
(305) 576-4240

Southeast Regional Director
Assistant Director
Assistant Director

WILLIAM GRALNICK
MITCHIL DABACH
JULIE RUSSIN

MILWAUKEE
759 North Milwaukee St.
Milwaukee, WI 53202
(414) 273-6833

Director

LINDA FEIN

NEW JERSEY
303 Millburn Avenue
Millburn, NJ 07041
(201) 379-7844

Director
Assistant Director

GAYLE SORKOW
CAROL BUGLIO

NEW YORK CITY
165 East 56 Street
New York, NY 10022
(212) 751-4000

Director
Urban Affairs Specialist
Membership Director

HASKELL LAZERE
JOANNE HOFFMAN
SADYE OLIVIERI

ORANGE COUNTY, CA
1100 Main Street, Suite D-1
Irvine, CA 92714
(714) 660-8525

Director
Assistant Director

HINDA BERAL
RUTH SILVER

PHILADELPHIA
1616 Walnut Street, Suite 2106
Philadelphia, PA 19103
(215) 732-4000

Mid-Atlantic Regional Director
Assistant Director
Assistant Director

MURRAY FRIEDMAN
DORIS GOLDMAN
HADASSAH LINFIELD

PHOENIX
4710 North 16th Street, Suite 117
Phoenix, AZ 85016
(602) 279-9696

Director

JOAN TAMIS WINOGRAD

21040325155

PITTSBURGH
300 South Craig, Suite 224
Pittsburgh, PA 15213
(412) 683-7927

Director

ANNETTE KOLSKI-ANDREACO

PORTLAND
1220 S. W. Morrison, Suite 930
Portland, OR 97205
(503) 295-6761

Director

ROSALYN BORG

ST. LOUIS
7750 Clayton Road, Suite 103
St. Louis, MO 63117
(314) 647-2519

Director

HARRIET BOGARD

SAN DIEGO
8950 Villa LaJolla Drive, Suite 2210
San Diego, CA 92037
(619) 546-8777

Director

MARLA WHITE STRICH

SAN FRANCISCO
121 Stewart Street
San Francisco, CA 94105
(415) 777-3820

Director

ERNEST WEINER

Assistant Director

HELENE ZINN

SEATTLE
1404 Joseph Vance Building
1402 Third Avenue
Seattle, WA 98101
(206) 622-6315

Director

BARBARA HURST

WASHINGTON, DC
2027 Massachusetts Avenue, N. W.
Washington, DC 20036
(202) 265-2000

Director

ANDREW BAKER

Assistant Director

WILLIAM RESSLER

WESTCHESTER
48 Mamaroneck Avenue
White Plains, NY 10601
(914) 948-5585

NY/NJ Regional Director

BERNICE NEWMAN

WESTERN CAMPAIGN
6505 Wilshire Blvd., Suite 315
Los Angeles, CA 90048
(213) 655-7071

Western Regional Campaign Director
Fundraiser
Fundraiser

HARRY GUBERMAN

ELJINOR GOODMAN

EUGENE LEVINE



**The American Jewish
Committee**

ANNUAL REPORT • JULY 1965 - JUNE 1966

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*About the
American
Jewish
Committee*

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THE AMERICAN JEWISH COMMITTEE was established in 1906 to protect the civil and religious rights of Jews everywhere. Because its founders knew that the rights of Jews are best protected by safeguarding and extending the rights and freedoms of all groups, they dedicated the Committee from its inception, not only to combating anti-Semitism in all its forms and guises, but also to promoting human rights and equal opportunities for all.

The American Jewish Committee is headquartered in New York City, and has an office in Washington, D.C., area offices in 30 major U.S. cities, and overseas offices in Jerusalem, Paris and Mexico City. Its 50,000 members come from all walks of American life. They include Orthodox, Conservative, Reform, Reconstructionist and unaffiliated Jews. Some are Republicans; others, Democrats. Some call themselves liberal; others, conservative; all are active members of their communities.

The AJC's program is formulated and put in motion by an elected Board of Governors and a National Executive Council, representing all the Committee's chapters. In creative partnership with the lay leadership, a trained professional staff of more than 150 experts in community organization, education, law, religion, international relations, social research, political science and communications conducts the Committee's day-to-day operations.

Four lay program commissions oversee the work of the Committee's Interreligious, National, International and Jewish Communal Affairs departments, aided by ad-hoc committees and task forces appointed to deal with special projects and issues as they arise.

The AJC publishes two independent magazines, *Commentary* and *Present Tense*; the *American Jewish Year Book*, the standard reference on world Jewish affairs; the *Washington Report*, a newsletter that provides a Jewish viewpoint on pressing domestic and international issues; the *AJC Journal*, which features the agency's varied programs and activities; and two Hebrew-language publications, *Tefusot Israel* and the *Bulletin* of the AJC's Institute on American Jewish-Israeli Relations, both distributed in

Israel. The Committee also conducts and commissions research in many areas of Jewish concern, and early in 1986 launched a decade-long investigation of the status of Jews in the United States and throughout the world. The findings of Project 2000 are expected to aid the long-range community planning needed to safeguard Jewish security and continuity in the 21st century.

The Committee's Jacob and Hilda Blaustein Library houses a unique collection of books, documents and resource materials on all aspects of Jewish life and history, and serves as a vital resource for researchers and scholars of many disciplines.

The AJC's Department of Public Education and Interpretation provides the print and broadcast media with background information and expert consultation presenting the Jewish perspective on a wide variety of general subjects and fast-breaking events. Its syndicated radio broadcasts and educational spot announcements are carried by more than 100 local stations; and its Publications Service produces and distributes books, pamphlets, manuals, discussion guides, fact sheets and other educational materials for a wide readership.

Chapter and membership liaison are the responsibility of the AJC's Community Services and Leadership and Board Services departments, which assure regular communication with field staff and lay leadership and help to discover, nurture and train potential chapter and national leaders. The Department of Resource Development assures the fiscal growth needed to sustain the AJC's work. Finally, a skilled and dedicated technical staff in all of its offices helps to keep the Committee's operations running smoothly.

AJC chapters play a vital role in initiating, publicizing and carrying out the Committee's programs and policies. Because so much of the Committee's efforts depends on cooperative relationships developed in local communities, almost every aspect of its work is predicated on the active involvement of AJC chapters, both in relation to ongoing programs and in response to special issues and events.

A Message from Theodore Ellenoff *President, The American Jewish Committee*



WHEN AMERICAN JEWISH COMMITTEE leaders meet with leaders of the West European democracies to discuss support for Israel, combating international terrorism, the plight of Soviet Jewry, and human rights, both sides take it for granted that we mean the same things when we talk about "democracy," "human rights," and "religious freedom." We may differ about their parameters, but we have a common understanding of what these words mean. There is one principle very dear to our hearts, however, that many of these people do not really understand — and that is the concept of pluralism. The reason, I think, lies in the fundamental difference in history and experience between the United States and the European nations, and in the difference between homogeneity and heterogeneity.

In many respects, the peoples of Western Europe, despite the pivotal roles their countries play in shaping the politics, economics and social outlooks of the 20th century, still think of themselves and their relations to other peoples in the tribal terms of "we" and "they." "We" means those who have lived together in the same towns and villages, and within roughly the same national boundaries, for countless generations. And "they" are all other people, near and far.

Within such a mindset, political pluralism — a multiplicity of parties vying for power within a democratic framework — can be understood and accepted as expressions of family differences. Tolerance for other groups — as a kind of moral imperative — also has meaning. But *cultural pluralism* — the notion that different religious, racial and ethnic groups have equal worth and standing, and may contribute equally to a common culture while cherishing their distinctive group identifications — is completely outside the European historical experience. The concept of cultural pluralism also finds rough sledding in other, less homogeneous

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countries, both democratic and undemocratic. The totalitarian Soviet Union proclaims, on paper, the nominal equality of the country's many ethnic groups; but when it comes to jobs, education and privilege, the Russians are consistently "more equal." The Japanese prime minister is still apologizing for his remarks about minorities in the United States. And even democratic Israel, which extends full citizenship, on arrival, to Jews from every corner of the globe, views non-Jews — Arabs, Christians, Bahais, Mormons or whatever — as not really "belonging" in the Jewish state.

What is it, then, that makes the United States so comfortable with the idea of cultural pluralism? More than anything else, I think, the answer lies in the history of America. It may be trite to talk of "a nation of immigrants," but it is true nonetheless. The *Mayflower* was, after all, a very small ship. While the first settlers were English, they were followed in fairly short order by the Scots, the Irish, the Swedes, the Germans, the Dutch and the massive influx from Eastern Europe. Those who touched shore first did not always put out the welcome mat for those who came after, but no group inherited a centuries-long claim to pride of place.

The immigrants who came to the New World were not only engaged in building new lives for themselves; they were also helping to build a new nation. Whatever languages, religions and customs they brought with them and cherished, they were also Americans. What does it mean to be "an American"? To those who had come here earliest, it meant to be just like them — and they tried hard to transform the newcomers in their own image. In many ways they were successful — and they had to be if nationhood was to be achieved. But successive waves of immigrants were neither prepared to discard their group ties nor to be considered less American for clinging to them. Thus, the idea of "cultural pluralism" was born.

To this day, people argue about what cultural pluralism means, and whether it is a workable system of social organization or a clever strategy used by minority groups to justify their demands for power-sharing. But most students of the American experience feel that it is the most viable

relationship possible among citizens of this heterogeneous, democratic nation.

Cultural pluralism is far from a perfect operational mode, and there is no doubt that it complicates the workings of government and society. But like democracy — also an imperfect system — it is better than anything else around. By establishing a legitimate framework for the expression of group interests, it allows the different racial, ethnic and religious groups to negotiate essential compromises instead of resorting to violence. And by acknowledging group pride and the inherent value of each group's traditions, it encourages a parallel national pride and a readiness to participate in, and contribute to, the larger society.

Perhaps most important of all, cultural pluralism makes impossible the unbridled exercise of majority rule. There are, of course, some Americans who still yearn for a society in which a "magnanimous" majority determines what is right and best for everyone. Not too long ago, we might not have paid too much attention to these yearnings. But in recent months they have become an obsession, finding expression in efforts to impose their special interpretation of the U.S. Constitution, to diminish substantially the wall of separation between church and state, and to establish America as a "Christian nation."

This campaign attacks not only freedom of religion but our entire ethos as a nation. It is an idea whose time was long ago, and whose place was never in this free land. The true majority in America today is made up of this nation's minorities. We may disagree on many issues, but we all recognize a common threat to the cultural pluralism that defends our separate groups, and enhances and nurtures American society as a whole. We have historic memories — and some of us have personal memories — of societies that lack these protections. And that is why so much of the American Jewish Committee's work has the safeguarding of pluralism at its core.

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A Message from Howard I. Friedman
Immediate Past President, The American Jewish Committee



AS I COMPLETE MY TERM as president of the Committee, I take great satisfaction in observing that the American Jewish Committee is healthier, more surefooted, and more responsive to the issues and challenges in contemporary American Jewish life than it has ever been before.

In this past year, particularly, our involvement in the international arena has increased sharply, lending new emphasis to the AJC's traditional concern with issues affecting Jewish interests the world over. We played a constructive role in the Bitburg controversy in the spring of 1985, and our responsible position on this emotional issue won us new respect for our ongoing educational programs in Germany. Chancellor Kohl's observation to me that our textbook studies in this country and in Germany are planting trees that will shade our children and grandchildren exemplifies that reality.

These past efforts made possible the highly successful conference we sponsored in Bonn in April 1986, which brought together prominent German, European and American scholars to discuss the problems of ethnic Germans and Jews in the Soviet Union — the first such joint sharing of sensitive international human-rights concerns.

Our far-flung international activities have made it clear to many foreign statesmen that the American Jewish Committee, though primarily dedicated to the protection of Jews, is also deeply concerned with broader human-rights issues and the relations between the United States and other countries, both friendly and unfriendly. This realization will, I believe, make it easier for us to pursue our international agenda in the months and years ahead.

On the domestic scene this year, we have confronted realistically the complexities and ambiguities of the nation's domestic agenda. Church-

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state issues; intergroup tensions; the stepped-up immigration of Asian and other ethnic groups; and the emergence of new ethnic communities with special problems and needs all have demanded and received our attention. Through our concerted efforts to forge strong and mutually beneficial alliances with other racial, ethnic and religious groups, we have emerged as the leading organization cultivating the positive values of a pluralist society.

We have also continued during this past year our major involvement in interreligious affairs, sponsoring major conferences and other educational programs to commemorate and build on the opportunities for Jewish-Catholic understanding made possible by the Second Vatican Council 20 years ago; and we have opened up new pathways to cooperation with mainline Protestant and Evangelical denominations as well.

At the same time, we have strengthened ourselves institutionally. The quality of our executive leadership, I am convinced, is unmatched in Jewish communal life. To replace valued retiring professionals, we have brought in experienced and talented individuals who give every promise of matching the high standards set by their predecessors. We have a cadre of professionals in our national and field offices who represent the best in the communal field. And we have begun to establish a firm financial footing, capable of providing the resources we will need in the years ahead.

Thus, in our 80th year, we have laid the groundwork both programmatically and institutionally for an AJC that can, and will, deal effectively with the issues and opportunities that face the American Jewish community and our nation in the years to come.

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A Message from David M. Gordis
Executive Vice President, The American Jewish Committee



SIGNIFICANT BIRTHDAYS INSPIRE organizations, no less than individuals, to give thought to where they have been and where they are going. As part of our year-long 80th Anniversary celebration, the leaders of the American Jewish Committee undertook a fresh assessment of its philosophy, commitments and programs — an introspective review that has informed all of our activities during the past year.

Reaffirming our central concern for Jews the world over, we stressed our commitment to the democratic values of American society, to the vitality of our creative, successful American Jewish community, and to the great significance of Israel to contemporary Jewish life. We rededicated ourselves to the concept of pluralism, which we view as a source of strength and energy for Jews and non-Jews alike, and to the nurturing of mutually helpful relationships with groups both inside and outside the Jewish community, including groups with whom we sometimes disagree. We restated our determination to undergird all of our social and political action with painstaking research, strategic planning, and effective public education and interpretation. And we committed ourselves anew to participate fully in the consideration and formulation of national public policy and to contribute to the debate on major national issues from the perspective of our Jewish teachings and traditions.

We also gave much attention to Jewish public-policy issues, particularly the need to enhance the quality of Jewish life, foster the interests of the family, and help Jews to be Jewish in the modern world.

With regard to Israel and the Middle East, we determined to maintain our traditional independence of other organizations, concentrating on promoting religious pluralism and intergroup relations within Israel and expanding our efforts to improve American Jewish-Israeli relations.

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Consistent with our concern for pluralism, we assigned a high priority to interethnic and interreligious relations, particularly to programs involving interaction with emerging Black leaders, ethnic groups, Evangelicals and Catholics. We also agreed to increase our search for effective ways to instill in American young people of all backgrounds the core values essential to American democracy.

In the area of anti-Semitism and extremism, we pinpointed the growing assault on church-state separation, the movement to "Christianize" America, the rise of anti-Semitism among young Blacks, and the activities of extremists in the farm belt.

In our discussions of world affairs, we focused on programs to promote human rights, combat international terrorism, and aid Soviet Jewry and other endangered Jewish communities.

And in our concern with American public policies we agreed to give special attention to fair immigrant standards, new strategies to meet the needs of the poor, the sick and the aged, and innovative programs to protect and safeguard American family life.

What has emerged clearly from our deliberations is the determination that the AJC will remain a multifocused agency, dedicated to excellence and prepared to respond with courage and intelligence to the hard choices facing us as Jews and Americans. The pages that follow document some of the ways the American Jewish Committee has pursued these goals during its 80th Anniversary year. But to understand how the Committee works, it is necessary to see these efforts as part of an ever-evolving, ever-changing process. The groundwork for most of the activities described here was laid by questions asked, studies initiated, relationships developed over many years; the success or failure of initiatives launched in 1985-86 will only be known in the years ahead. We can, and must, take stock annually. But our energies are engaged far into the future.

Anti-Semitism and Extremism

Trouble in Rural
Jerusalem

Terrorist attacks
deplored by AJC

AJC surveys Jewish

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THE AJC'S FIRST PRIORITY FROM ITS INCEPTION has been to combat anti-Semitism wherever it appears. In the United States during the 1985-86 program year, AJC monitoring indicated that, while traditional anti-Semitism continued to decline, certain problems remained. In the Midwest, extremist organizations actively spread anti-Semitic propaganda among economically distressed farmers. There were troubling expressions of anti-Semitic sentiment in some sections of the Black community. Criticism of Israel was often directed at the state's Jewish character rather than at its policies. And sporadic vandalism against synagogues and other Jewish institutions continued to beset the American Jewish community.

The AJC was also alert to anti-Jewish manifestations in Latin America and Europe, the official anti-Semitism of the Soviet government, and the spate of anti-Semitic rhetoric at the United Nations.

In the fall of 1985, the AJC's National Affairs Commission appointed a Task Force on Anti-Semitism and Extremism to recommend long-term strategies to combat these ills. And to cope with ongoing manifestations the Board of Governors, in May 1986, appointed a committee to conduct an intensified counteraction program, and a special staff assistant to the executive vice president was charged with managing the AJC's day-to-day efforts to combat anti-Semitism and extremism.

*A Task Force
on Anti-Semitism*

The AJC also explored ways to upgrade its information-gathering capabilities, and continued to monitor acts of anti-Jewish vandalism around the country and to advise chapters and communities on constructive reactions to such outbreaks. In addition, the AJC commissioned periodic public-opinion polls to measure American attitudes toward Jews and Israel.

Hate groups and extremist ideologues, in their efforts to win an audience for their bigotry and paranoid ideologies, have always sought to inject themselves into widely publicized issues and events. The summer of 1985 and the spring of 1986 provided two such opportunities: the farm crisis in the Midwest and the primary elections in many parts of the country.

*Preying
on the distressed*

When news broke, in the summer of 1985, that extremist organizations were becoming active in economically distressed rural areas, representatives of the AJC's Interreligious and National Affairs departments made a fact-finding trip to the farm belt. Visiting communities in Kansas and Iowa, they found that organized purveyors of violence and bigotry, such as the Aryan Nations and Posse Comitatus, were preying on the fears of distressed farmers and telling them that "Eastern bankers" and an "international Jewish conspiracy" were responsible for their woes.

When a Harris poll indicated that 27 percent of respondents agreed with the statement that farmers had been exploited by "international Jewish bankers," the AJC held a press conference at its New York headquarters to expose the anti-Semitic activities of bigot groups. Invited speakers included: Roman Catholic bishop Maurice Dingman of Des Moines; the Reverend Donald Manworren, coordinator of the Iowa Interchurch Forum; Thomas Kelly, director of the Kansas Bureau of Investigation; Dixon Terry, chair of the Iowa Farm Unity Coalition; and Leonard Zeskind, research director of the Center for Democratic Renewal. Similar AJC-sponsored regional conferences on anti-Semitism and the farm crisis were organized in Cincinnati and Wichita with the help of AJC chapters in the Midwest and the South; and the warnings that hate groups were fanning hatred against minorities and inciting farmers to violence received wide media attention.

The lackluster primary campaigns in the spring of 1986 gave right-wing extremist Lyndon LaRouche an opportunity to ply his wares successfully in some parts of the country. When two LaRouche candidates scored upset victories over party regulars in the Illinois Democratic primary, the AJC undertook to examine how this had happened. Through its Chicago chapter, the Committee commissioned two studies of the election. Chicago journalist Tom Johnson interviewed voters and candidates in different parts of Illinois to determine the way the candidates had presented themselves to the public and what voters knew about the backgrounds and beliefs of the people they voted for. And Robert B. Albritton of Northern Illinois University conducted an in-depth study of exit polls and other election data. Both investigators found that most voters did not

know the people they had chosen were LaRouchites, and that low voter turnout and widespread ignorance about the LaRouche platform and ideology were major factors in the victories of the LaRouche candidates.

To combat extremist groups more effectively, AJC national and chapter staffs developed working relationships with such organizations as the Center for Democratic Renewal and the National Institute Against Prejudice and Violence, and with state and local law-enforcement agencies around the country. In July 1985, a member of the AJC's legal staff testified before the Subcommittee on Criminal Justice of the House Judiciary Committee in support of legislation to establish federal penalties for "hate crimes" against religious practices and property. At the Subcommittee's request, the AJC's legal department also prepared a memorandum on the constitutionality of such legislation, and drafted a model bill that would outlaw paramilitary organizations.

*Penalties
for
"hate crimes"*

Although Black-Jewish cooperation continued to flourish and to serve the interests of both communities during this reporting period, there were disturbing expressions of anti-Semitism by some elements of the Black community. Most provocative were the anti-Jewish diatribes of Louis Farrakhan, leader of the Black Muslim Nation of Islam. In speeches to large and enthusiastic Black audiences across the country, Farrakhan referred to Judaism as a "gutter religion" and charged Jews with a variety of misdeeds against Blacks. The AJC and its coalition partners denounced and countered such attacks in many parts of the country. (See also *Pluralism*, pp. 28-29.)

Concerned by the use of radio call-in shows and public-access cable television programs for the spread of anti-Semitic and other hate propaganda, the AJC responded, both nationally and in local communities, with protests to station owners and demands for equal time. The Committee supported a successful challenge to the license renewal of radio station KTTL in Dodge City, Kansas, which had broadcast anti-Semitic and racist threats and had failed to comply with the "fairness doctrine." Well-informed AJC lay and professional spokespersons frequently appeared on radio and television interview and talk-show programs

to provide responsible interpretations of issues and events distorted by hatemongers.

"Crossing the
line of
respectable
discourse"

In May 1986, in a statement that received wide publicity, the AJC's executive vice president deplored the reprinting by other media of an article by Gore Vidal in the *Nation* in March 1986. Ostensibly criticizing writings of the editor of the AJC-sponsored magazine *Commentary*, and of his wife, also a prominent writer, Vidal's ad hominem attack cast aspersions on Israel, the loyalty of American Jews and the conduct of Jewish organizations (including the AJC). Describing the article as blatantly anti-Semitic, the AJC statement declared: "Mr. Vidal crosses the line of respectable discourse when he surrounds his diatribes against individuals with a host of lies and innuendos."

(For responses to anti-Semitism abroad and at the United Nations, see *On the World Scene*, pp. 68-70, 73.)

In the Chapters

The *Atlanta* chapter, on the basis of recently unearthed evidence, joined with other Jewish and civil-rights groups in successfully petitioning the Georgia Board of Pardons and Parole to grant a posthumous pardon to Leo Frank, an Atlanta Jewish businessman who had been unjustly convicted in 1913 of murdering a young girl.* Atlanta's Black-Jewish Coalition, sparked by the Atlanta chapter, helped to assure that the campaign for pardon would not create tensions in the community.

The *Chicago* chapter initiated the AJC's investigations of the LaRouche victories in the 1986 Democratic primary and spurred efforts to discourage deceptive appeals in election campaigns.

The *Los Angeles* chapter inaugurated a Black-Jewish "yuppie dialogue" in the aftermath of Louis Farrakhan's visit to the city, bringing together college-educated Blacks and Jews to meet periodically on issues of mutual concern.

* Frank was lynched by a mob before he could be brought to trial.

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The *St. Louis, Cincinnati and Kansas City* chapters helped organize regional conferences on anti-Semitism and the farm crisis as part of the drive to expose the efforts of extremist organizations to exploit rural problems.

Educational Materials

Anti-Semitism, Extremism and the Farm Crisis, by Ellen Isler and A. James Rudin. 5 pp.

Report of a fact-finding trip to Kansas and Iowa in September 1985.

The LaRouche Victory in Illinois, by Robert B. Albritton. 18 pp.

An analysis of the election returns in the Illinois Democratic primary of March 1986 by a political scientist at Northern Illinois University.

Lyndon LaRouche and the Politics of Deception, by Harold Applebaum, Jonathan Levine and Tom Johnson. 13 pp.

Analyses of the social, economic and psychological factors leading to the victory of two LaRouche candidates in the Illinois Democratic primary in March 1986.

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Pluralism

Catholics and Jews: A Reconciliation
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State Rights Chief Says Race Problems
Are Easy to Define But Hard to Solve
By PE TER KLEBNIKOV

Black and Jewish students visit Atlanta
to study race relations in deep South
...Sparks in Atlanta
...Jewish
...on Er

Farrakhan stirring more tension
Jewish community upset by mayor's
response to Muslim leader's remarks
By Kenneth H.
...A leading
...charge

See move
to incite
Black,
Jewish
conflict

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TO SAFEGUARD THE PLURALISTIC AND DEMOCRATIC character of American society, the country's diverse racial, ethnic and religious groups must work together in support of common goals, even as each group legitimately pursues its particular interests and aspirations. The AJC strives to make such cooperation possible by reaching out to other groups and encouraging open dialogue and increased understanding. Under the guidance of the Interreligious and National Affairs commissions, strong coalitions, formed over years of close collaboration and trust, help to eradicate stereotypes and misunderstandings and to reduce tensions when fundamental differences arise.

*Building
coalitions*

During the period of this report, the AJC continued to strengthen its ties to groups representing Americans of other faiths, races and national origins, and to work with them in support of issues and programs important to us all.

Furthering Interreligious Understanding

During the 1985-86 program year, the AJC initiated and/or co-sponsored a number of major national and international forums promoting interreligious understanding and cooperation. In November 1985, its Jacob Blaustein Institute for the Advancement of Human Rights, in cooperation with the *Journal of Ecumenical Studies* and Temple University's Religion Department, sponsored a five-day consultation on Religious Liberty and Human Rights, in Haverford, Pennsylvania. The meeting included scholars from 14 countries and five world religions (Buddhism, Christianity, Hinduism, Islam and Judaism) and examined the various legal, moral and ethical issues underlying the concept of human rights. The conference papers, with a preface by the director of the AJC's Jacob Blaustein Institute, were published in early 1986.

In May 1986, AJC interreligious experts were co-leaders of three sessions at the 9th National Workshop on Christian-Jewish Relations, in Baltimore, Maryland, highlighting discussions of religious education, passion plays, and relations between Jews and Evangelicals. The AJC has been a co-sponsor of this national forum for interreligious dialogue — the oldest in the country — since its inception.

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*Jewish
and Christian
seminarians*

One of the Committee's most innovative interreligious projects has been its seminarians program, which brings together young seminary students of the major faiths in frank discussion designed to explore and clarify issues in Christian-Jewish relations, and to consider how each group's religious-training institutions can improve their teachings about other faiths. In November 1985, an Inter-Seminary Study Day on Jewish-Christian Relations, sponsored by the AJC, the Ecumenical Office of the Archdiocese of New York and St. Joseph's Seminary in Yonkers, New York, featured AJC-led workshops on contemporary Jewish life, Jewish history and Jewish liturgy. In the same month, a two-day conference for rabbinical students and Christian seminarians was co-sponsored by the Committee with the Lancaster (Pa.) Theological Seminary (affiliated with the United Church of Christ) and the Jewish-Christian Dialogue Project of the United Church Board for Homeland Ministries. As part of the seminarians project, a rabbinical student at the Jewish Theological Seminary of America serving as an intern with the AJC's Interreligious Affairs Department undertook a detailed examination of "Christianity and Jewish-Christian Relations in American Rabbinical School Programs."

Through its Women of Faith program, initiated in 1979, the AJC works with Catholic, Protestant, Evangelical, Greek Orthodox, Muslim and Jewish women to help overcome sexism, racism and religious bigotry. In the spring of 1985, IAD staff helped train women of different faiths planning to attend the Forum '85 meeting in Nairobi, Kenya — the nongovernmental international women's meeting that preceded the closing conference of the UN's Decade for Women. At Nairobi, Women of Faith workshops conducted by the AJC delegation attracted a wide audience, countering attempts to divide the delegates and helping to interpret U.S. and Israeli positions on world issues. (See also *On the World Scene*, p. 73.)

The AJC's relationships with Black churches, which provide much of the moral and organizational leadership of the nation's Black community, are an important vehicle for exchanging views on issues that divide Blacks and Jews, and help promote united action on matters of joint concern. In 1985-86, the AJC worked closely with the National Council of Churches

and the National Interreligious Task Force on Black-Jewish Relations, based in Atlanta, which the Committee helped to organize in 1984, to strengthen these relationships and encourage dialogue with Black church leaders.

*Dialogues
with Black church
leaders*

The National Interreligious Task Force on Soviet Jewry undertook a number of projects in 1985-86 dramatizing the plight of Soviet Jews and enlisting support for their cause. (See also *On the World Scene*, pp. 66-68.)

The efforts of religious cults to attract disaffected young Jews and Christians and prey on the lonely aged continued to concern the AJC during this reporting period. The AJC's director of interreligious affairs, an authority on cults, was a featured speaker at the September 1985 National Wingspread Conference on Destructive Cultism, sponsored by the Johnson Foundation in Racine, Wisconsin. In December 1985, he also delivered a keynote address on the subject, later published, to the Council of Jewish Federations and the National Jewish Community Relations Council.

During this reporting period, the AJC helped to document and publicize the efforts of hate groups to exploit the farm crisis and to mobilize religious opposition to anti-Semitism and extremism (see pp. 15-17), and joined with several Christian groups in briefs *amici* to the U.S. Supreme Court involving the separation of church and state and other subjects of mutual concern. (See also *Public Policy Concerns*, p. 46.)

A special emphasis of AJC programming during the period covered by this report was the 20th anniversary of Vatican Council II, whose historic repudiation of anti-Semitism, *Nostra Aetate*, signaled a major change in the relationship between Catholics and Jews. In cooperation with the National Conference of Catholic Bishops, Catholic dioceses and AJC chapters around the country, the Committee mounted a year-long commemoration, including more than two dozen assemblies, seminars and teacher-training sessions, lay dialogues, seminarians conferences and other projects.

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On October 28, 1985, the day of the historic anniversary, the AJC's director of international relations represented the Committee at a joint meeting of the Vatican Secretariat and the International Jewish Committee for Interreligious Consultations (IJCIC) in Vatican City; and on November 2-5, he spoke at a Conference on Catholic-Jewish Relations in São Paulo, Brazil. (See also *On the World Scene*, pp. 70-71.)

To examine the changes in Catholic teachings about Jews and Judaism in the curricula and textbooks of the Catholic educational system, from elementary schools through universities and seminaries, the AJC, the Anti-Defamation League of B'nai B'rith and Seton Hall University commissioned Sister Rose Thering, a professor of education at Seton Hall, to follow up on her two earlier AJC-sponsored studies on the "teaching of contempt" by investigating how well Catholic educational institutions had implemented the spirit of *Nostra Aetate*. Sister Thering's survey of several hundred institutions found that Catholic faculty and students had developed "a deep appreciation" of Jews and Judaism, as well as awareness that some earlier teachings could be viewed as "partly responsible for the Holocaust."

*The Holocaust
in Catholic schools*

In March 1986, the AJC and the National Conference of Catholic Bishops announced a joint program to develop and introduce teaching materials about the Holocaust for all levels of the Catholic educational system. The materials, which will be prepared in collaboration with the Chicago-based National Institute for Catholic-Jewish Education, which prepares educational materials for Catholic teachers and students, will be tested in Orange County, California, and St. Louis over a three-year period before it is implemented nationwide. The AJC is exploring similar programs with several Protestant denominations.

Despite the positive achievements in Catholic-Jewish relations over the past two decades, some areas of concern remain. One troubling issue was the Vatican paper, "Notes on the Correct Way to Present Jews and Judaism in Preaching and Catechesis in the Roman Catholic Church," issued in June 1985, which drew sharp criticism from Jewish groups in the United States and elsewhere. An analysis by two AJC specialists, later

published by the Catholic magazine *Commonweal*, found that "progressive affirmations in one section [of the document] are undercut by regressive formulations in other sections." The Committee invited a number of Catholic and Jewish theologians to review the Vatican document and propose substantive and procedural changes to deal with this problem.

Following the AJC's charge, in 1984, that six passion plays periodically performed in the United States contained pernicious anti-Semitic stereotypes, the Reverend Kevin Ashe, pastor of the Holy Family Church in Union City, New Jersey, agreed to make significant changes in the script of the play produced in his area. In consultation with Catholic theologians, staff experts of the AJC's Interreligious Affairs Department helped Father Ashe revise the play in time for the scheduled performance in March 1986.

Mainline Protestant churches are frequently invaluable allies for the AJC on a number of issues of concern to Jews and Christians alike. At the same time, some denominational leaders express an ongoing hostility toward Israel, which often translates itself into dangerous religious stereotypes. In addition to pursuing common projects with Protestant leaders and churches in areas on which both faiths agree, the AJC seeks through conferences, writings and formal and informal educational programs to interpret Israel's positions on world issues as well as the religious and historical meaning of Israel and Jerusalem for Jews.

*Interpreting
Israel*

The AJC is a member of the National Church of Christ's Advisory Committee on Christian-Jewish Relations and attends its semiannual Governing Board meetings as a "fraternal observer." During the 1985-86 program year, an AJC program expert served as an adviser to the United Church of Christ's Jewish-Christian Dialogue Project, whose theologians are working on a renewed church theology for Jewish-Christian relations that they hope to propose to the 1987 General Synod. The AJC also served as consultant to a similar group within the Presbyterian Church and cooperated with a new grass-roots organization, Presbyterians Concerned for Christian-Jewish Relations, whose work has already helped sensitize the national Presbyterian leadership.

In a similar vein, the AJC continued to strengthen ties with the Evangelical community on issues of mutual concern and to bridge the gaps on issues that divide Evangelicals and Jews.

In a keynote address to the Center on Judaic-Christian Studies in Austin, Texas, in July 1985, the director of interreligious affairs urged Evangelical leaders to oppose the spread of extremism and fanaticism in the Middle East, pointing out that Israel's efforts to integrate its own diverse society could constitute a model of religious tolerance and pluralism for the entire region. In March 1986, he joined Dr. Robert Schuller, the TV evangelist and author, at the AJC's Western Regional Conference in Newport Beach, California, in underscoring the need to work together to strengthen religious pluralism and eradicate anti-Semitism and racism in America. And later that month, at a two-day Evangelical-Jewish conference in Miami — the first such encounter in South Florida — another AJC staffer and Dr. Marvin Wilson, a biblical scholar at Gordon College in Wenham, Massachusetts, explored issues ranging from the role of the Hebrew Bible and the meaning of the modern State of Israel, to questions of mission, witness and conversion, and the separation of church and state.

Relations with Racial and Ethnic Communities

For many years the AJC has worked closely with Americans of other races and national backgrounds to safeguard American pluralism and pursue ongoing programs that benefit all Americans. In 1985-86, the AJC strengthened its ties with the growing Hispanic and Asian communities, maintained its valuable coalitions with major American Polish, Italian and Greek organizations, and worked constructively with national and local Black groups on a number of mutually beneficial programs.

Ties with Hispanics and Asians

While immigration legislation was the major focus of joint programming with Hispanic groups (see *Public Policy Concerns*, pp. 50-51), the AJC also worked closely with the National Council of La Raza and other Hispanic groups on language and education issues, and AJC chapters in the West and Southwest helped ease community tensions over bilingual education controversies and proposals to make English America's "official lan-

guage." AJC backgrounders, fact sheets and other materials, syndicated to some 300 Spanish-language newspapers, periodicals and radio stations in the United States, helped break down anti-Jewish stereotypes, interpreted Israel's role in the world and publicized the effective partnership between Jews and Hispanics in many areas.

Fair immigration legislation was also an issue uniting the AJC and Asian American groups, who welcomed the Committee's support for efforts to counter anti-Asian outbreaks in communities with growing immigrant populations. The Organization of Chinese Americans conferred its 1985-86 Organization Award to the AJC for these efforts, and in March 1986 the Committee was invited to serve on the board of directors of the Indochina Resource Action Center.

*Fair
immigration
legislation*

The AJC and the Polish American-Jewish American Task Force, initiated by the AJC in 1979, worked together to assure that the U.S. Holocaust Memorial in Washington, D.C., will acknowledge both the special suffering of Jews and the suffering of non-Jewish victims, to reduce tensions that developed in some parts of the American Polish community over the widely distributed film on the Holocaust, *Sboab*, and to mobilize support for Polish asylum seekers in the United States and increased Jewish emigration from the Soviet Union. In cooperation with the Polish American Congress, the AJC also helped win widespread backing for the efforts of the Justice Department's Office of Special Investigations to uncover Nazi war criminals who entered the United States illegally by hiding their crimes and to bring them to justice.

The AJC also intensified its cooperation with the National Italian American Foundation and the Italian Media Institute on efforts to counter negative media portrayals of ethnic groups and encourage positive treatment of the ethnic experience. A survey of how ethnicity is dealt with in television programming was conducted in cooperation with the Italian Media Institute, and at a jointly sponsored conference in June 1986 marking the Statue of Liberty centennial, the AJC and the National Italian American Foundation awarded special citations to 12 national and local TV programs presenting positive images of minority groups.

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In the year under review, the Committee's Institute for American Pluralism continued its broad program of short- and long-term research, ethnic leadership training and experiments in multiethnic coalition building. Institute projects completed in 1985-86 included:

A study of ethnic identity and marital conflict among Jews, Italians and WASPs, by psychologist Joel Crohn.

A pilot study on ethnic identity and psychological adjustment in old age, conducted by psychologist Jack M. Saul. (A documentary film based on his interviews with 75 elderly Jews in the Greater Boston area, *The Challenge of Aging: Jewish Ethnicity in Later Life*, was awarded the 1985 Silver Medal at the 28th Annual International Film and TV Festival of New York, and first prize in the Retirement Foundation's 1986 National Media Awards.)

A report on the state of multiethnic training in the New York metropolitan area and of other model programs and materials around the country.

The IAP's Chicago office, which often serves as a laboratory for Institute projects, continued its workshops on coalition building for a wide variety of clients, including Mexican American and Black-Jewish groups, the Chicago Commission on Human Relations, and Roosevelt University's graduate management program. It also initiated a series of interreligious meetings to examine the threat to pluralism posed by extremist organizations; and its Urban Traditions program, which celebrates the cultural contributions of ethnic communities to American urban life, launched a new semiannual newsletter called *Expressions*. The IAP's Heritage News Service, also Chicago based, began syndication of op-eds and feature articles to newspapers in Boston, Dallas, Denver, Portland (Ore.), San Francisco, and Seattle.

Blacks and Jews Despite recent strains in the traditional coalition between Blacks and Jews, the two groups continue to work closely, nationally and in local communities, on many important issues. In 1985-86, Black-Jewish coalitions worked to support quality education and full and fair

employment; to protest apartheid in South Africa; and to counter racism, anti-Semitism and political extremism.

In 1985-86 the AJC filed briefs *amici* in cooperation with a number of Black and religious groups in three major Supreme Court cases involving voting rights, jury selection and discrimination in union training programs. (See also *Public Policy Concerns*, pp. 48-50.)

For several years, the AJC has sponsored pilot workshops on college campuses around the country, designed to help dispel stereotypes and misunderstandings among Black and Jewish college students. Guided by skilled intergroup facilitators of the National Coalition Building Institute, the workshops encourage Black and Jewish participants to describe their personal experiences and air their feelings about one another. A 30-minute video documentary, *Working It Out: Blacks and Jews on the College Campus*, based on the workshop sessions at Brown University, was previewed at an AJC-sponsored conference in January 1986 commemorating the birthday of Martin Luther King.

*Dispelling
stereotypes*

In the Chapters

Commemorations of the 20th anniversary of Vatican Council II were sponsored by AJC chapters in *Atlanta, Baltimore, Boston, Chicago, Cincinnati, Dallas, Kansas City, Louisville, Mobile, New York, Pittsburgh, San Antonio, St. Louis, Seattle* and *Washington, D.C.*, in the last six months of 1985.

The *Buffalo* chapter, in cooperation with local branches of the National Council of Churches and the National Conference of Christians and Jews, prepared a *Guide for Interfaith Teacher Training in the Christian and Jewish Faiths*.

The *Chicago* chapter sponsored a consultation on "Religion and American Public Life" in response to growing concern about the injection of religion into public-policy debates, and later organized a committee of Catholic, Jewish and Protestant leaders to consider such issues as church-state separation, the display of religious symbols on public property, equal

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access and tuition tax credits.

The *Cleveland* chapter brought together representatives of 22 school districts in July 1985 to discuss equal-access legislation and its impact on local schools. The conference was co-sponsored with the city's Interchurch Council and the Catholic diocese.

The *Denver* chapter established an Interfaith Consortium consisting of clergy and lay members of 12 Christian denominations to combat the drive of the Religious Right to undermine constitutional safeguards, and continued active involvement with the Chicano-Jewish Dialogue, which is working to promote respect and cooperation between Mexican Americans and Jews.

The *Long Island* (N.Y.) chapter sponsored an Invitational Workshop on the Equal Access Act at Hofstra University in September 1985, together with the Hofstra University School Board Forum, Hofstra University Law School and the National Conference of Christians and Jews.

The *Los Angeles* chapter sponsored a conference on seminary education in August 1985, including Catholic, Protestant and Jewish educators and theologians, and organized the first Black-Jewish "yuppie" dialogue, bringing together young college-educated professionals to discuss mutual concerns.

The *Louisville* chapter, in cooperation with the Kentuckiana Interfaith Community, the National Conference of Christians and Jews, the Jewish Community Federation and the Long Run Baptist Association, sponsored a symposium on church-state issues in April 1986. (The AJC's legal director delivered the keynote address.)

The *Milwaukee* chapter helped form a Black-Jewish Action Coalition to examine how city agencies can better respond to community needs.

The *New Jersey* chapter's Catholic-Jewish Dialogue sponsored a conference for Catholic and Jewish secondary-school principals and educators —

the first AJC activity in which the Newark archdiocese participated — in April 1986.

The *New York* chapter joined with the Riverside Church, the Church of Notre Dame, the West End Presbyterian Church, the Church of the Master, the Archdiocese Office of Neighborhood Preservation, the Jewish Theological Seminary, Community Board 9 and Columbia University in a coalition to sponsor an "intergenerational" housing complex in the Morningside Heights section of Manhattan.

The *Philadelphia* chapter launched "Operation Understanding," an annual four-week educational tour designed to give Black and Jewish high school students a greater appreciation of each other's history and culture. The first trip, in July 1985, took the teenagers to Senegal and Israel. The project is supported by the Philadelphia Urban League and other Black and Jewish communal leaders.

In the wake of its Vatican II commemoration, the *Pittsburgh* chapter co-sponsored two follow-up conferences with the Catholic diocese in April and May 1986.

The *Portland* (Ore.) chapter was one of the co-sponsors, in February 1986, of a workshop on "Coping with Cults," organized to address community concerns about the activities of the Rajneesh followers in the area.

The *San Francisco* chapter's Asian-Jewish Task Force joined with the National Japanese Historical Society to honor members of the 442nd Regimental Combat Team in March 1986. (This much-decorated unit of Japanese American soldiers — many of whose families were interned by the federal government during World War II — was among the Allied forces that liberated Dachau.)

The *Seattle* chapter sponsored a series of interfaith dialogues on Israel, together with the local Catholic diocese, the Church Council and the Jewish Community Relations Council.

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Educational Materials

Brotherhood Week Kit.

Materials on Jews and Judaism, interreligious and interethnic understanding, and intergroup cooperation, to help schools and community groups plan Brotherhood Week.

The Challenge of Aging: Jewish Ethnicity in Later Life. Produced by Jack M. Saul and Pauline Spiegel.

A 30-minute video cassette.

Counseling Euro-American Elderly and Their Families, by Joseph Giordano. 16 pp.

Sensitivity to the ethnic backgrounds of elderly clients as a key to successful gerontological practice.

Cults and Missionaries, 1986: The Continuing Challenge, by A. James Rudin. 15 pp.

Ethnic Identity and Marital Conflict: Jews, Italians and WASPs, by Joel Crohn. 43 pp.

Jews and Catholics: Taking Stock, by Judith Banki and Alan L. Mittleman. Reprinted from *Commonweal*, September 6, 1985. 3 pp.
A critique of the Vatican "Notes."

Jews and Evangelicals in Dialogue, by A. James Rudin and Marvin R. Wilson, in *Eternity*, September 1985. 2 pp.
Ten affirmations Jews and Evangelicals hold in common.

Jews, Blacks, and the Civil Rights Revolution, by Murray Friedman. Reprinted from *New Perspectives*, Fall 1985. 4 pp.
Traces the history of Black-Jewish relations and concludes that "dwelling on the tensions underplays the . . . good will that continues to exist in both communities today."

The New Testament and the Jews: A Background Sketch, by Alan Mittleman. 5 pp.

New Christian scholarship is reexamining negative images of Jews in Scripture and offering insights into the earliest relations between Christians and Jews.

Religious Liberty and Human Rights, edited by Leonard Swidler. Preface by Sidney Liskofsky (New York: Hippocrene Books, 1986).

Papers and presentations from a conference of legal scholars (Haverford, Pa., Nov. 3-8, 1985).

Working It Out: Blacks and Jews on the College Campus. Produced by Cherie R. Brown and Susan Woll.

A 30-minute video cassette.

The Worship of Good Friday: Jewish Concerns, by Rabbi A. James Rudin; and *Jews and Christians: The Road Ahead*, by Father John J. Pawlikowski, O.S.M. The National Institute for Catholic-Jewish Education, 20 pp.

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The Quality of Jewish Life

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Survey
Jewish divorce rate rising, study shows

American Jewish Committee launching study of the state of the American family

Jews urged to cease infighting

The American Dream Being Fulfilled for Jews

Social Scientist Silberman Maintains That Anti-Semitism Is on the Decline

Controversial Study Examines Jewish Life

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THE AMERICAN JEWISH COMMITTEE, deeply committed to serving the Jewish community, conducts a variety of programs designed to enhance Jewish identity, strengthen the Jewish family and safeguard the diversity and pluralism of American Jewish communal life. At the same time, the AJC assumes for American Jews a vital role in helping to shape this country's common political and social goals.

The Jewish Family

The AJC's William Petschek National Jewish Family Center engages in wide-ranging research on the family, including the special problems and needs of single parents, working mothers and children of divorce, and the impact of intermarriage on Jewish identity and communal affiliation. The AJC also sponsors model programs to enrich the Jewish content and quality of Jewish family life, and promotes dialogue and innovative programming in all aspects of Jewish communal life.

During the 1985-86 program year, sociologist Egon Mayer completed his research on the third in a series of studies on intermarriage commissioned by the AJC. Having earlier examined the backgrounds of intermarried couples, and how the children of such marriages perceive themselves, Professor Mayer was analyzing his data on how conversion to Judaism by

*Studying
intermarriage*

the non-Jewish parent affects the family's religious, psychological and communal ties to Judaism.

Other AJC-sponsored studies completed during the past 12 months examined the major reasons for divorce in Jewish families, and the attitudes and needs of unaffiliated Jewish singles.

The Committee also published a guide for group leaders on *Working With the Intermarried*, based on a pilot workshop conducted in Washington, D.C. The program, designed to help intermarried couples examine their feelings about their differing religious backgrounds and encourage closer ties to the Jewish community, has been replicated by a number of AJC chapters, synagogues and Jewish centers.

In cooperation with the Dallas chapter, the AJC sponsored a model family weekend retreat, designed to provide families with pleasurable Jewish religious, social and educational experiences. It was hoped that the published report of this undertaking would encourage other Jewish groups to replicate the program.

*Supporting
the family*

To counter the widespread antifamily climate in American society today and encourage young Jewish couples to consider the positive aspects of family life, the AJC commissioned papers by five Jewish parents, of differing ages, occupations and religious orientations, describing the tribulations and joys of parenting. The resulting pamphlet was widely distributed by Hillel and other Jewish organizations.

During the reporting period, the quarterly *Newsletter* of the Petschek Jewish Family Center featured informative and thought-provoking articles on subjects of broad Jewish interest, including the spiraling American and Jewish divorce rates, the impact of intermarriage on the Jewish future, and the growing debate over national family policy. The *Newsletter* also reports regularly on relevant studies, books and conferences, providing a valuable resource for Jewish professionals, social agencies and community leaders.

Jewish Unity

During the program year, the AJC became deeply concerned about the growing divisions among Jewish religious denominations over issues of practice and ritual. Particularly disturbing was the anger and disrespect with which these issues are discussed.

Under the direction of the Jewish Communal Affairs Commission, the AJC helped organize a series of dialogues among national Orthodox, Conservative, Reform and Reconstructionist lay leaders, designed to encourage the mutual respect and understanding essential to the preservation of pluralism in Jewish life. Focusing on the broad values all Jews hold in common, the participants, despite their own differences in religious outlook, agreed that ways must be found to transcend such differences to protect the unity of the Jewish people. The group undertook to prepare a statement calling upon all branches of Judaism to approach the problem with mutual respect and search together for constructive ways to deal with the issues that divide them.

*Preserving
pluralism
in Jewish life*

To help educate the broader Jewish community on this issue, the AJC published a paper by the noted Orthodox scholar, Rabbi Eliezer Berkovits, discussing Jewish unity from a historical and halakhic perspective.

Based on the belief that Jewish values clarify our understanding of contemporary issues and enhance our capacity to deal with them effectively, the AJC also commissioned papers highlighting Jewish perspectives on freedom of expression, the ethics of power, universalism and Jewish particularism, and attitudes toward the poor.

On another controversial communal issue, the AJC convened a conference on "New Perspectives in American Jewish Sociology," designed to examine conflicting views on the current status and future prospects of American Jewry. The two-day meeting of leading sociologists, demographers and Jewish communal professionals explored both the demographic trends and the quality of American Jewish life, focusing on

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differing interpretations of statistics and suggested trends. The papers, now being prepared for publication, are expected to provoke wide discussion on the implications for the Jewish community in the next decade and into the 21st century.

Jewish Education

During the summer of 1985, the AJC's Academy for Jewish Studies once again sponsored well-attended seminars at Williams and Skidmore colleges. Course offerings included "The Talmud," "Current Social Dilemmas from a Jewish Perspective," "The Image of God in the Contemporary Jewish Novel," "Eastern European Jews in the United States," and "Strategies for Jewish Faith Today."

"Where
Judaism
Differed"

Two new video-cassette series, featuring outstanding scholars examining major trends in Jewish thought and history, were prepared for use on television, and as educational tools for schools and adult discussion groups. One series, *Where Judaism Differed*, features the AJC's executive vice president in conversation with professors Nahum Sarna, Louis H. Feldman, Robert Chazan, Alfred L. Ivry and Arthur Hertzberg, and reviews Judaism's relationship to paganism, Hellenism, Christianity, Islam and modernity. In the second series, *The Bible Speaks to Contemporary Concerns*, professors Neil Gilman and Jeffrey Tigay probe the relevance of biblical concepts to modern social and ethical dilemmas.

The AJC also continued to provide a forum for Jewish educators and academics to meet in informal discussions of educational problems.

(See also *Public Policy Concerns*, pp. 47-48, and *Israel and the Middle East*, pp. 58-61.)

In the Chapters

The *Dallas* chapter helped plan and organize a weekend family retreat that has served as a model for other chapters and community groups.

The *Fairfield County* (Conn.) chapter, together with the Stamford Jewish Family Service, developed a series of workshops for the intermarried.

The *Houston* chapter sponsored a conference on "Genetic Engineering and the Family."

The *Los Angeles* chapter co-sponsored a second National Conference on Outreach Programs for Intermarried Couples.

The *Miami* chapter organized a series of public forums on intermarriage and conversion, and launched a dialogue group for intermarried couples.

The *New Jersey* chapter's faculty network held a weekend retreat to explore the relevance of Jewish life and identity on the college campus.

The *Phoenix* chapter, in cooperation with the Catholic Diocese Family Service, the Jewish Family Service, and the Presbyterian Church of Phoenix, sponsored an interreligious conference on "The Family in Crisis" in April 1986 to explore such family issues as divorce and single parenting, grandparenting, dual careers and religious education.

The *Washington, D.C.*, chapter co-sponsored a workshop for intermarried couples that became the basis for a widely acclaimed guidebook for group leaders.

Educational Materials

Academic Jewish Studies: A Role in Jewish Education? 14 pp.

Summary of the proceedings of the Jewish Education Think Tank, June 10, 1986.

Accountability in Jewish Education: A School-Centered Model, by Sharon Feinman-Nemser and Annette Weinshank. 14 pp.

A background paper for Jewish religious schools.

The Divorced Parent and the Jewish Community, by Nathalie Friedman with Theresa F. Rogers. 58 pp.

Interviews with 40 divorced couples examining the causes of divorce and its consequences for the family and community.

Grandparenthood, edited by Vern L. Bengston and Joan F. Robertson (Beverly Hills, Calif.: Sage Publications, 1985).

Papers prepared for a conference co-sponsored by the Petschek National Family Center and the National Institute for the Family.

Jewish Education Think Tank: Summary of Proceedings, December 2, 1985, 10 pp.

AJC-sponsored explorations on the structure of Jewish education and how to improve it.

Jewish Families Together, by Bernard Reisman with Harriet Abraham. 30 pp.

A model weekend retreat for family-life enhancement.

Jewish Grandparenting and the Intergenerational Connection, 21 pp.

Report of an AJC-sponsored conference of Jewish professionals, grandparents and grandchildren, with recommendations for cementing the ties between them.

Judaica on Tape

Two 5-hour video-cassette series on Jewish thought and the Jewish historical experience.

Looking Ahead, by David M. Gordis. 12 pp.

America offers Jews a unique opportunity to maintain their identity, participate fully in political and economic life and contribute a special Jewish vision to shaping America's future.

Outreach Programs to Intermarried Couples, 19 pp.

Rabbis and Jewish sociologists and communal workers discuss the theoretical and practical aspects of programs directed to intermarried couples.

Polarization or Pluralism, by David M. Gordis. 12 pp.

The same fundamentalist "mindlessness and extremism" sweeping the globe also threatens the internal Jewish community.

Single and Jewish, by Jan Yager. 15 pp.

Conversations with unaffiliated Jewish singles. Report on an AJC-sponsored survey.

The Universal Horizon of Biblical Particularism, by Jon D. Levenson. 26 pp.
The role of universal ethics and Jewish uniqueness in the Hebrew Bible.

Working With the Intermarried, by Andrew Baker and Lori Goodman.
38 pp.
A practical guide for workshop leaders.

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Public Policy

Concerns

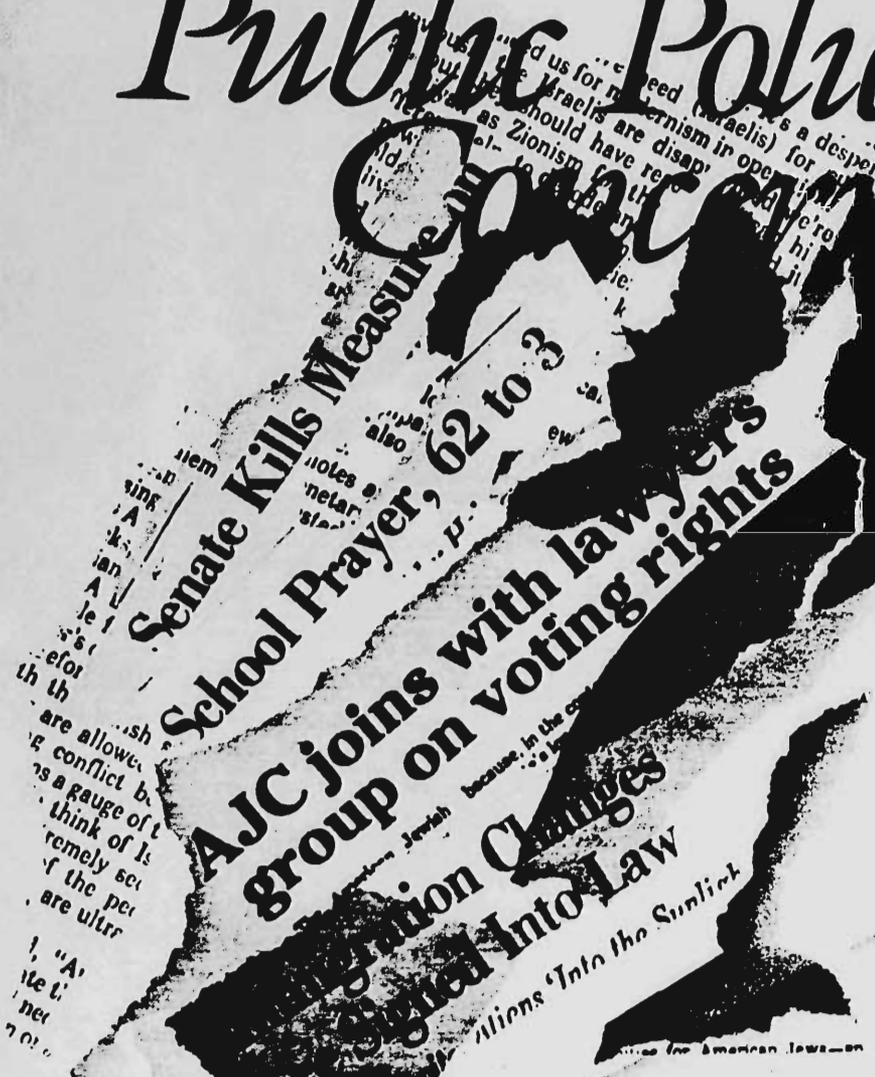
Senate Kills Measure

School Prayer, 62 to 3

AJC joins with lawyers group on voting rights

Immigration Changes Signed Into Law

Religious freedom fragile, rabbi says



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A JUST AND OPEN SOCIETY HAS BEEN A MAJOR GOAL of this nation since its inception. For American Jews, one of the smallest groups in a country made up of minorities, pursuit of this goal is both a moral imperative and a vital safeguard of their own freedom. The AJC therefore views informed participation in the consideration and formulation of public policy as a unique privilege and responsibility, and seeks to contribute to the national debate on pressing social issues from the combined perspectives of American and Jewish tradition.

*A moral
imperative*

High on the AJC's agenda over the past 12 months have been an exploration of public- and private-sector options for aiding America's poor and halting the feminization of poverty; programs to safeguard the separation of church and state, improve the quality of public education, promote equal opportunity, and strengthen family life; and efforts to assure passage of a fair and workable immigration bill.

Social Policy and the Poor

A National Task Force on Social Policy, appointed in May 1985, undertook to examine how America deals, and should deal, with the nation's poor, and particularly whether the needy are best served by direct relief or by eliminating welfare programs in order to encourage their self-reliance. During the 12-month period covered by this report, the Task Force held meetings in Washington, Chicago, Houston and Los Angeles, hearing from conservatives, moderates and liberals, policy experts, representatives of various ethnic groups, heads of self-help organizations and urban

planners. To help develop humane and practical guidelines for the AJC and the community at large, the Task Force also encouraged wide-ranging discussion of the subject by AJC chapters and other community groups.

Valuable background for these deliberations was provided by two papers: "Social Policy and the Poor," in which the AJC's associate director of national affairs analyzed conflicting views on how to deal with poverty in America; and "Jewish Perspectives on the Poor," an overview of traditional Jewish attitudes toward poverty and their relevance to contemporary life, by Elliot Dorff, provost of the University of Judaism in Los Angeles.

*Reaffirming
responsibility*

At the close of its explorations, the Task Force prepared a draft policy statement, "Economic Aspects of Social Policy and the Poor," which was adopted at the AJC's Annual Meeting in May 1986 to guide the AJC's continuing work in this area. Stressing that much of the contemporary debate on the subject is unnecessarily polarized, the statement called for a national policy that reaffirms both society's responsibility to provide for others and the individual's responsibility to provide for himself. The two background papers, the policy statement and a closing paper, "The Jewish Community and American Social Policy," by the assistant director of the AJC's Jewish Communal Affairs Department, will be published together as a sourcebook for the Jewish and general community.

Separation of Church and State

Campaigns to breach the constitutional wall of separation between church and state in the United States have waxed and waned throughout U.S. history. In the 1980s, such efforts have intensified. Religious fundamentalists and right-wing politicians have not only pressed for constitutional amendments to mandate prayer in the public schools and legislation to give the teaching of creationism equal weight with the teaching of evolution as scientific doctrine, they have also sought to force the removal from school textbooks and public libraries of all materials they label "secular humanist." Most ominous, perhaps, is their vigorous support for candidates for local and national office who back their drive to "Christianize America."

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The AJC has countered these efforts with a multifaceted program of legal challenge and public education. Sometimes, the Committee has acted alone; more often it has sought Christian allies to help blunt the attacks on church-state separation and inform legislators, religious leaders, educators, and the general public about the dangers involved.

*Legal
challenges,
public
education*

Toward these ends, AJC leaders and staff experts wrote articles, appeared on radio and television, spoke at public forums and participated in academic and interreligious seminars. They also testified before congressional committees and met with individual legislators to oppose proposed legislation mandating school prayer (which was defeated) and the "equal access" bill permitting student religious, political or philosophical groups to meet on school premises, before or after classes, for voluntary activities, including prayer (which was adopted). In conjunction with the AJC's 80th Anniversary celebration in May 1986, the AJC produced a public-service television spot announcement highlighting the importance of the constitutional safeguards to religious freedom and American democracy. The spot was carried repeatedly by more than 125 regular and cable television stations around the country.

A series of training workshops were conducted to help AJC chapters and other community organizations cope with church-state problems and to develop coalitions that can work together on an ongoing basis. The AJC also made plans for an extensive educational campaign in connection with the nationwide bicentennial celebration of the U.S. Constitution in 1987, highlighting the importance of the separation principle to religious freedom.

In June 1985, the AJC, in cooperation with the Cultural Pluralism Research Center of the University of Chicago, sponsored a national conference on "Religious Pluralism in American Society," which brought together educators, religious leaders, sociologists and political and civic leaders to explore the role of religion in public affairs and current threats to religious liberty in the United States.

Another important facet of AJC activities in this area was the submission

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Before the
Supreme Court

of briefs *amici*, alone or with other like-minded groups, in major cases before the U.S. Supreme Court. During the period covered by this report, these included the following:

Edwards v. Aguillard: A brief *amici* filed jointly with Americans United for Separation of Church and State, the National Council of the Churches of Christ in the U.S.A. and the General Convention of Swedenborgian Churches, argued that Louisiana's 1981 "Balanced Treatment Act," requiring public schools that teach the theory of evolution to teach "creation science" as well, violates the Establishment Clause by impermissibly advancing religion in the public schools.

Hobbie v. Unemployment Appeals Commission: A brief *amici*, filed jointly with the Baptist Joint Committee on Public Affairs and the Christian Legal Society, argued that denial of unemployment compensation to a recent convert to the Seventh-Day Adventist Church who was fired for refusing to work on Friday night and Saturday for religious reasons, violated the Free Exercise Clause of the First Amendment.

Goldman v. Weinberger: A brief *amici*, filed jointly with the Christian Legal Society, supported the right of an Air Force psychologist to wear his yarmulke on duty.

Ohio Civil Rights Commission v. Dayton Christian Schools: A brief *amici*, filed jointly with the Lutheran Church-Missouri Synod and the Christian Legal Society, argued that a state may not compel a private religious school to violate its sincerely held religious belief by requiring the school to continue employing a teacher who acts contrary to such beliefs.

Witters v. State of Washington Department of Services for the Blind: A brief *amicus* supported the eligibility of a blind student for an education subsidy and argued that such aid, granted all other blind applicants, would not violate the Establishment Clause of the U.S. Constitution merely because the petitioner chose to use that aid to train for the ministry.

School Excellence and Values Education

In our democratic society, public schools must not only provide the basic skills and broad knowledge young people need to function in the world; they must also help instill in our youth the values to live by. The explosion of knowledge and profound social changes that have taken place in recent decades have made both tasks infinitely more difficult than in earlier years.

The AJC, nationally and through its chapters, has long supported programs to provide the best possible schooling for all children and is also deeply involved in efforts to expand and improve values education in the nation's schools. Many Americans believe that our schools are failing to teach children a common core of ethical beliefs, such as honesty, patriotism, courage, social responsibility, respect and compassion for others; some insist such values can be instilled only by teaching religion in the schools. The Committee, however, feels strongly that religious teaching is the province of the home, church and synagogue, and may not, for constitutional reasons as well as to protect intergroup harmony, be part of public-school curricula.

*Teaching
core values*

During the 1985-86 program year, an AJC Educational Policy Task Force explored how schools around the country teach core values to children of different ages and grades, and investigated successful programs that could be replicated. AJC leaders and staff visited schools, consulted with government leaders, educators, parents, and community groups, and reviewed major writings in the field. After evaluating the findings, the Task Force will propose guidelines to help schools teach core values without violating constitutional safeguards or exacerbating intergroup tensions.

In cooperation with the National Urban League, the National Association for the Advancement of Colored People and the National Council of Churches, the AJC has formed an Education Round Table, which regularly brings together representatives of more than 30 leading educational organizations to discuss curricula and funding, teacher standards, propos-

als for education vouchers, Christmas celebrations, values education and other subjects affecting the quality of education.

Bilingual education is another subject that commanded AJC attention during 1985-86. To help shed light and reduce the heat surrounding this controversial issue, the AJC prepared *Guidelines on Bilingual Education*, which supports bilingual education as a bridge to English competence. The paper has been widely distributed, and AJC chapters are working closely with other community groups to defuse tensions in this area.

Equal Opportunity

Basic to American democracy is the belief that all persons, regardless of color, creed, gender or national origin, must be judged on their own merits and be permitted to compete equally for the rewards and satisfactions society has to offer. A quarter of a century after the civil-rights revolution of the 1960s, the overt discrimination that made a mockery of this dream of many Americans has faded; but ingrained discriminatory patterns and assumptions continue to stand in the way of equal opportunity for all.

*Affirmative
action,
goals and
timetables*

For many years the AJC's unwavering support of affirmative action in employment and education (including goals and timetables) was criticized by other Jewish groups, while its steadfast rejection of preferential quotas angered many Black groups. More recently, however, a growing number of influential voices in government, Congress, the media and the civil-rights community have echoed our stance. During the week-long celebration of Martin Luther King's birthday in 1986, the AJC's Washington representative was invited to be a featured speaker at an affirmative-action conference held at the Ebenezer Baptist Church in Atlanta, and his address underscoring the AJC's position received wide national attention.

In line with standing AJC policy, the Committee joined with a broad coalition of civil-rights and Jewish organizations in a brief *amici* to the

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U.S. Supreme Court in *Local 28, Sheet Metal Workers' International Association v. EEOC*, supporting the use of numerical remedies to overcome blatant racial discrimination in the union's membership and apprenticeship programs.

Women's Issues

The AJC's commitment to equal opportunity has also inspired the work of its Women's Issues Committee, which spearheaded the agency's support for the Economic Equity Act of 1985 and the Civil Rights Act of 1986. As part of its long-range program, the Women's Issues Committee is studying the special problems affecting American women at various stages of their life cycle, and whether they impact Jewish women differentially.

During this reporting period, a special Task Force appointed by the National Affairs Commission studied the controversial issue of pay equity and comparable worth. To inform itself and the AJC membership, the Task Force sponsored a series of meetings featuring government experts, attorneys, and union and business leaders on both sides of the issue. After months of study, the Task Force concluded that a sizable portion of the persistent wage gap between men and women stems from the fact that jobs traditionally held by women (teachers, nurses, secretaries, etc.) pay less than traditionally "male jobs," and that women have been systematically excluded from such higher-paying jobs. Presenting its findings to AJC chapters and the National Executive Council, the Task Force recommended that the AJC support voluntary programs to overcome such bias.

*Examining
pay equity*

Other women's issues of AJC concern during the past year included abortion (see p. 50), divorce, intermarriage and single parenthood (see *The Quality of Jewish Life*, pp. 35-36); and Women of Faith (see *Pluralism*, p. 22).

Civil Rights

In line with standing AJC policy, the Committee joined with other religious and civic organizations in briefs *amici* on three civil-rights cases

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before the U.S. Supreme Court:

Thornburgh v. American College of Obstetricians and Gynecologists and *Diamond v. Charles*: The briefs supported constitutional challenges to Pennsylvania and Illinois laws regulating women who seek abortion and doctors who perform them.

Thornburg v. Gingles: The brief argued that plaintiffs need not prove racial motivation in a vote-dilution claim.

Batson v. Kentucky: The brief argued that a prosecutor's use of peremptory challenges to remove Black potential jurors from a panel trying a Black defendant violated the constitutional guarantee of equal protection and the right to trial by a cross section of the community.

In testimony before the U.S. Commission on Civil Rights in March 1986, the AJC's legal director noted that anti-Semitism, racism and sexism remained significant factors in employment in many industries. Pointing to the absence of minority-group members from the boardrooms of large numbers of major corporations, he urged the Commission to look into racial and religious discrimination in the United States today.

Immigration and Refugee Policy

*Fair and
compassionate
policies*

Support of fair immigration has been part of the AJC's agenda from its inception. In recent years, political and economic upheavals have led increasing numbers of people from all parts of the world to seek haven and a new life on America's shores, challenging our nation to develop a fair and compassionate immigration policy that would retain America's traditional welcome to the homeless and oppressed while stemming the growing tide of illegal aliens.

During the 1985-86 program year, the Committee's Task Force on Immigration and Acculturation, made up of scholars, lawyers, organization and community leaders and policy experts, spearheaded the formation of a national coalition of religious, ethnic and civic groups in support of basic

guarantees they felt must be part of any immigration legislation. These included a continuation of America's generous provisions for legal entry; retention of family unification as a basic goal of U.S. immigration policy; legalization of undocumented aliens now in the United States; provisions to combat discrimination against aliens; and increased resources for enforcement of immigration laws. AJC leaders testified before both houses of Congress and conducted an extensive education campaign to inform the media and the general public about the issues involved.

The AJC also supported a humane refugee policy, including suspension of deportation proceedings against asylum seekers who may face imprisonment, torture or death if they are returned to their countries of origin. Deploing the virtually automatic rejection of requests for asylum in recent years, the AJC recommended an independent commission system for deciding such issues.

*Aiding
asylum
seekers*

The Committee also joined with the Lawyers' Committee for Human Rights, the Anti-Defamation League of B'nai B'rith, the Indian Law Resource Center and Governor Tony Anaya of New Mexico in a brief *amici* to the U.S. Supreme Court arguing that Congress intended to adopt a generous standard for granting political asylum under the Refugee Act of 1980.

The Task Force on Immigration and Acculturation has also concerned itself with the economic and sociopsychological adjustment of newcomers to the United States and is exploring ways to make this transition more productive for the individuals, the communities they settle in and the nation as a whole.

Energy

Since the Arab oil embargo quadrupled the cost of oil in the 1970s, the AJC has supported efforts to make the United States and the other Western democracies less dependent on OPEC policies and practices.

In 1985-86, leaders of the AJC's Energy Committee and AJC staff testi-

fied before committees of Congress, the departments of Energy and Interior and other agencies in support of an oil-import tax, the maintenance of adequate U.S. oil reserves, the preservation of fuel-economy standards for automobiles and similar measures affecting U.S. energy policy. The AJC also serves as a resource for the media and for Jewish community groups around the country concerned with this issue.

In the Chapters

Both the *Boston* and *Philadelphia* chapters commissioned studies on the status of women in the Jewish and general life of their cities.

The *Chicago* chapter won a grant from the Jayce Foundation to launch a Chicago CONDUCT (Committee on Decent Unbiased Campaign Tactics) to help assure fair elections in the 1986 campaign.

The *Cleveland* chapter, in cooperation with the Interchurch Council and the Catholic diocese, convened a Conference on Equal Access, attended by representatives of 22 school districts, to discuss the effects of new federal legislation. A similar conference was sponsored by the *Long Island* chapter, in cooperation with the Hofstra University Law School and the National Conference of Christians and Jews.

The *Dallas* and *Orange County* (Calif.) chapters sponsored conferences, widely covered by the media, on the acculturation of immigrants, bringing together leaders of business, labor, education and community relations to assess the needs of local immigrant groups and recommend appropriate private and government action.

The *New York* chapter helped organize a broadly based coalition of religious and educational organizations to study the development of new housing to meet the combined needs of older residents for low- and middle-income housing and of educational institutions for additional dormitory facilities. The chapter also sponsors the New York Network, which regularly brings together professional women from the public and private sectors for briefings on issues of concern to women.

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The *Philadelphia* chapter helped organize four interfaith forums on family values and morality.

Educational Materials

Batson v. Commonwealth of Kentucky, by Andrea S. Klausner, AJC Associate Legal Director. 6 pp.

A summary and analysis of the Supreme Court decision on the use of peremptory challenges to exclude Black jurors.

Bilingual Education, by Marilyn Braveman. 3 pp. and appendices.

A National Affairs backgrounder by the AJC's director of education.

Bringing Women In: An Update, by Rela Geffen Monson. 21 pp.

Changes in the role of women in Jewish organizational life in Philadelphia since 1974.

The December Dilemma, by Marilyn Braveman. 5 pp.

Guidelines for the celebration of Christmas in the public schools.

Economic Aspects of Social Policy. 5 pp.

A policy statement prepared by the AJC Task Force on Social Policy.

Economic Equity Act of 1985, by Linda Greenman. 7 pp.

An AJC National Affairs backgrounder outlining salient provisions affecting women.

Energy Information Service.

Periodic papers and reprints.

Equal Access: What It Means to Your Schools. 14 pp.

How different school districts are dealing with the Equal Access Act of 1984.

The Impact of Immigrants on American Society, by Federico Pena. 12 pp.

Text of an address by the mayor of Denver to the American Jewish Committee's National Executive Council in November 1985.

In Defense of the Common Culture, by William J. Bennett, U.S. Secretary of Education. 14 pp.

Text of address at 80th Anniversary meeting of the AJC.

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Jewish Perspectives on the Poor, by Elliot Dorff. 38 pp.

The Jewish Role in the U.S. Political Process, by Hyman Bookbinder.

Remarks by the AJC's Washington representative to the 54th General Assembly of the Council of Jewish Federations.

Model for a One-Day Conference on Acculturation, by Gary Rubin. 6 pp.

The Oil Glut Is Not Forever, by Lawrence Goldmuntz. 5 pp.

An Energy Information Service paper.

Oil Import Tax. 6 pp.

Testimony by Lawrence Goldmuntz, chair of the AJC's Energy Committee, to the Senate Finance Committee's Subcommittee on Energy, urging a substantial tariff on imported oil.

Polarization or Pluralism: Options for the Mid-80s, by David M. Gordis. 12 pp.

Reflections on Acculturation of Immigrants in the U.S., by Robert L. Bach. 16 pp.

A presentation to the AJC's Task Force on Acculturation.

Religious Liberty and Church-State Separation: Why Should We Care?, by Samuel Rabinove. 4 pp.

Sex Discrimination v. Religious Freedom, by Andrea S. Klausner. 5 pp.

Summary and analysis of the Supreme Court decision in *Ohio Civil Rights Commission v. Dayton Christian Schools*.

Social Policy and the Poor, by Gary Rubin. 20 pp.

Spies in the Sanctuary, by Samuel Rabinove. Reprinted from *Reform Judaism*. 2 pp.

Rejects both the claim that churches and synagogues may break the law to harbor illegal political refugees, and the Justice Department's infiltration of the Sanctuary movement.

Statement on Affirmative Action and the Proposed Changes in Executive Order 11246, by Hyman Bookbinder. 5 pp. plus appendixes.

Testimony before the Subcommittee on Civil and Constitutional

Rights of the House Committee on the Judiciary.

***The Supreme Court and Affirmative Action*, by Andrea S. Klausner. 12 pp.
Analysis of two decisions involving employment preferences and when
they may be applied.**

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Israel and the Middle East

SUDAN LETS U.S. FLY
800 ETHIOPIA JEWS
TO ISRAELI REFUGES

SEC
Israel hits new popularity
peak among Americans

The Seven Kidnapped
Hostages

Aliya returnees polled on Israel life

A survey of 71 American
who went to Israel

red little damage.

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RESPONDING TO THE ESCALATION

George Shultz Talks About
'Special Relationship' with Israel

American Jewish Committee's
Deep Concern' Over
High Poverty Level in USA

NEW YORK — The following statement was
made by Eliezer, President of the American Jewish
Committee in the U.S. Census '00

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THE AMERICAN JEWISH COMMITTEE HAS BEEN DEDICATED TO Israel's security, and to its survival as a democratic state, ever since the Jewish state was created in 1948. The Committee's efforts to encourage constructive and mutually beneficial relations between the United States and Israel, and to deepen the understanding and friendship between the two nations, involve every commission and department of the agency. Its programs in this area enjoy wide credibility in American leadership circles because the AJC is recognized not as a narrow advocate of self-interest, but as an American organization involved in the entire range of American and international issues.

*Deepening
understanding*

The AJC is also committed to strengthening the ties between Israelis and American Jews, and to furthering Israel's understanding and appreciation of the American Jewish community.

Safeguarding Israel's Security

Concerned that the projected sale of sophisticated U.S. weapons to Jordan and Saudi Arabia would upset the delicate military balance between Israel and its Arab foes, the AJC's Board of Governors, in September 1985, urged the Reagan Administration to reconsider its decision. In June 1986 the Committee's newly elected president urged the Administration to make any future sale of arms to Saudi Arabia contingent on that country's unambiguous support of U.S. policy on Libyan, Syrian and PLO terrorism, and American efforts to promote direct negotiations between Israel and the Arab countries in a declared state of war with the Jewish state. (The public-opinion poll conducted by the Roper Organization for the American Jewish Committee the same month indicated ongoing support for Israel by the American public, with a majority continuing to view the country as a reliable ally of the United States.)

The AJC, which for many years has worked to encourage increased diplomatic, economic and informal relationships between Israel and other countries, welcomed the establishment of diplomatic ties between Spain and Israel in January 1986. During this reporting period, AJC leaders made similar representations to major Catholic Church officials in many

lands to urge Vatican recognition of the Jewish state. At the same time, the Committee continued to expose and combat the Arab and Soviet campaign to discredit Israel at the United Nations and its various organizations. (See also *On the World Scene*, pp. 73-74.)

Israelis and American Jews

As part of its ongoing efforts to strengthen the bonds of kinship and understanding uniting Israeli and American Jews, the American Jewish Committee in the 1985-86 program year laid the groundwork for expanding the activities of its Israel office and enhancing its relationships with the government, the academic community and other vital leaders of Israel's society. Plans were also made to intensify research, training, advocacy and public education in the area of intergroup tolerance and understanding. At the same time, the AJC continued its multifaceted educational activities, in the United States and Israel, dedicated to helping Israelis and American Jews appreciate one another's perceptions and experiences.

In the summer of 1985, the AJC's International Affairs Department, its Institute on American Jewish-Israeli Relations (IAJIR) and the International Sephardic Education Foundation co-sponsored in New York a Conference on Ashkenazi-Sephardi Relations in Israel. The participating scholars examined the complex relationships between Sephardi Jews and those of European origin, and suggested ways to hasten the integration of Sephardi Jews into the mainstream of Israeli society. The conference papers were published in the fall.

During 1985 and 1986, the IAJIR invited four distinguished scholars — Henry L. Feingold of the City University of New York, David Sidorsky of Columbia University, Anita Shapira of Tel Aviv University, and Abraham Harman, chancellor of the Hebrew University of Jerusalem and a member of the Institute's Israeli Advisory Board — to prepare major papers reassessing the ideological premises of Zionism in light of changing Israel-Diaspora realities. The papers undergirded the discussions of a symposium convened by the IAJIR's Israeli Advisory Board in Jerusalem in August 1985 and the U.S. Advisory Board later in the year. The

*Meaning of
Zionism
today*

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highlights of the discussions were published with an introduction by board chair Stuart Eizenstat, and a discussion guide in April 1986. Also published was a detailed summary of the Jerusalem symposium by Stuart Eizenstat.

The IAJIR also commissioned Steven M. Cohen, professor of sociology at Queens College (CUNY), to update the 1983 study he did for the Institute on the attitudes of American Jews toward Israel and Israelis. Similarly, Dr. Mina Tzemach, who directs the Dahaf Research Institute in Israel, was asked to follow up on the earlier companion study by Israeli pollster Hanoch Smith on Israeli attitudes toward Americans.

*Polling
Israeli and
American Jews*

In March 1986, the AJC commissioned Hanoch Smith to explore the views of Israeli Jews on two issues of current concern: the Middle East peace process and religious pluralism in the Jewish state. (On the peace process, 62 percent of respondents supported direct negotiations between Israel and a joint Jordanian-West Bank [non-PLO] delegation; but most rejected advance territorial concessions to lure Jordan's King Hussein to the negotiating table. Regarding religious pluralism, 45 percent of those queried favored granting Reform and Conservative rabbis equal status with Orthodox rabbis, and 56 percent saw no threat to Jewish values if such recognition were extended.)

In August 1985, the AJC joined 11 other American Jewish organizations in publicly condemning the views and tactics of American-born Israeli politician Meir Kahane, branding Kahane's anti-Arab terror, perpetrated in the name of a Torah-based nationalism, "a perversion of Jewish religious, ethical, and traditional values and practices." The AJC also commissioned an analysis of Gush Emunim and its political and ideological impact on Israeli society by Ehud Sprinzak, a senior lecturer in political science at the Hebrew University in Jerusalem.

The AJC voiced its outrage at the violence that erupted in Israel between ultrareligious and secular groups in early June 1986. Its sharply worded statement, issued in conjunction with the top leadership of organizations representing the Orthodox, Conservative, Reform and Reconstructionist

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arms of American Judaism, called upon Israelis and Jews everywhere, religious or secular, to seek an immediate end to "these mindless resorts to violence and hatred . . . Jewish ethics and democratic ideals do not sanction the resort to extralegal violence as instruments of enforcing public piety," the statement declared.

*"A pluralistic
and rich
religion"*

In April 1986, the AJC's officers cabled Prime Minister Shimon Peres and other top Israeli officials to protest proposed action by the Knesset to grant to the Rabbinical Court the exclusive right to determine who is a Jew. Stressing that "Judaism is a pluralistic and rich religion," the AJC leaders reminded the Israeli officials that "such a political action would be viewed as morally and religiously offensive to the majority of world Jewry."

In 1985-86 the AJC also initiated and co-sponsored several important conferences in Israel, designed to promote religious pluralism and a better understanding of the American Jewish experience. In May 1986, the AJC joined with the Israel Interfaith Association to sponsor a consultation on combating religious intolerance in Israeli society. Participants included members of the Knesset, university faculty and students, and Jews, Christians and Muslims from all over the country. A summary of the discussions was widely distributed. With the Museum of the Diaspora, the Committee co-sponsored a series of lectures on the contributions of American Jewish religious thought to Israel's spiritual life. The AJC also sponsored an experimental course at Bar-Ilan University, which would provide insights on American Jewish life through the study of English, Hebrew and Yiddish fiction.

Possibly the most effective AJC programs in this area are those which bring Israelis and American Jews face-to-face and enable them to experience one another's society directly. The Committee's Board Institutes and Missions in Israel provide direct contact with Israeli leaders in every area and, over the years, promote the friendships and trust essential to mutual cooperation. In addition, three other people-to-people projects have won high praise among participants in the United States and Israel.

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The Jewish Communal Affairs Department's 16th annual academicians' seminar brought a group of Jewish faculty from campuses across the United States to Israel in the winter of 1985. A carefully planned program of intensive peer-group discussions, meetings with political and civic leaders, both Jewish and Arab, and a tour of historic Israel helped strengthen the Jewish identity of young faculty members and acquainted them with the realities of Israeli life. A report summarizing the impact of their experiences in the first 15 seminars was published early in 1986.

The IAJIR's Matthew and Edna Brown Young Israeli Leadership Program brought its fourth annual contingent of young Israelis to the United States in May 1986. During their two weeks in this country, the group of men and women, selected for their leadership potential and already active in government, academic, business and civic life in Israel, visited key American Jewish communities and experienced firsthand the vitality and diversity of American Jewish life. The 35 Israelis who participated in the program from its inception in May 1983 to June 1986 represent a network of knowledgeable emissaries who took to Israel and shared with others their new insights into American Jewish life.

*Young
Israeli
visitors*

The annual joint meetings of the IAJIR's American and Israeli advisory boards bring together American Jewish communal leaders and leaders of Israeli academic and political life for frank and intensive discussion of issues that affect relations between the two communities.

In the Chapters

The *San Francisco* chapter's Public Education Task Force called the attention of city school officials to errors of fact and interpretation in a new high-school curriculum on the Middle East, leading to the preparation of a revised text.

The *Seattle* chapter, together with the Catholic archdiocese, the Church Council and the Jewish Community Relations Council, initiated an ongoing series of dialogues about Israel focusing on Israel's centrality in the lives of American Jews and the impact of the Jewish state on relations between Christians and Jews.

Educational Materials

Academics' Seminars in Israel: Alumni Review the Impact of Their Experiences, by Leora W. Isaacs. 24 pp.

Gush Emunim: The Politics of Zionist Fundamentalism in Israel, by Ehud Sprinzak. 32 pp.

Analysis of a potent political force in Israeli politics that combines religious fundamentalism with extreme nationalism.

IAJIR Bulletin

A monthly newsletter in Hebrew, prepared by the Israel office of the Institute on American Jewish-Israeli Relations, reporting on aspects of American Jewish life generally not covered by American correspondents in Israel or Israeli correspondents in the U.S.

The Institute on American Jewish-Israeli Relations: A Three-Year Report, 1982-1985. 17 pp.

Israel: A Democratic, Pluralistic Society: The Legal and Political Rights of Israel's Arab Minority, by Harry Milkman. 4 pp.

Israeli Press Highlights

Weekly English-language summaries, by the AJC's Israel Office, of major articles and editorials in the Israeli press.

Italy and Israel, by David Geller. 2 pp.

The complex relationship between the two countries in recent years.

Kach and Meir Kahane: The Emergence of Jewish Quasi-Fascism, by Ehud Sprinzak. Reprinted from *Patterns of Prejudice*, nos. 3 and 4, 1985. 17 pp.

The PLO Terrorist Attack in Cyprus and Israel's Response, by George E. Gruen and Harry Milkman. 8 pp.

Reports from the Israel Office

Subjects covered in 1985-86 included: "Syria — The Big Question Mark in the Middle East"; "Israel and the Black Hebrews"; "Israel's Ethiopians: Absorption and Integration"; "The Bejski Commission Report on Bank Share Rigging"; and "The Lavi [Jet Fighter]"

Controversy."

Some Perspectives on Ashkenazi-Sephardi Relations in Israel, by Maurice M. Roumani and others. 45 pp.

Papers delivered at the conference co-sponsored by the AJC and the International Sephardi Education Foundation.

The Struggle Between Pragmatism and Extremism, by George E. Gruen. 4 pp.

Remarks at a Conference on Critical Issues on the World Agenda, Columbia University, April 6, 1986.

A Study of U.S. Corporate Investments in Israeli Industry: Summary of Findings. 12 pp.

A survey exploring Israel's attractions and deterrents to American investors.

Tefutsot Israel

The Hebrew-language quarterly published by the AJC's Israel Office carries articles, studies and commentaries on Diaspora Jewish life. Major themes in 1985-86 dealt with Latin American Jewry, and with Jewish education in Israel and the Diaspora.

Toward a New Zionism: American Jews and Israel, by Stuart E. Eizenstat. 21 pp.

Adapted from his address to the Israeli Advisory Board of the AJC's Institute on American Jewish-Israeli Relations, June 12, 1986.

Zionism Today: A Symposium, 72 pp.; *Zionism Today: A Guide for Discussion*, 4 pp.; *Defining Zionism: Summary of a Symposium*, by Stuart E. Eizenstat, 15 pp.

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On the World Scene

Shcharansky Reunited With Family
Soviet Dissident Expects to Meet for First Time

Dialogue essential in South Africa
In official statements, letters to American newspapers and appearances on U.S. television, South African government leaders to meet with black spokesmen and the further bloodshed. Black clergymen, union leaders and civil rights activists in South Africa have said, again and again, that they are ready to this

U.N. Conference on Women
'A Social Revolution'
By Sherry Chayat
... month since she ...
... look in ...

Terrorist attacks
deplored by ANC

American Jews
are anti-apartheid

Waldheim report
disturbs Jewish leaders
whose ...
General ...
... to Mr Waldheim

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SINCE THE KISHINEV POGROMS OF 1905 the American Jewish Committee has labored to protect and sustain vulnerable Jewish communities throughout the world in the face of shifting political and social realities. In recent years, the major focus of concern has been the Jews in the Soviet Union and its satellites, Latin America, and Muslim lands. At the same time, the AJC has expanded its relationships with political and religious leaders in Western Europe and South Africa, and pursued its decades-long advocacy of international human-rights safeguards through the United Nations and other international forums.

Soviet Jewry

Jews rank 16th in population among more than 100 recognized Soviet nationalities; they are the only group systematically denied the freedom to preserve their distinctive culture through schools, publications, language and the practice of their religion. Soviet Jews are also subject to discrimination in education, employment and political participation, and in recent years only small numbers have been permitted to emigrate.

During the 1985-86 program year, the National Interreligious Task Force on Soviet Jewry, organized by the AJC and the National Catholic Conference for Interracial Justice 14 years earlier, sponsored two public hearings on the struggle for religious liberty in the Soviet Union — in Chicago in October 1985 and in Seattle in April 1986. Spokespersons for Jews, Roman Catholics, Orthodox, Evangelicals, and Muslims described to panels of civic and religious leaders the plight of their Soviet co-religionists and their struggle for religious freedom.

In January 1986, three Task Force members — Sister Ann Gillen, executive director of the Task Force; Professor Thomas Bird, chair of the Germanic and Slavic Studies Department of Queens College; and a representative of the AJC's Interreligious Affairs Department — spent two weeks in Moscow, Minsk and Kiev on a Task Force-sponsored mission. The group met with Jewish refuseniks and underground Baptists, attended church and synagogue services, and talked with Soviet emigration

*A mission
to Moscow*

officials, interceding for a refusenik family that was later promised an exit visa.

*The Bundestag
resolution*

In April 1986, the AJC and the Task Force co-sponsored a press conference in Washington to highlight the plight of Naum Meiman and his wife, Inna Meiman. Professor Meiman is a 74-year-old mathematician who has been refused an exit visa on the basis of classified work he did decades ago; Mrs. Meiman was suffering from cancer and was seeking medical treatment abroad. Joining in the appeal were Senators Gary Hart (D-Colo.), Paul Simon (D-Ill.), and Rudy Boschwitz (R-Minn.); and Representatives Gerry Sikorski (D-Minn.) and Timothy Wirth (D-Colo.).

In cooperation with the Task Force, the AJC's National Task Force on Soviet Jewry was coordinating a national consultation on Soviet Jewry, scheduled for the fall of 1986. The third such conference in recent years, it was expected to draw over 50 Soviet experts, representatives of Jewish organizations, and government officials from the United States and Israel and to provide new guidance for the Soviet Jewry movement in the years ahead.

The AJC's director of Mexican and Central American affairs was the secretary-general of a Latin American Conference on Soviet Jewry held in Buenos Aires in June 1986. Delegates included prominent political and intellectual leaders, most of them non-Jewish, from 11 countries. They unanimously approved a statement denouncing the decline in emigration and increased repression of Soviet Jews and agreed to ask their respective governments to intercede with Soviet authorities on behalf of Soviet Jews.

In April 1986, the West German Bundestag, in an unprecedented action, unanimously adopted a resolution calling on the Soviet Union to halt anti-Jewish propaganda and discrimination, release Jews arrested for religious observance, allow Jews to emigrate and permit those who remain to practice their religious and cultural traditions. The resolution was drafted at a conference on the condition of minorities in the Soviet Union held in Bonn in March, which grew out of discussions between the AJC's

president and West German chancellor Helmut Kohl. The conference was co-sponsored by the Committee's Jacob Blaustein Institute on Human Rights and the Institute on East European Law of the University of Cologne, with funding provided by AJC Board of Trustees chair Edward Elson and the Volkswagen Foundation.

To help reduce the isolation of Soviet Jews, the AJC encouraged its members to travel to the USSR to gather firsthand knowledge of Jewish conditions there, strengthen the morale of Soviet Jews, and remind Soviet authorities that Western concern for the fate of Russian Jewry remains unabated. Several chapter delegations went to the Soviet Union in 1985-86, and plans are under way for similar missions in the months ahead. Meanwhile, in response to appeals voiced by Jewish refuseniks and other activists for educational materials, the AJC has created the Academy of the Air for Jewish Studies, which provides materials for shortwave broadcasts to the USSR on Jewish cultural, historical and religious themes.

*Delegations
to the
Soviet Union*

Europe

Through its ongoing relationships, formal and informal, with political and religious leaders in a number of European countries, and with leaders of the European Community, the AJC has been able to raise issues affecting Soviet Jewry, Israel, the resurgence of anti-Semitism and support for international human rights at the highest levels in many countries.

In March 1986 the AJC hosted a private dinner meeting in Washington for Marcelino Oreja, secretary-general of the 21-nation Council of Europe. Guests included the Spanish ambassador to the United States, Ambassador Sol Linowitz, former chair of the AJC's National Executive Board, and other political figures, who together explored Europe's role in combating terrorism, protecting human rights, and contributing to the search for Middle East peace.

In May, an AJC luncheon for Rinaldo Petrignani, Italian ambassador to the United States, focused on Italy's role in the Middle East, East-West

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relations, and Soviet Jewry.

During the 1985-86 program year, AJC representatives met with aides of President François Mitterrand of France to explore the convening of a Paris conference on human rights similar to the Bonn conference of March 1986.

Through its European office and visits of officers and national staff, the AJC also maintains close ties with European Jewish communities, providing materials and other resources as requested.

Germany

In October 1985, for the third consecutive year, an AJC leadership delegation traveled to Munich, Bonn, and West and East Berlin, meeting with members of the West German Bundestag, city officials and leaders of the German Jewish community.

The 1985-86 program year also saw the continuation of several long-term AJC programs in West Germany. For the sixth year there was an exchange of visits between young American Jewish and West German leaders co-sponsored by the AJC and the Konrad Adenauer and Friedrich Ebert Foundations.

For some time, the AJC has been sending to the small Jewish community of East Berlin books, religious articles and sacramental wine. Because the community has no resident rabbi, the AJC has, for several years, arranged for an American rabbi, German-born Ernst Lorge of Skokie, Illinois, to officiate at High Holy Day services there. It has also been working to persuade the East German government to permit a resident rabbi to be assigned to East Berlin on a year-round basis.

Austria

*Confronting
Austrian
anti-Semitism*

Manifestations of anti-Semitism in the campaign that preceded the election of Kurt Waldheim as president of Austria in May 1986 alarmed not

only the Austrian Jewish community but many influential political and civic leaders in that country. Immediately after the election, the AJC met with top-level Austrian officials and educators to explore ways to deal with the remnant and resurgent anti-Semitism that surfaced during the Waldheim campaign. As a result of these preliminary explorations, AJC leaders were invited to meet with Austria's chancellor and foreign minister and with officials of the ministries of education, interior and justice. Joint projects under consideration include conferences and seminars that would confront Austria's role in the Holocaust, textbook studies to examine what Austria's youth is being taught about the Nazi period, and exchange visits on the model of the program involving young American Jewish and West German leaders.

Latin America

From its offices in New York and Mexico City, the AJC regularly monitors human-rights abuses and manifestations of anti-Semitism south of the border. In recent years, anti-Semitic material distributed in the Middle East and elsewhere has originated in Latin America, possibly through the efforts of PLO offices and connections there. AJC leaders meet frequently with the leaders of local Jewish communities and government officials to express the Committee's concern on such issues and to promote official and private initiatives to deal with them.

Brazil

Ninety percent of Brazil's nearly 132 million people are Roman Catholic. To encourage closer ties between the country's Catholics and Jews, the AJC proposed to Rabbi Henry I. Sobel of São Paulo the convening of a pan-American conference on Catholic-Jewish relations, co-sponsored by the Confederation of Brazilian Jewish Communities, the National Conference of Brazilian Catholic Bishops, and the AJC, to mark the 20th anniversary of the Vatican Council II declaration, *Nostra Aetate*. The Confederation of Jewish Communities and the Brazilian Catholic hierarchy both endorsed the proposal, and Rabbi Sobel and AJC's director of

*Marking
Vatican II*

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South American affairs served as coordinators for the project.

Participants at the two-day conference, which met in the Hebraica Cultural and Sports Center in São Paulo on November 3-4, 1985, included the governor of São Paulo, who delivered a message of welcome; leaders of the Brazilian Jewish community; the president of CELAM, the Latin American Conference of Catholic Bishops; the cardinals of São Paulo, Rio de Janeiro and El Salvador; the archbishop of Brasilia; the bishop of Porto Allegro; the bishop in charge of ecumenical relations; the ambassadors of Israel and France; and the AJC's director of international affairs, its associate director of interreligious affairs and its director of South American affairs. There were also messages from Pope John Paul II and from the president of Brazil. The conference adopted statements rejecting the UN's 1975 "Zionism is racism" resolution and condemning human-rights violations wherever they occurred. Recommendations were endorsed for programs to teach young people about the Holocaust and about the 500 years of Jewish history and contributions in the Americas; and it was announced that a new Brazilian catechism, entitled "Israel, People, Land and Faith," would incorporate the new perceptions of Catholic-Jewish relations in the training of Catholic catechists and teachers.

Other Countries

A *Nostra Aetate* commemoration co-sponsored by the AJC and the Committee on Relations Between Churches and Synagogues was held in Venezuela.

*A helping
hand*

In September 1985, after the devastating earthquake in Mexico City, AJC representatives traveled to the scene to assess the impact on the Jewish community and to facilitate communications between members of that community and relatives in the United States.

In January 1986, the AJC was the only American Jewish organization invited to attend the inauguration of the first democratically elected president of Guatemala in 30 years.

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In March 1986 AJC representatives discussed the political situation in Argentina with the governor of Corrientes province. In May, an AJC delegation attended the inauguration of the new president of Costa Rica. And in June, AJC representatives conferred with the president of Uruguay, a leader in the restoration of democracy in that country.

The AJC also continued to monitor the situation of Jews in Cuba, and was able to announce in April 1985 that the Castro government had given permission for a rabbi to visit Cuba and conduct religious services on major Jewish holy days, and would help maintain Jewish synagogues and cemeteries. Some progress was also made in assuring the freedom of Cuban Jews to practice their religion, and to increase their contact with co-religionists in other lands.

Africa

A consistent opponent of apartheid, the AJC in 1985-86 undertook a comprehensive review of its position on how best to promote democracy in South Africa. In October 1985, a leadership delegation spent two weeks there meeting with members of the Jewish community, Foreign Minister R.F. Botha, the U.S. ambassador to South Africa, Anglican bishop Desmond Tutu, and other prominent leaders, Black and white. A special Task Force was appointed to draft a policy statement to be considered by the AJC's National Executive Council meeting in November 1986.

In February 1986 the AJC provided office space and other facilities for the North American Conference on Ethiopian Jewry, a grass-roots, largely volunteer organization devoted to the rescue and relief of that beleaguered community. In April 1986, at an AJC-sponsored press conference in New York, Israel's only ordained rabbi from the growing Ethiopian community there described the challenges of adaptation faced by thousands of Ethiopian Jews transported to Israel as part of Operation Moses. He stressed both their desire to preserve their distinctive Ethiopian heritage and their eagerness to integrate rapidly and fully into Israeli society.

*Operation
Moses*

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Muslim Countries

Islamic fundamentalism and Arab extremism continue to imperil Jews in Syria, Lebanon, Iran, Yemen, and other Muslim countries. Believing that their security depends on ongoing world attention to their plight, the AJC works diligently in their behalf in its contacts with the U.S. and other Western governments.

The director of the AJC's Paris office and other AJC members and staff were actively involved in a widely reported meeting in Paris in February 1986 of the International Committee for the Freedom of Syrian Jews.

Human Rights Concerns

Many of the AJC's human-rights activities involve long-range monitoring, research, evaluation, conferences, publications, and other educational projects carried out under the aegis of the Committee's Jacob Blaustein Institute for the Advancement of Human Rights (JBI), alone or in cooperation with other national and international groups, private and governmental.

*Women
of Faith
in Nairobi*

In preparation for the closing conference, in Nairobi, Kenya, of the UN Decade for Women in July 1985, and Forum '85, the nongovernmental convocation that preceded it, the JBI commissioned a major study on conditions of Palestinian women in the West Bank and Gaza, which provided valuable background information for official and nongovernmental delegates from many countries. (The study was part of a concerted drive to prevent the anti-Israel campaign that deflected the two earlier Decade for Women conferences in Mexico City and Copenhagen.) Twenty-one AJC delegates — the largest American Jewish delegation to attend Forum '85 — went to Nairobi as part of the Women of Faith presence there (see *Pluralism*, p. 22). Shortly before Forum '85 opened, Dame Nita Barrow, a conference convener, met with representatives of the media at AJC headquarters to stress that the delegates in Nairobi would resist any efforts to subvert the agenda for partisan political ends, and insist on working together to improve the lot of women the world over.

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Also in July 1985, the JBI co-sponsored with the Inter-American Institute of Human Rights a Colloquium on Human Rights Education in Latin America in San José, Costa Rica, attended by representatives of education ministries from several Latin American countries.

In November 1985, the JBI and Temple University's Department of Religion and the *Journal of Ecumenical Studies* organized a Conference on Religious Liberty and Human Rights (see *Pluralism*, p. 21).

In April 1986, the JBI co-sponsored with the Center for International Studies of the New York University Law School an International Legal Conference on Anti-Semitism, Anti-Zionism, and the United Nations. Forty-three international-law experts from 11 countries discussed the harmful effects of bloc politics and anti-Zionism in the United Nations and the impact of the UN's 1975 resolution equating Zionism with racism, and considered ways to reduce the inflammatory rhetoric in UN deliberations and publications. A number of the conference papers were being prepared for publication.

One of the AJC's longest human-rights campaigns — the drive to secure worldwide and U.S. adoption of the UN Convention Against Genocide — came to fruition with the Senate ratification of the Genocide Convention in February 1986. In the early days of the UN, the AJC had worked closely with Raphael Lemkin, who first conceived of an international convention to outlaw the deliberate destruction of racial, religious or ethnic groups, to win its passage in the UN and its ratification by the member states. For many years, the Committee spearheaded the efforts of the Ad Hoc Committee on Human Rights and Genocide Treaties to convince the U.S. Senate to add the United States to the large number of ratifying nations. After the Senate vote, Senator Richard G. Lugar, chairman of the Senate Foreign Relations Committee, acknowledged the contributions of the AJC and the Committee's Washington representative in securing ratification.

*Ratifying
the Genocide
Convention*

In the Chapters

Members of the *Chicago* chapter visited the Soviet Union in November

1985, meeting with refuseniks and U.S. Embassy officials.

Two lay leaders of the *Houston* chapter, one of them a physician, flew to Mexico City immediately after the devastating earthquake of September 1985 to assess the needs of the city's Jewish community.

The *Miami* chapter was developing a long-term educational rescue program for the Jewish community of Guatemala, an outgrowth of a relationship established three years before with the Federation of Central American Jewish Communities (FEDECO). The chapter and FEDECO were also planning an exchange program between the Miami and Guatemalan communities that would include sending bilingual Jewish youngsters from Miami to a Jewish winter camp in Central America.

Educational Materials ***Soviet Jewry***

Anatoly Shcharansky and Soviet Jewry in the Wake of the Summit, by David A. Harris. 4 pp.

A Basic Guide to Soviet Jewry, by David A. Harris and David Geller. 13 pp.

Conference on the Condition of Minorities in the Soviet Union under International Law, by Allan Kagedan. 4 pp.

Report on the conference co-sponsored by the AJC in Bonn, March 19-21, 1986.

Gorbachev and the Jews, by Allan Kagedan. Reprinted from *Commentary*, May 1986. 4 pp.

Soviet Jewry: Back to Square One?, by David A. Harris. 4 pp.

Analysis of Soviet motives in maintaining low levels of Jewish emigration.

Soviet Jewry: An Overview, by David A. Harris. 7 pp.

Soviet Jewry after Shcharansky: Winds of Change?, by David A. Harris. 8 pp.

Soviet Jews: Beneficiaries of Improving Soviet-American Relations? by David A. Harris. 3 pp.

Consideration of the Soviet Jewry question after the Geneva summit meeting of February 1986.

Europe

French Right-Wing Extremism: The National Front, by David A. Harris, 4 pp.

Italy and Israel, by David Geller. 2 pp.

Jacques Chirac, France and the Middle East, by David A. Harris. 4 pp.

The Jews of Portugal, by David Geller. 3 pp.

Spanish-Israel Ties Need U.S. Nurture, by Marc H. Tanenbaum. 4 pp.

The Trial of Klaus Barbie: A Troubling Court Decision, by Nives Fox. 2 pp.

Latin America

Anti-Semitism in Argentina: Old and New, by Jacobo Kovadloff and Susan Rothblatt. 5 pp.

The Argentine Jewish Community Under Alfonsín, by Jacobo Kovadloff and Susan Rothblatt. 5 pp.

Chile's Uncertain Future, by David A. Harris. 3 pp.

Costa Rica: Important Factor for Peace in Central America, by Sergio Nudelstejer. 4 pp.

Mexico: Difficult Steps Toward Normalization, by Sergio Nudelstejer. 4 pp.

Africa

American Jewish Committee Involvement in European Protest on Behalf of Lebanese and Syrian Jews. 7 pp.

Fallacies About Israel's Ties with South Africa. by Allan L. Kagedan. 9 pp.

Israel's Ethiopians: Absorption and Integration. AJC Israel Office. 5 pp.

Lebanese Jews — Victims of Shi'ite Muslim Terror. by George E. Gruen. 4 pp.

The Murder of Lebanese Jewish Hostages, by George E. Gruen. 4 pp.

Oil, Guns and Gold: The Arab-South African Connection, by Arye Oded.
6 pp.

Update on Seven Kidnapped Lebanese Jewish Leaders, by George E. Gruen.
3 pp.

Human Rights

A Dismal Anniversary: A Decade of the UN's "Zionism Equals Racism" Resolution, 1975-1985, by Sidney Liskofsky. 14 pp.

Incitement to National, Racial and Religious Hatred in UN Forums, by Sidney Liskofsky. 12 pp.

Perspectives on Palestinian Women, by Mala Tabory. 79 pp. Abridged version, 20 pp.

Prepared for the final conference of the UN Decade for Women at Nairobi, Kenya, July, 1985.

Religious Liberty and Human Rights, edited by Leonard Swidler, preface by Sidney Liskofsky (New York: Hippocrene Books, 1986).

Papers presented at an international colloquium co-sponsored by the AJC's Jacob Blaustein Institute at Haverford, Pennsylvania, November 3-8, 1985.

Honors and Awards

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EACH YEAR AT ITS NATIONAL EXECUTIVE COUNCIL and Annual Meetings, the American Jewish Committee honors men and women who have made outstanding contributions to the betterment of the human condition here and abroad.

The American Liberties Medallion

The Medallion is the highest honor AJC has to bestow. It is given in recognition of a lifetime of exceptional service in the cause of human liberty and human rights.

In May 1986, the American Liberties Medallion was presented by AJC president Howard I. Friedman to U.S. Secretary of State George P. Shultz, "a statesman and humanitarian dedicated to both his country's national interests and the conscience and hopes of all mankind."

The Mass Media Award

This Award is given to an individual and/or institution for a distinguished record of journalistic excellence, dedication to public enlightenment and commitment to freedom of the press.

In May 1986, the Mass Media Award was presented by AJC honorary vice president Ruth R. Goddard to Norman Lear, innovative television writer, producer and director, "for exceptional contribution to the preservation of core American values through television."

The Akiba Award

This Award honors an individual and/or institution for outstanding contributions to the enrichment of Jewish life, through scholarship, leadership, literature and communal activity.

In May 1986, the Akiba Award was presented by Howard Gilbert, chair of the Jewish Communal Affairs Commission, to Abraham L. Sachar, first president and chancellor emeritus of Brandeis University, for "his innovative educational leadership which has made the single Jewish-sponsored university in the United States one of the outstanding institutions of higher learning in the nation."

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The Distinguished Leadership Award

This Award honors men and women in the American Jewish Committee who have provided special inspiration and leadership in fulfilling the organization's goals both nationally and in their own communities.

In November 1985 the Distinguished Leadership Award was presented by honorary AJC president Maynard I. Wishner to David B. Fleeman, AJC national vice president and past president of the AJC's Greater Miami Chapter, for his decades of service to a host of social and philanthropic causes, Jewish and non-Jewish, in the local community and on the national scene.

In May 1986, the Distinguished Service Award was presented by honorary AJC president Maynard I. Wishner to outgoing president Howard I. Friedman in recognition of his "special contribution to improving Vatican-Jewish relations and in appreciation of his outstanding leadership, insightful intelligence and dedication that have served the American Jewish Committee to its everlasting gain."

Special Awards

In November 1985, the AJC conferred special awards to honor two individuals who labored to make the closing conference of the United Nations Decade for Women in Nairobi a success.

Mimi Alperin, chair of AJC's Interreligious Affairs Commission and co-leader of the AJC's delegation to the NGO Forum in Nairobi, presented a special citation to Dame Nita Barrow, convener of the Forum of Non-Governmental Organizations at Nairobi, "in grateful recognition of [her] successful stewardship of the NGO Forum at the United Nations Decade for Women Conference, which helped make it a vehicle of positive dialogue and constructive cooperation."

Suzanne Elson, chair of the AJC's Women's Issues Committee and co-leader of the AJC's delegation to the NGO Forum in Nairobi, presented a special citation to U.S. Undersecretary of State Designate Alan L. Keyes "in grateful recognition of [his] vigorous and eloquent articulation of

America's commitment to the ideals of universality, tolerance and peace, expounded in the United Nations Charter, at the UN Decade for Women Conference."

In May 1986, on the occasion of Israel's 38th anniversary, Howard I. Friedman, the AJC's outgoing president, presented a special citation to Israel's ambassador to the United States, Meir Rosenne, "in celebration of the inseparable bonds between American Jews and Israel."

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National Executive Council Meeting

*Miami, Florida
November 7-10, 1985*

Text of Program

Thursday

- 10:30 A.M. COMMISSION BUSINESS MEETINGS
- JEWISH COMMUNAL AFFAIRS
Presiding
Howard A. Gilbert, Chicago
 - INTERNATIONAL RELATIONS
Presiding
Leo Nevas, Fairfield County
 - INTERRELIGIOUS AFFAIRS
Presiding
Mimi Alperin, New York
 - NATIONAL AFFAIRS
Presiding
Sholom D. Comay, Pittsburgh
- 12:30 P.M. BUFFET LUNCHEON
- 1:30 P.M. BOARD OF GOVERNORS MEETING
(for Board members only)
Presiding
Theodore Ellenoff, New York
- 4:30 P.M. OPENING PLENARY SESSION
Presiding
Leo Nevas, Fairfield County
POLARIZATION OR PLURALISM: OPTIONS FOR THE
MID 80'S
Dr. David M. Gordis, Executive Vice President

RELIGIOUS PLURALISM: RENEWING THE COMMITMENT
Dr. Harvey G. Cox, Harvard Divinity School

- 6:00 P.M. DINNER
- 7:00 P.M. Boat ride to Vizcaya Museum
- 7:15 P.M. Bus leaves for Vizcaya Museum
- 7:45 P.M. MIAMI CHAPTER RECEPTION AT VIZCAYA
Welcome
Roger M. Bernstein, Miami
Citations to Dade County & its municipalities
Jerald Katcher, Miami

Friday

- 7:30 A.M. CONTINENTAL BREAKFAST
- 8:15 A.M. CONCURRENT PROGRAM SESSIONS
- INTERMARRIAGE & CONVERSION: IDENTITIES IN TRANSITION
Presiding
Howard A. Gilbert, Chicago
Presentation
Dr. Egon Mayer, Brooklyn College
Program & Policy Implications
Yehuda Rosenman, Director, Jewish Communal Affairs Department
 - PAY EQUITY: SOCIAL JUSTICE ISSUE OF THE 80's?
Presiding
Richard Maass, Westchester
Moderator
Charlotte G. Holstein, Syracuse
Panel
Ray Marshall, Former Secretary of Labor
Virginia B. Lamp, U.S. Chamber of Commerce
Policy Directions
Sholom D. Comay, Pittsburgh
Resource
Linda Greenman, Coordinator, AJC Women's Issues
Irving Levine, Director, National Affairs Department
- 10:15 A.M. PLENARY SESSION
CATHOLIC-JEWISH RELATIONS: PERSPECTIVES & PROSPECTIVES
Presiding
Robert S. Jacobs, Chicago
Panel
Rev. William M. Lewers, U.S. Catholic Conference

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Father John Pawlikowski, Catholic Theological Union, Chicago
Rabbi A. James Rudin, Director, Interreligious Affairs Department
Rabbi Marc H. Tanenbaum, Director, International Relations Department

12:15 P.M. "ACTION WHERE YOU ARE" LUNCHEONS

- COUNTERACTING NEW MANIFESTATIONS OF ANTI-SEMITISM
Leader
Marcia E. Lazar, Chicago
Resource
Rabbi A. James Rudin, Director, Interreligious Affairs Department
Irving Levine, Director, National Affairs Department
- BLACK-JEWISH RELATIONS — CURRENT ISSUES & STRATEGIES
Leader
R. Peter Straus, New York
Resource
Gary Rubin, Deputy Director, National Affairs Department
- REACHING OUT TO INTERMARRIEDS
Leader
Betty Sachs, Washington, D.C.
Resource
Yehuda Rosenman, Director, Jewish Communal Affairs Department
- NEW DIRECTIONS IN INTERRELIGIOUS DIALOGUES
Leader
J. David Levy, St. Louis
Resource
Rabbi Alan Mittleman, Program Specialist, Interreligious Affairs Department

2:00 P.M. PLENARY SESSION

Presiding
Alfred H. Moses, Washington D.C.
Election of the Nominating Committee
TOWARD PEACE IN THE MIDDLE EAST
Panel
Wolf Blitzer, *The Jerusalem Post*
On U.S.-Israel Relations
Dr. Ehud Sprinzak, The Hebrew University
On the Peace Process & Israeli Politics
Profesesor Mohamed Talbi, University of Tunisia
On Middle East Coexistence from an Islamic Perspective

Resource
Hyman Bookbinder, Washington Representative
Dr. George E. Gruen, Director, Israel & Middle East
Affairs Division

4:00 P.M. MEETING OF CHAPTER LEADERS AND NATIONAL
OFFICERS
Presiding
Meta S. Berger, Chicago

6:45 P.M. HOSPITALITY AT THE HOMES OF MIAMI CHAPTER
MEMBERS

Saturday

8:00 A.M. BOARD OF TRUSTEES BREAKFAST
(for Trustees only)
Presiding
Robert S. Jacobs, Chicago

10:00 A.M. SHABBAT SERVICES
DEVOTED TO UNITY AND PLURALISM IN JEWISH LIFE
Conducted by
Rabbi Marc H. Tanenbaum, Director, International
Relations Department
Cantor Rochelle Nelson, Temple Israel of Greater
Miami

11:00 A.M. ONEG SHABBAT
Presiding
Robert S. Rifkind, New York
"How Judaism Differs" — Videotape featuring
Rabbi Arthur Hertzberg & Dr. David M. Gordis
Presentation of "Women of Achievement"
Oral History Tapes to the Historical Association of
South Florida
Audrey Finkelstein & David Mesnikoff, Miami
Response
Randy Nimmicht

12:30 P.M. PLENARY LUNCHEON
Presiding
Theodore Ellenoff, New York
Kiddush & Invocation
Rabbi Rachel Hertzman
JEWS AS AMERICANS: A DREAM FULFILLED?
Charles E. Silberman, Author
Presentation of the Community Media Award
Richard Davimos, Boca Raton
Response
John Brecher, *Miami Herald*

2:30 P.M. CONCURRENT COMMITTEE MEETINGS

● WOMEN'S ISSUES COMMITTEE

Presiding
Suzanne Elson, Atlanta

● NATIONAL MEMBERSHIP CABINET

Presiding
Joan S. Goldweitz, Boston

5:00 P.M. APPEAL FOR HUMAN RELATIONS COCKTAIL
RECEPTION

Honoring
David B. Fleeman, Miami

7:00 P.M. PRE-DINNER RECEPTION

7:30 P.M. NATIONAL EXECUTIVE COUNCIL DINNER

Presiding
Alfred H. Moses, Washington, D.C.
Keynote Address
Ambassador Richard W. Murphy, Assistant
Secretary of State for Near Eastern &
South Asian Affairs

Presentation of Special Citations
Mimi Alperin, New York

Response
Dame Nita Barrow, Convenor, Nairobi NGO Forum
Suzanne Elson, Atlanta

Response
Ambassador Alan L. Keyes, Assistant Secretary of
State Designate

President's Remarks
Howard I. Friedman, Los Angeles

9:45 P.M. PRESIDENT'S RECEPTION

Sunday

8:00 A.M. PLENARY BREAKFAST

Presiding
George M. Szabad, Westchester

ACCULTURATION OF IMMIGRANTS: THE NEW
CHALLENGE

Hon. Federico Pena, Mayor of Denver

Response
Guarione Diaz, Cuban National Planning Council
J. Kent Friedman, Houston

10:30 A.M. PLENARY SESSION

Presiding
Edward E. Elson, Atlanta

CENTRAL AMERICA: AN INSIDE LOOK

**Dr. Fernando Berrocal, Permanent Representative of
Costa Rica to the UN**

**Arq. David Samudio, Jr., Permanent Representative
of Panama to the UN**

Response

Marcel Ruff, President of FEDECO

Resource

Sergio Nudelstejer, Director, Mexico Office

**Representatives of the Jewish Communities of Central
America**

1:00 P.M. ADJOURNMENT

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80th Anniversary Celebration

*Washington, D.C.
May 14-18, 1986*

IN 1906 POGROMS IN CZARIST RUSSIA inspired a small group of distinguished American Jews to create the American Jewish Committee and dedicate it to the protection of civil and religious rights of Jews the world over. For 80 years, America's first human-relations agency has remained true to their vision. Today, as over the past eight decades, the agenda of the American Jewish Committee reflects the concerns of men and women who are, at once, Americans and Jews. On its 80th Anniversary, the American Jewish Committee celebrated its past and turned, with renewed dedication, to the future. As Americans and as Jews, we continue to proclaim liberty and labor in its cause.

Text of Program

Wednesday

- 11:30 A.M. CONCURRENT NATIONAL COMMISSION LUNCHEONS
- JEWISH COMMUNAL AFFAIRS & INTERRELIGIOUS AFFAIRS COMMISSIONS
Presiding
Mimi Alperin, New York
Howard A. Gilbert, Chicago
 - PERSPECTIVES ON ABORTION
Discussants
Dr. David Feldman, Rabbi, Jewish Center of Teaneck
Peggy Shriver, Assistant General Secretary, National Council of Churches of Christ
Rev. John R. Connery, S.J., Professor of Theology, Loyola University
 - INTERNATIONAL RELATIONS COMMISSION
Presiding
Leo Nevas, Fairfield County
Discussion of international terrorism
"Kurt Waldheim, Austria & Anti-Semitism"
Edward E. Elson, Atlanta
 - NATIONAL AFFAIRS COMMISSION
Presiding
Sholom D. Comay, Pittsburgh
Discussion of AJC's legal activities and educational vouchers
- 2:00 P.M. BOARD OF GOVERNORS MEETING
(for Board members only)
Presiding
Theodore Ellenoff, New York
- 5:00 P.M. Buses depart for Capitol Hill
- 5:30 P.M. OPENING RECEPTION
Greetings
Norman E. Alexander, New York
WASHINGTON WELCOMES AJC
Special Presentation
Howard I. Friedman, Los Angeles
Representative Sidney R. Yates, Illinois
Senator Rudy Boschwitz, Minnesota
Response
Hyman Bookbinder, AJC Washington Representative
- 6:45 P.M. OPENING PLENARY SESSION
Presiding
R. Peter Straus, New York

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EFFECTING CHANGE THROUGH ADVOCACY

As Seen by Congress

Senator Carl Levin, Michigan

As Seen by Advocates

David Cohen, President, Advocacy Institute

Ben Wattenberg, Editor, *Public Opinion Magazine*

Douglas Glasgow, Vice President, National Urban League

Moderator

Hyman Bookbinder, AJC Washington Representative

Thursday

8:00 A.M. BREAKFAST PLENARY

IS THERE A CRISIS IN AMERICAN VALUES?

Presiding — Part I

David F. Squire, Boston

THE ROLE OF UNIVERSITIES IN VALUES EDUCATION

Dr. Abram Sachar, Chancellor Emeritus, Brandeis University

Greetings

Mayor Marion S. Berry, Jr., Washington, D.C.

9:30 A.M. Presiding — Part II

Robert S. Jacobs, Chicago

Special Tribute

Howard I. Friedman, Los Angeles

Response

James Marshall, New York

THE ROLE OF THE SCHOOLS IN VALUES EDUCATION

Hon. William Bennett, Secretary of Education

Future Directions for AJC

Irving M. Levine, Director, National Affairs Department

11:00 A.M. PLENARY SESSION

Presiding

Alfred H. Moses, Washington

LOOKING AHEAD AT 80

Keynote Address

Dr. David M. Gordis, Executive Vice President

12:15 P.M. LUNCHEON PLENARY

Presiding

Bruce M. Ramer, Los Angeles

Invocation

Rabbi Robert L. Kravitz, Fargo

THE RISING THREAT OF TERRORISM TO DEMOCRATIC SOCIETIES

Hon. William J. Casey, Director, Central Intelligence Agency

The AJC Role
Dr. Marc H. Tanenbaum, Director, International Relations Department

2:15 P.M. **PLENARY SESSION**

Presiding
George M. Szabad, Westchester
Report of the National Membership Cabinet
Joan S. Goldweitz, Boston
Election of New Officers & Board of Governors Members
LEADERSHIP & RESPONSIBILITY: THE STRATEGIC ROLE OF AJC
Theodore Ellenoff, New York

3:15 P.M. **CONCURRENT COMMITTEE MEETINGS**

● **WOMEN'S ISSUES COMMITTEE**

Presiding
Suzanne Elson, Atlanta
Presentation
Malvina Halberstam, Counselor on International Law, Department of State

● **ENERGY COMMITTEE**

Presiding
Dr. Lawrence Goldmuntz, Washington

5:00 P.M. **APPEAL FOR HUMAN RELATIONS COCKTAIL RECEPTION**
In honor of Howard I. Friedman

6:30 P.M. **GENERAL RECEPTION**

7:30 P.M. **80TH ANNIVERSARY DINNER**

Presiding
Theodore Ellenoff, New York
Music
The United States Army Band
Invocation
Suzanne Elson, Atlanta
Presentation of American Liberties Medallion
Howard I. Friedman, Los Angeles
Response
Hon. George P. Shultz, Secretary of State
Presentation of Akiba Award
Howard A. Gilbert, Chicago
Response
Dr. Abram Sachar, Chancellor Emeritus, Brandeis University
Presentation of Mass Media Award
Ruth R. Goddard, New York
Response
Norman Lear, Producer

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Special Presentation
Maynard I. Wishner, Chicago
Response
Howard I. Friedman, Los Angeles
Benediction
Rev. Edward A. White, President, Interfaith Conference
of Metropolitan Washington

10:00 P.M. PRESIDENT'S RECEPTION

Friday

7:00 A.M. FILM SHOWING
"Blacks & Jews: Working It Out"

7:30 A.M. SOVIET JEWRY TASK FORCE BREAKFAST
Presiding
Richard Maass, Westchester

8:00 A.M. BREAKFAST PLENARY
Presiding
Mimi Alperin, New York

RELIGION & SOCIETY
Discussants
Dr. James M. Dunn, Executive Director, Baptist Joint
Public Affairs Commission
Dr. Richard John Neuhaus, Executive Director, Center
on Religion & Society
The AJC Perspective
Rabbi A. James Rudin, Director, Interreligious Affairs
Department

10:00 A.M. PLENARY SESSION
Presiding
Sholom D. Comay, Pittsburgh
AMERICAN SOCIAL POLICY PROBLEMS:
THE AJC RESPONSE
Report of Social Policy Task Force
Harris L. Kempner, Jr., Galveston
Chapters' Outlook
Jerry H. Biederman, Chicago
Discussion

12 NOON Buses depart for Department of State

1:00 P.M. BUFFET RECEPTION
Welcome
Richard Schifter, Assistant Secretary of State,
Human Rights & Humanitarian Affairs

2:00 P.M. CONCURRENT BRIEFING SESSIONS

- **ISRAEL & THE MIDDLE EAST**
 Presiding
 David H. Peirez, Long Island
 Presentation
 Richard W. Murphy, Assistant Secretary of State, Near
 Eastern & South Asian Affairs
- **EAST-WEST RELATIONS & SOVIET JEWRY**
 Presiding
 Miles Jaffe, Detroit
 Presentation
 Robie M. Palmer, Deputy Assistant Secretary of State,
 European & Canadian Affairs
- **INTERNATIONAL HUMAN RIGHTS**
 Presiding
 David Hirschhorn, Baltimore
 Presentation
 Richard Schifter, Assistant Secretary of State, Human
 Rights
 & Humanitarian Affairs
- **LATIN AMERICA**
 Presiding
 Barton S. Udell, Miami
 Presentation
 Elliot Abrams, Assistant Secretary of State, Inter-Ameri-
 can Affairs
- **SOUTH AFRICA & ETHIOPIA**
 Presiding
 E. Robert Goodkind, Westchester
 Presentation
 Chester A. Crocker, Assistant Secretary of State, African
 Affairs

3:30 P.M. **PLENARY SESSION**
 Presiding
 Leo Nevas, Fairfield County

FORMULATING AMERICAN FOREIGN POLICY
 Moderator
 *Bernard Kalb, State Department Spokesman & Assistant
 Secretary for Public Affairs

Speakers
 *Michael H. Armacost, Undersecretary of State, Political
 Affairs
 Rozanne L. Ridgway, Assistant Secretary of State, Euro-
 pean
 & Canadian Affairs
 Judge Abraham D. Sofaer, State Department Legal Ad-
 visor

*Invited

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- 5:00 P.M. Buses depart for Jefferson Memorial
- 5:30 P.M. KABBALAT SHABBAT SERVICE
- 8:00 P.M. FESTIVE SHABBAT DINNER
 Presiding
 Charlotte G. Holstein, Syracuse
 Introduction of Chapter Young Leadership Award Recipients
 Entertainment
 The Klezmerim

Saturday

- 8:00 A.M. CONCURRENT BREAKFAST MEETINGS
- BOARD OF TRUSTEES
 Presiding
 Robert S. Jacobs, Chicago
 - LEADERSHIP DEVELOPMENT
 Presiding
 Jane Wishner, San Francisco
- 10:00 A.M. SHABBAT SERVICE
- 11:00 A.M. PLENARY SESSION
 Presiding
 Ruth Septe, Philadelphia
- JEWISH EXPRESSION IN THE ARTS
 Panelists
 Gedalia Besser, Theatre Director, Haifa
 Nissan Engel, Artist, Paris
 Mindy Weisel, Artist, Chevy Chase
 The Haifa Municipal Theatre in a Scene from
 "The Soul of a Jew"
- 12:30 P.M. LUNCHEON PLENARY
 Presiding
 Robert S. Rifkind, New York
 Invocation
 Rabbi A. James Rudin, Director, Interreligious Affairs
 Department
- JEWISH INTERESTS & STRATEGIES IN A CHANGING
 WORLD
 Discussants
 Theodore R. Mann, President, American Jewish Congress
 Robert Asher, President, American Israel Public Affairs
 Committee
- 3:00 P.M. CHAPTER PRESIDENTS' MEETING

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Presiding
Meta S. Berger, Chicago

6:30 P.M. Buses depart for John F. Kennedy Center

7:30 P.M. HAIFA MUNICIPAL THEATRE — "THE SOUL OF A JEW"
or

7:30 P.M. Buses depart for John F. Kennedy Center

8:30 P.M. NATIONAL SYMPHONY ORCHESTRA CONCERT

10:00 P.M. RECEPTION IN HONOR OF ISRAEL'S 38TH BIRTHDAY

Greetings

Betty Sachs, Washington

Remarks

Howard I. Friedman, Los Angeles

Hon. Meir Rosenne, Ambassador of Israel

Entertainment

Folk & Baroque

Sunday

8:00 A.M. BREAKFAST PLENARY

Presiding

Charles I. Petschek, Westchester

THE FAMILY IN TRANSITION: CHANGING ROLES FOR
MEN & WOMEN

Moderator

Francine Klagsbrun, Author & Lecturer

Panelists

Ellin & Samuel Heilman, Westchester

Elaine & Maynard Wishner, Chicago

Future AJC Program

Yehuda Rosenman, Director, Jewish Communal Affairs
Department

10:00 A.M. CLOSING PLENARY SESSION

Presiding

Ambassador Sol M. Linowitz, Washington

WORKING TOWARD PEACE IN THE MIDDLE EAST

Speakers

Hon. Meir Rosenne, Ambassador of Israel

Hon. El Sayed Abdel Raouf El Reedy, Ambassador of
Egypt

Farewell

Howard I. Friedman, Los Angeles

12:00 NOON ADJOURNMENT

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*The American
Jewish
Committee
Family*

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The *National Executive Council* is the AJC's corporate body. It is made up of chapter and unit representatives, some 150-175 members-at-large, and all members of the Board of Governors. The NEC meets twice annually to consider policy issues, agency priorities and long-range plans and programs. Until May 1986, the NEC was chaired by Alfred H. Moses. He was succeeded by Robert S. Jacobs.

The *Board of Governors*, which meets at least six times a year, exercises the policy-making powers of the National Executive Council between meetings of that body. Until May 1986, the Board was chaired by Theodore Ellenoff. He was succeeded by Leo Nevas.

The *Executive Committee* meets on call between sessions of the Board of Governors and has the authority to act in place of the Board on matters that cannot wait for the Board's next scheduled meeting. Until May 1986, the Executive Committee was chaired by Rita E. Hauser. She was succeeded by Mimi Alperin.

The *Board of Trustees*, which is directly responsible to the Board of Governors, oversees the AJC's institutional growth, the development and management of the agency's financial resources, its leadership cultivation and the projection of its public image. Until May 1986, the Board of Trustees was chaired by Robert S. Jacobs. He was succeeded by Edward E. Elson. The Board oversees the AJC's Appeal for Human Relations, chaired by Andrew Goodman, whose national fund-raising efforts underwrite the AJC's extensive operations; the Chicago Appeal, headed by Jerry H. Biederman, who succeeded Hamilton M. Loeb, Jr.; and the Los Angeles Appeal, led by Bruce M. Ramer. Ruth R. Goddard is honorary chair, and Mrs. Gilbert L. Snyder, chair of the Women's Campaign Board. The Board of Trustees also oversees the Endowment Development Committee, chaired by Jerome R. Goldstein, and the Investment Committee, chaired by Walter P. Stern.

The *Nominating Committee* is elected by the National Executive Council and is responsible for nominating a slate of candidates for AJC offices, at-large members of the National Executive Council, and members of the

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Board of Governors. Until May 1986, the Committee was chaired by George M. Szabad. He was succeeded by Eleanor S. Lazarus.

Commissions and Committees

The *International Relations Commission* is concerned with the protection and safety of Jews around the world, the security and well-being of Israel, the enhancement of Jewish life in endangered and vulnerable Jewish communities and the promotion and extension of international human rights. A Steering Committee acts for the Commission between its semiannual sessions. Until May 1986, the Commission was chaired by Leo Nevas. He was succeeded by Miles Jaffe.

The *Interreligious Affairs Commission* is concerned with all aspects of Jewish-Christian relations, and with the AJC's interreligious outreach to the growing Asian and Muslim communities in the United States. Until May 1986, the Commission was chaired by Mimi Alperin. She was succeeded by Jack Lapin.

The *Jewish Communal Affairs Commission* is concerned with enhancing the quality of Jewish life in America, promoting Jewish unity and helping to strengthen the viability and effectiveness of the Jewish community. Until May 1986, this Commission was chaired by Robert S. Rifkind. He was succeeded by Howard Gilbert. The Commission's Steering Committee is chaired by Charlotte G. Holstein; its Committee on Jewish Education is chaired by Solomon Fisher; its Committee on Jewish Identity and Community Concerns is chaired by Robert S. Rifkind; and its Task Force on Jewish Religious Unity and Polarization is chaired by Alfred H. Moses.

The *National Affairs Commission*, the social-action arm of the AJC in the United States, deals with issues affecting the American social and political climate and intergroup relations. Until May 1986, the Commission was chaired by Sholom D. Comay. He was succeeded by Bruce M. Ramer. The Commission's Center for Diversity in Education is chaired by Frank M. Goldsmith; its Center for Immigration and Acculturation is chaired by George M. Szabad. Until November 1986, its National Legal Com-

mittee was chaired by Carl G. Koch, who was succeeded by Elliott Goldstein.

The *Community Services Committee* oversees the operations of AJC chapters and units in the communities, and provides guidance and assistance for local implementation of agency programs, fund-raising, membership and leadership development. The Committee is chaired by Meta S. Berger. Its Budget and Resource Deployment Committee is chaired by Frank M. Goldsmith.

The *National Membership Cabinet* is charged with promoting the growth, education and retention of the AJC's membership. Until May 1986 the Cabinet was chaired by Joan S. Goldweitz. She was succeeded by Jerry H. Biederman.

The *National Committee on Women's Issues* promotes and coordinates programs of concern to women and seeks to integrate them into the work of the agency. Until May 1986, this Committee was chaired by Suzanne Elson. She was succeeded by Ruth Septee.

The *Energy Committee* promotes increased awareness of U.S. energy policies and their impact on the American economy as well as on Israel's security. The Committee is chaired by Lawrence Goldmuntz.

The *Commentary Publication Committee* serves as an advisory group to the editor of the magazine and oversees its business affairs. The Committee is chaired by Donald M. Blinken.

The *Present Tense Advisory Board* serves as an advisory group to the editor of the magazine and oversees its business affairs. Until May 1986, the Board was chaired by Seymour Lachman. He was succeeded by E. Robert Goodkind.

The *Budget Committee* prepares and recommends an annual budget of expenses and income to the Board of Governors, based upon the recommendation of the executive vice president and its review of departmental

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operations and projections. Until May 1986, the Committee was chaired by Melvin L. Merians. He was succeeded by Walter F. Gips, Jr.

The *Audit Committee*, chaired by Robert L. Pelz, reviews the AJC's annual financial statements, appraises the effectiveness of the audit effort and recommends appointment of independent accountants for the ensuing year.

The *Management Committee* oversees the operation of the AJC headquarters building, and the offset, data-processing, insurance and central-service operations of the agency. The Committee is chaired by Benedict H. Kohl.

The *Employee Benefits and Personnel Committees*, chaired by Hamilton M. Loeb, Jr., deal with the formulation and approval of the salary scales, fringe benefits, personnel policies and practices covering AJC's employees, including the AJC Staff Retirement Plan, and advise on negotiations with the two bargaining units with which AJC has contractual relationships.

Institutes and Centers

Institute on American Jewish-Israeli Relations

The Institute, directed by Bertram H. Gold, AJC executive vice president emeritus, is designed to increase understanding between Israelis and American Jews, providing opportunities for effective interaction between the two communities and for confronting the misconceptions that divide them. The IAJIR's Matthew and Edna Brown Young Israeli Leadership Program brings a select group of young Israelis considered potential leaders of their country to the United States each year to experience at first hand the vitality and diversity of American Jewish life. The associate director of the IAJIR is Selma G. Hirsh. Until May 1986, the chair of its U.S. Advisory Board was Stuart E. Eizenstat. He was succeeded by AJC Vice President Alfred H. Moses.

The Institute for American Pluralism

This Institute, directed by Irving M. Levine, who heads the AJC's National Affairs Department, engages in a multifaceted program of research and social action designed to encourage respect and appreciation of ethnic differences and multiethnic coalitions in support of common goals. Chair of the IAP Advisory Committee is AJC's treasurer, Sholom D. Comay.

The Nathan Appleman Institute for the Advancement of Christian-Jewish Understanding

Named for an honorary vice president of the AJC, this Institute is guided by Rabbi A. James Rudin, the Committee's director of Interreligious Affairs, and promotes innovative research and conferences designed to advance Christian-Jewish understanding.

The Hilda Katz Blaustein Leadership Development Program

Established by the Blaustein family to honor Hilda Katz Blaustein, this Program, administered by Shula Bahat, director of Leadership and Board Services, represents a sustained and continued commitment to leadership development. Two weekend Institutes each year help present and potential AJC leaders and staff acquire the knowledge and skills vital to effective community relations.

The Jacob Blaustein Institute for the Advancement of Human Rights

Created by the Blaustein family to honor the memory of AJC President Jacob Blaustein, and directed by Sidney Liskofsky, the JBI encourages research, writing and education in support of international human rights. Richard Maass, honorary president of the AJC, chairs its Administrative Council.

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The William Petschek National Family Center

Endowed by Charles and Elaine Petschek in memory of William Petschek, the Center is directed by Yehuda Rosenman, head of the AJC's Jewish Communal Affairs Department. It focuses on a variety of research and educational programs designed to strengthen the Jewish family and serves as a clearinghouse of information about a broad range of family concerns. Until May 1986, E. Robert Goodkind chaired the Family Center's Advisory Board. He was succeeded by Rita Greenland.

The Ruth U. Samuels Institute for Interreligious Programs in International Relations

Established by Ruth U. Samuels and directed by Rabbi Marc H. Tanenbaum, head of the AJC's International Relations Department, this Institute provides opportunities for distinctive AJC programming to promote Christian-Jewish understanding in Latin America and other parts of the world.

The Skirball Institute on American Values

Founded by the late Jack Skirball and directed by Rabbi Alfred Wolfe, this Institute is dedicated to the development of new and innovative programs to teach and safeguard the core values essential to American democracy and to the well-being of all who live under its protection.

The William E. Wiener Oral History Library

A unique ongoing collection of memoirs recording the contributions and achievements of outstanding men and women in American life. It is directed by Milton E. Krents and its Advisory Board is chaired by Newton N. Minow.

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(905) 531-0733 or 4776

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Director

LOIS ROSENFELD

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Chicago, IL 60604
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Assistant Director**

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(203) 531-1388**

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**INSTITUTE FOR AMERICAN PLURALISM, MIDWEST OFFICE
55 East Jackson Blvd., Suite 1880
Chicago, IL 60604
(312) 663-5400**

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**DAVID ROTH
PAMELA DEFIGLIO
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2200 West 75th Street, Suite 218
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Great Neck, NY 11021
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Director

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(213) 655-7071

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MINTO KEATON
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NY/NJ Regional Director

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Terrorist attacks
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THE AMERICAN J

ISSUES & OPPORTUNITIES

Human Rights

After World War II, when the full horror of the Nazi Holocaust
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CHARTER

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An act to incorporate the American Jewish Committee was passed by the Legislature of the State of New York and approved by the Governor on March 16, 1911 as Chapter 16 of the Laws of 1911. As most recently amended on July 10, 1970, pursuant to the Membership Corporations Law of the State of New York, the current charter of the American Jewish Committee reads as follows:

Section 1. Mayer Sulzberger, Julian W. Mack, Jacob H. Hollander, Julius Rosenwald, Cyrus Adler, Harry Cutler, Samuel Dorf, Judah L. Magnes, Jacob H. Schiff, Isidor Sobel, Cyrus L. Sulzberger, A. Leo Weil, and Louis Marshall, and their associates and successors, are hereby constituted a body corporate, in perpetuity, under the name of the American Jewish Committee; and by that name shall possess all of the powers, which by the general corporation law are conferred upon corporations, and shall be capable of taking, holding and acquiring, by deed, gift, purchase, bequest, devise or by judicial order or decree, any estate, real or personal, in trust or otherwise, which shall be necessary or useful for the uses and purposes of the corporation, to the amount of ten million dollars.

Section 2. The objects of this corporation shall be to prevent the infraction of the civil and religious rights of Jews, in any part of the world; to render all lawful assistance and to take appropriate remedial action in the event of threatened or actual invasion or restriction of such rights, or of unfavorable discrimination with respect thereto; to secure for Jews equality of economic, social and educational opportunity; to alleviate the consequences of persecution and to afford relief from calamities affecting Jews, wherever they may occur; and to compass these ends to administer any relief fund which shall come into its possession or which may be received by it, in trust or otherwise, for any of the aforesaid objects or for purposes comprehended therein.

Section 3. The body corporate, consisting of the persons described in Section 1 hereof, and their associates and successors, shall be designated as the National Executive Council, and shall be the ultimate depository of all the powers conferred upon the body corporate by this act of incorporation. The members of the National Executive Council shall be selected from among the membership of the American Jewish Committee in such manner and by such method or methods as shall be provided in the bylaws adopted by the National Executive Council. The business and affairs of said corporation shall be conducted by a board to be known as the Board of Governors, which shall consist of such number as shall be provided in the bylaws, but which shall have not less than 50 members nor more than 200.

Section 4. (a) The members of the American Jewish Committee shall consist of Jews, their spouses and children, who are citizens of the United States and who shall be designated and chosen for membership by such method or methods as shall be provided in bylaws adopted by the National Executive Council.

(b) The corporate bylaws adopted by the National Executive Council shall however be subject to alteration, revision or amendment at any regular meeting of the National Executive Council or at a meeting thereof called for such purpose; provided the procedure described in such bylaws for such alteration, revision or amendment shall be complied with and not otherwise.

Section 5. This act shall take effect immediately.

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

88 OCT 25 PM 3:55

In the Matter of)
Anti-Defamation League of B'nai)
B'rith of New York and Chicago)
and Abraham F. Foxman, National)
Director)
American Jewish Committee and)
Jonathan Levine, Director)

MUR 2163

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #2

On June 14, 1988, the Commission considered the General Counsel's recommendation to close the file in the above-captioned matter and determined that the matter should proceed to briefs. On July 26, 1988, the Commission approved a subpoena to produce documents and an order to submit written answers for both respondents. These materials were mailed on August 1, 1988.

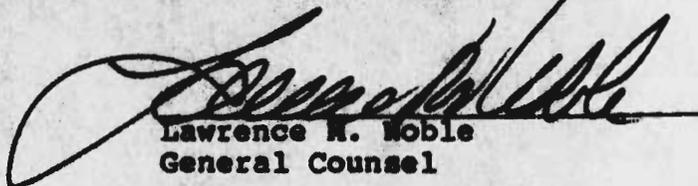
On August 9, 1988, respondents' counsel contacted this Office in order to discuss the scope of the Commission's subpoenas. It was agreed that counsel would confer with staff on August 29, 1988. Accordingly, counsel requested an extension of time to respond to the subpoenas until after this meeting. Subsequently, on August 10, 1988, counsel submitted a written request for a twenty-five day extension of time. Under this circumstance, this Office granted the requested extension.

On August 29, 1988, respondents' counsel met with staff of the Office of the General Counsel and clarified the type of information sought by the Commission. Subsequently, a voluminous

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response was submitted on September 16, 1988. After analyzing this response, this Office will report to the Commission.

10/25/88
Date


Lawrence M. Noble
General Counsel

21040325275



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *MWC* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: OCTOBER 27, 1988

SUBJECT: MUR 2163
COMPREHENSIVE INVESTIGATIVE REPORT #2
SIGNED OCTOBER 25, 1988

The above-captioned report was received in the Secretariat at 3:55 p.m. on Tuesday, October 25, 1988 and circulated to the Commission on a 24-hour no-objection basis at 11:00 a.m. on Wednesday, October 26, 1988.

There were no objections to the report.

21040325276

BEFORE THE FEDERAL ELECTION COMMISSION

89FEB-3 PM12:02

In the Matter of)
Anti-Defamation League of New York)
and Chicago and Abraham H.)
Foxman, National Director)
American Jewish Committee and)
Jonathan Levine, Director)

MUR 2163

SENSITIVE

EXECUTIVE SESSION

FEB 14 1989

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 16, 1987, the Commission found reason to believe the American Jewish Committee and Jonathan Levine, Director, ("AJC") violated 2 U.S.C. § 441b(a), the provision of the Act prohibiting corporate contributions and expenditures in connection with federal elections. The basis for the Commission's determination, as stated in the reason to believe notification letter, was that it appeared AJC, "a corporation, made expenditures in connection with a federal election when it compiled a list of candidates affiliated with Lyndon LaRouche and disseminated information about these candidates to the public."

Also, on June 16, 1987, the Commission found reason to believe the Anti-Defamation League of B'nai B'rith of New York and Chicago and its National Director ("ADL") violated 2 U.S.C. § 441b(a). The basis for the Commission's determination, as stated in the reason to believe notification letter, was that ADL, "a corporation, made expenditures in connection with a federal election when it published and distributed a report on presidential candidate Lyndon LaRouche and candidates affiliated with Lyndon LaRouche." Also, on that date, the Commission directed this Office to circulate interrogatories for Commission

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approval. Following the receipt of responses, on June 14, 1988, the Commission considered the General Counsel's recommendation to close the file in this matter and determined that the matter should proceed to briefs. On July 26, 1988, the Commission approved subpoenas to produce documents and orders to submit written answers for the respondents.

Respondents' counsel then requested a meeting with staff to discuss the subpoenas' scope and an extension of time to respond pending this meeting. Following an August 29, 1988 meeting, on September 16, 1988, respondents submitted materials said to be responsive to the Commission's subpoenas. The responses of AJC and ADL are discussed separately below.

II. THE SCOPE OF THE COMMISSION'S SUBPOENAS

The Commission's interrogatories in this matter seek information regarding factors deemed controlling in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), (hereinafter "MCFL"). In MCFL the Supreme Court concluded that the Act's prohibition regarding corporate expenditures made independently of any candidate is unconstitutional as applied to certain not-for-profit corporations. Three factors were cited as controlling, and thus must be present for a corporation to come within the purview of the MCFL exemption.

First, a corporation must be formed for the express purpose of promoting political ideas and not to engage in business activities. Second, a corporation cannot have shareholders or

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other persons so affiliated so as to have a claim on its assets or earnings. Third, a corporation cannot be established by a business corporation or a labor union and must have a policy of not accepting contributions from such entities. It is the latter part of this third factor that controls the analysis in this matter.

A. AJC's Response to the Commission's Subpoena

AJC's response contains a general objection to the Commission's interrogatories, arguing that the AJC Report, disseminated after the 1986 Illinois primary election, has "nothing to do with any federal election" AJC Response at 1. AJC asserts that the AJC Report's discussion of Mr. LaRouche is consistent with the ideological role AJC has played since 1906, and thus, "the Report presents a matter beyond the jurisdiction of the Commission." Id.

AJC has provided other information regarding whether it is the type of corporation that falls within the limited exception defined in MCFL. For example, AJC admits that it has a policy of accepting funds from corporations and labor unions and that it considers such funds to be "non-membership contributions." Id. at 5. In fact, AJC's response states that AJC received approximately 19% of its funds from corporations, an amount estimated to be about 3.42 million dollars during 1986. Id. Included in AJC's membership benefits are a magazine subscription, invitations to participate in forums, newsletters,

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and an opportunity to enroll in a major medical insurance plan.^{1/} AJC also earned about 1.3 million dollars during 1986 from the sale of its publications. This figure apparently includes advertising and sponsorships that would presumably include corporate funds. AJC asserts that the amounts received from advertising and sponsorship are "negligible in terms of [AJC's] overall budget." Id. at 9. AJC has declined to provide the Commission with information regarding corporate or labor sponsorship of its events.

In the opinion of this Office, although AJC has not responded completely to the Commission's subpoena, it has provided sufficient information for this Office to analyze the issue of whether AJC is the type of corporation that is within the MCFL exemption.^{2/}

B. ADL's Response to the Commission's Subpoena

ADL also filed a general objection to the Commission's interrogatories, arguing the ADL Report is a factual document without an electioneering message and "which is unrelated to the

^{1/} AJC has declined to specifically state the total dollar amount received as a result of this plan. AJC directs the Commission to its Combined Statement of Support, Revenue, and Expenses. Funds received by AJC from these noted activities would presumably be listed as "Revenue: Other." For 1986 AJC earned \$230,625 in this category. It is unknown what part of this sum is related to the medical plan.

^{2/} AJC's response also states that records regarding the costs of the AJC Report were destroyed in the normal course of business and the person responsible for the report is no longer with AJC. Thus, although stating it "may be possible for AJC to reconstruct some information and furnish the Commission with estimates and approximations," AJC states this could not be accomplished within the response time. Id. at 3. The attached proposed letter requests this information.

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electoral process." ADL Response at 1. ADL further asserts that it is the type of corporation envisioned by the Supreme Court in MCFL. ADL has provided some information requested in the Commission's subpoena.^{3/}

The Commission's interrogatories in this matter were premised upon the belief that ADL is a membership organization. Thus, the questions sought information regarding the composition of ADL's membership funds, the services and benefits extended to its members, and whether corporations were accepted as members. The most recent response of ADL, however, asserts that it is not a membership organization. Consequently, the interrogatories have elicited insufficient information for an analysis of whether ADL is the type of organization within the MCFL exemption.^{4/}

In light of the incomplete information gathered to date regarding ADL, this Office has attached an additional subpoena for documents and order to answer questions for Commission approval. The interrogatories focus on information provided in the most recent response and probe ADL's sources of funds listed on its Internal Revenue Form 990. The questions are flexible ones, requesting estimates if amounts cannot be readily calculated. Additionally, the subpoena requests copies of

^{3/} For example, ADL has provided the internal labor costs of producing the ADL Report (\$4,021.25).

^{4/} ADL has provided, however, its requested Internal Revenue Form 990, referring to it as "an ample public basis upon which to review sources of ADL's income." It has not provided other requested information regarding its sources of revenue listed on this form.

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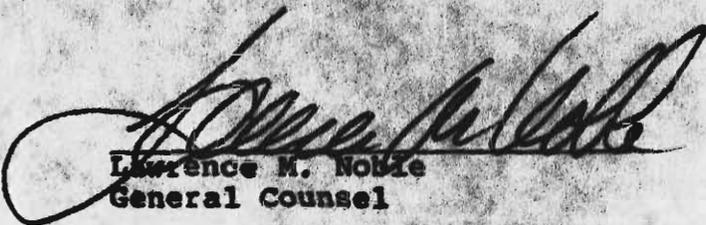
certain ADL publications. After receiving this information, this Office will report to the Commission.

III. RECOMMENDATION

Approve the attached subpoena (1) and letters (2).

Date

2/2/89


Lawrence M. Noble
General Counsel

Attachments

- AJC's Response (without attachments except Form 990)
- ADL's Response (without attachments except Form 990)
- Subpoena
- Letters (2)

Staff Person: Patty Reilly

21040325282



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN *JM*
COMMISSION SECRETARY

DATE: FEBRUARY 8, 1989

SUBJECT: OBJECTIONS TO MUR 2163 - General Counsel's Report
Signed February 2, 1989

The above-captioned document was circulated to the Commission on Monday, February 6, 1989 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Josefiak	_____
Commissioner McDonald	_____ X
Commissioner McGarry	_____
Commissioner Thomas	_____ X

This matter will be placed on the meeting agenda for February 14, 1989 (Law).

Please notify us who will represent your Division before the Commission on this matter.

21040325233

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Anti-Defamation League of New York)	
and Chicago and Abraham H.)	MUR 2163
Foxman, National Director)	
American Jewish Committee and)	
Jonathan Levine, Director)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of February 14, 1989, do hereby certify that the Commission decided by a vote of 5-1 to approve the subpoena and letters attached to the General Counsel's February 2, 1989 report on MUR 2163.

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

Attest:

2/14/89
Date

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

910403252384



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 21, 1989

Stuart M. Gerson, Esquire
Epstein, Becker, Borsody & Green, P.C.
1140 19th Street, N.W.
Washington, D.C. 20036

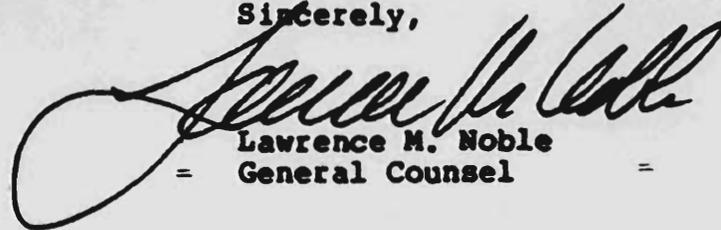
RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director

Dear Mr. Gerson:

The Office of the General Counsel acknowledges your September 16, 1988, response to the Commission's August 1, 1988, subpoena in the above-captioned matter. As this response noted, you have not furnished the Commission with the estimated cost of the AJC Report. In order to resolve this matter promptly, the Office of the General Counsel requests this estimated information, as well as any other information responsive to interrogatories numbers one through four.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

91040325285



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 21, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Stuart M. Gerson, Esquire
Epstein, Becker, Borsody, & Green, P.C.
1140 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2163
Anti-Defamation League of
B'nai B'rith and Abraham
Foxman, National Director

Dear Mr. Gerson:

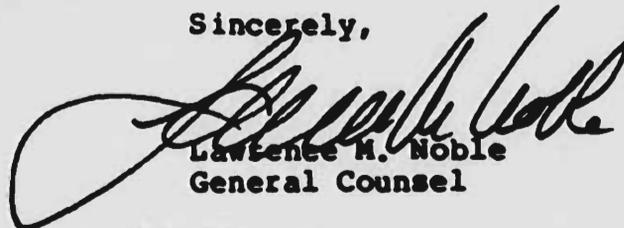
On June 16, 1987, your clients, the Anti-Defamation League of B'nai B'rith and Abraham Foxman, National Director, were notified that the Federal Election Commission had found reason to believe your clients violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended.

Pursuant to its investigation of this matter, the Commission has issued the attached subpoena and order requiring your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that you submit all answers to questions under oath within 15 days of your receipt of this subpoena and order.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena and Order

210403252836

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

MUR 2163

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Anti-Defamation League of New York and
Chicago and Abraham H. Foxman, Director
c/o Stuart Gerson, Esquire
Epstein, Becker, Borsody & Green
1140 19th Street, N.W.
Washington, D.C. 20036

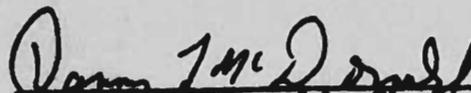
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in
furtherance of its investigation in the above-captioned matter,
the Federal Election Commission hereby orders you to submit
written answers to the questions attached to this Order and
subpoenas you to produce the documents requested on the
attachment to this Subpoena. Legible copies which, where
applicable, show both sides of the documents may be substituted
for originals.

Such answers must be submitted under oath and must be
forwarded to the Office of the General Counsel, Federal Election
Commission, 999 E Street, N.W., Washington, D.C. 20463, along
with the requested documents within 15 days of your receipt of
this Order and Subpoena.

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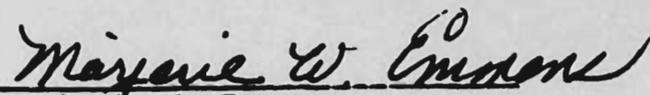
Abraham H. Foxman, Director
Page 2

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this 21st th
day of February, 1989.



Danny V. McDonald, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachments
Document Request
Questions

91040325288

INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

For each answer that is an estimated dollar amount or an estimated percentage dollar amount, state the method by which such estimate was derived.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, - stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1986 to January 1, 1987.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" or "ADL" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

The "ADL Report" shall mean the report entitled "The LaRouche Political Cult: Packaging Extremism" which was distributed in the Spring of 1986 by the Anti-Defamation League of B'nai B'rith.

91040325290

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) 2163
)

TO: Anti-Defamation League of B'nai B'rith of New York and
Chicago and Abraham H. Foxman, Director

INTERROGATORIES AND REQUEST FOR
PRODUCTION OF DOCUMENTS

1. List and describe all benefits provided by ADL to contributors, including but not limited to having access to publications, to informational, educational, or health programs or services, to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.

a) State the total dollar amount of all commissions or other benefits ADL has received as a result of each good, service or benefit, and state what percentage of this dollar amount is from corporate and union sources.

b) If you are unable to provide a dollar amount or a percentage figure regarding the corporate and unions sources of these funds, estimate either the dollar amount or the percentage of this dollar amount that is from corporate and union sources.

2. State the total dollar amount or the percentage dollar amount of corporate and union funds composing ADL's "Gifts, grants, and contributions received" (Form 990, Schedule A, Line 15). If you are unable to provide a total dollar amount or a percentage figure, estimate either the total dollar amount or the percentage of this amount composed of corporate and union funds.

3. State the total dollar amount or the percentage dollar amount of corporate and union funds composing ADL's stated amount on Form 990, Schedule A, line 17. If you are unable to provide a total dollar amount or a percentage figure, estimate either the total amount or the percentage of this stated amount composed of corporate and union funds.

4. For the following three publications produced by ADL (Face to Face, Dimensions, and Education and Society) state for each, separately:

a) the total dollar amount received from corporations and unions or the percentage dollar amount of these funds from corporations and unions received by ADL for advertising. If you are unable to provide either the total dollar amount or the percentage figure of such amounts, estimate such figure.

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5. State the total dollar amount of corporate and union funds used to sponsor ADL conferences. If you are unable to provide a dollar amount, estimate the dollar amount of corporate and union sponsorship.

6. State the dollar amount of corporate and union funds used to sponsor ADL's project "A World of Difference." If you are unable to provide a dollar amount, estimate the dollar amount of such corporate and union funds.

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests the following documents:

Copies of all 1986 issues of the publications noted in interrogatory number 4.

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FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB 27 AM 9:55

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELEX 756-260

TELECOPIER: (202) 296-2662

DID# _____

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 490-3143

ONE WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3412
(313) 965-3190

515 EAST PARK AVENUE
TALLAHASSEE, FLORIDA 32301-2524
(904) 681-0596

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132
(703) 684-1204

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 351-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

212 CARNEGIE CENTER
PRINCETON, NEW JERSEY 08540-6212
(609) 452-2445

February 23, 1989

P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT, VIRGINIA AND
TEXAS ONLY

HAND DELIVER

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163
American Jewish Committee and
Jonathan Levine, Midwest Regional Director

Dear Mr. Noble:

When the Respondents, on September 16, 1988, provided the Commission with various information requested through supplemental Interrogatories and Request for Production of Documents, they noted that they were not then in possession of information responsive to Interrogatories 1-4 and Request for Production of Documents No. 1. We are now able to address those matters as follows:

INTERROGATORIES

1. State the total cost (including internal labor) associated with producing and distributing the AJC Report. Specify the sources of the funds used to pay for the report.

RESPONSE

In addition to what the American Jewish Committee ("AJC") previously has stated, AJC approximates the total cost of printing

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Lawrence M. Noble, Esquire
February 23, 1989
Page 2

(including internal labor) to have been \$465. AJC has no information which would allow the estimation of the cost of distribution of the Report. Funds used to pay for printing and distribution came from AJC general funds. Some non-members who received the Report may have paid \$1.00 apiece for it.

2. Describe in detail the methods by which AJC distributed and is distributing the AJC report.

RESPONSE

AJC distributed the report directly to members of the press, to AJC staff and to interested AJC members and non-members. Copies were and are kept at AJC's publications distribution office and were and are available upon request to that office.

3. State the number of AJC Reports printed

RESPONSE

1,500.

4. State the number of people to whom the AJC Report was provided.

RESPONSE

AJC still is unable to furnish any information breaking down the distribution of the Report between members and non-members. Nor has AJC any information as to how many copies were distributed (as opposed to used internally or otherwise retained).

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Lawrence M. Noble, Esquire
February 23, 1989
Page 3

REQUEST FOR PRODUCTION OF DOCUMENTS

1. Copies of any and all document which relate, refer or pertain to costs associated with the production and distribution of the AJC Report.

RESPONSE

Attached hereto are:

A. A "Just Off the Press" notice, dated April 21, 1986, describing the Report and its purpose: reviewing "the history, ideology and tactics of LaRouche's bizarre anti-Semitic and extremist movement" in view of the then-recent Illinois primary victory of several LaRouche adherents;

B. A Memorandum, dated April 18, 1986 from AJC headquarters to the field staff, used as the covering document for the distribution to the staff of the Report and noting its essential educational purpose.

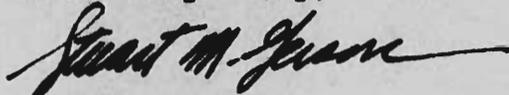
Finally, besides inviting your and the Commission's attention to the information previously provided by the AJC in this MUR, we suggest that recent, highly-publicized events surrounding the criminal prosecution of Lyndon LaRouche and his organization -- event of which the Commission may take notice -- reaffirm both the cogency of the information contained in the AJC Report and the fact that its dissemination was entirely consistent with the ideological

91040325295

Lawrence M. Noble, Esquire
February 23, 1989
Page 4

raison d'etre of the AJC. Accordingly, we again urge the prompt dismissal of this matter.

Yours very truly,



Stuart M. Gerson

SG:hs
Enclosures

cc: Patty Reilly, Esquire
Samuel Rabinove, Esquire
Richard T. Foltin, Esquire

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4/21/86

Lyndon LaRouche and the Politics of Deception

A Background Report

40825297

JUST OFF THE PRESS



The American Jewish
Committee

Institute of Human Relations
165 East 56 Street
New York, NY 10022
212-751-4000

Sonya F. Kauler
Director of Publications

April 21, 1986

Title: Lyndon LaRouche and the Politics of Deception:
A Background Report

Subject Matter: The surprising victory of LaRouche candidates in the Illinois Democratic primaries in March 1986 mandates a careful look at the history, ideology and tactics of LaRouche's bizarre anti-Semitic and extremist movement.

Printing: 1,500

Price: \$1.00

April 1986

4/21/86

MEMORANDUM

THE AMERICAN JEWISH COMMITTEE

date April 18, 1986
to Field Staff
from Geri Rozanski
subject Background Report on Lyndon LaRouche

In response to the March 18 election in Illinois, in which Democratic Party candidates affiliated with Lyndon LaRouche's National Democratic Policy Committee met with astonishing success, the enclosed AJC background report was prepared. The three perspectives provided in the report offer the essential details and background information necessary in order to understand this political phenomenon. I encourage you to share this document with those persons and organizations you believe need to be educated on this issue. Requests for additional copies should be directed to Libby Rosen, Publications Department.

Regards,

Geri

GER/rt
Attachment

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FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 MAR -6 PM 12: 37

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601

(202) 661-0900

TELEX 756-260

TELECOPIER: (202) 296-2662

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SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

212 CARNEGIE CENTER
PRINCETON, NEW JERSEY 08540-6212
(609) 452-2445

P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT, VIRGINIA AND
TEXAS ONLY

March 3, 1989

Patty Reilly, Esquire
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163
Anti-Defamation League of B'nai B'rith

Dear Ms. Reilly:

This will confirm our telephonic arrangement for a meeting to discuss the above-referenced MUR at 11:00 a.m., on Wednesday, March 8, 1989. I shall attend along with three representatives of the ADL in order to discuss the Commission's latest subpoena and ways possibly to expedite the resolution of the matter.

As we discussed, please also consider this letter to be a formal request for an extension of time for ADL to respond to the new subpoena to run 15 days from the date of our meeting -- i.e., to and including March 23, 1989. The purpose of the extension is to allow respondents the benefit of whatever is resolved during our meeting in formulating its answers or responses.

Thank you for your consideration in the matter.

Sincerely,

Stuart M. Gerson

SG:hs

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 9, 1989

Stuart M. Gerson, Esquire
Epstein, Becker, Borsody & Green, P.C.
1140 19th Street, N.W.
Washington, D.C. 20036-0900

RE: MUR 2163
Anti-Defamation League of
B'nai B'rith

Dear Mr. Gerson:

The Office of the General Counsel is in receipt of your recent letter requesting an extension of time to respond to the Commission's subpoena in the above-captioned matter. After considering the circumstances as detailed in your request, this Office will grant the requested thirteen day extension. Accordingly, your response is due no later than March 24, 1989.

If you have any questions, please contact Ms. Reilly at 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Jonathan Bernstein
Acting Associate General
Counsel

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plm

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2293
RECEIVED
FEDERAL ELECTION COMMISSION
MAIN COPY ROOM

BEFORE THE FEDERAL ELECTION COMMISSION 89 MAR 23 PM 2:39

In the Matter of)
) MUR 2163
)

**RESPONSE OF ANTI-DEFAMATION LEAGUE OF B'NAI B'RITH
TO THIRD SET OF INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

89 MAR 24 PM 11:53

The Anti-Defamation League of B'nai B'rith ("ADL") and its National Director, Abraham H. Foxman, respectfully respond to the third set of Interrogatories and Request for Production of Documents propounded by the Federal Election Commission ("FEC" or "Commission") in this matter.

GENERAL OBJECTION

The Commission has propounded yet another set of informational requests which, according to the FEC staff, are (like the previous set) targeted towards the determination of whether or not ADL is entitled to the protections afforded "ideological" corporations or committees by the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, 107 S. Ct. 616 (1986).

The Commission's earlier interrogatories related essentially to a 1986 ADL publication entitled "The LaRouche Political Cult: Packaging Extremism" ("the ADL Report"). ADL's responses made it clear that this publication contained no electioneering message and was entirely consistent with ADL's fundamental ideological purpose: the combatting of bigotry and extremism. LaRouche's extremism, in particular, has been of longstanding concern both to ADL and to law enforcement authorities throughout the United States.

The Commission's current interrogatories request additional

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information that appears significantly to exceed the bounds of the charge and suggests (and our meetings with the FEC staff confirm our opinion about this) a lack of clear focus upon what is at issue in this case. Because these informational requests are superfluous to the legal issues before the Commission, ADL objects to them, although it has, in the hope of a prompt termination of this matter, provided what it believes are reasonable responses.

As to the Citizens for Life exemption, ADL submits that the Commission should recognize that this matter easily can be resolved without addressing the implications of that decision because the ADL Report and those matters related to it do not constitute partisan electioneering. It therefore would be appropriate to dismiss this matter irrespective of whether or not ADL is an ideological corporation. The same result would be required even if ADL were a pure political entity, which clearly it is not.

Additionally, even if the ADL Report and those matters related to it were partisan communications, which they were not, their circulation was so small and so limited that they were, in essence, constituent communications. Compare FEC v. National Right to Work Committee, 459 U.S. 197 (1982); Advisory Opinion 1987-31 (as reconsidered, 2/13/89).

While ADL is not a membership organization, inasmuch as it does not collect dues or membership fees, it should be readily apparent to the Commission from these and our earlier responses that ADL's contributors obtain what, constructively, are the essential benefits of "membership" -- access to ADL's programs and

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publications, and participation in its activities designed to combat bigotry and extremism. When ADL informs its contributor base of the activities and threats of the now-convicted LaRouche and his organization, it is fulfilling its mandate to expose extremists and anti-Semites; it is not seeking to influence votes. The report in question clearly was not directed to the electorate in any particular jurisdiction, but rather to contributors and friends of ADL, educational institutions and the media.

The Commission would not have to reach the Citizens for Life issue unless it first were to conclude: 1) that the ADL report was a partisan communication; and 2) if it was, that it was materially distributed beyond ADL's natural base. In that event, it should be clear that the "ideological" exemption would apply to ADL, the activities of which are uniformly and historically educational, and the contributor base of which is so broad that it would be unreasonable to consider ADL a cipher for any corporation or union or group thereof.

INTERROGATORIES

1. List and describe all benefits provided by ADL to contributors, including but not limited to having access to publications, to informational, educational, or health programs or services, to insurance policies, credit cards, car rental discounts, or any other services offered either for sale, at no charge, or at a discount.
 - a) State the total dollar amount of all commissions or other benefits ADL has received as a result of each good, service

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or benefit, and state what percentage of this dollar amount is from corporate and union sources.

b) If you are unable to provide a dollar amount or a percentage figure regarding the corporate and union sources of these funds, estimate either the dollar amount or the percentage of this dollar amount that is from corporate and union sources.

RESPONSE

ADL provides no special benefits of the types described to its contributors. ADL's contributors are not offered any health programs or services, insurance policies, credit cards or car rental discounts. It thus receives no corporate or union funds as a result of any such quasi-commercial activity. Instead, contributors provide support to ADL in order to advance its work and objectives, and also to obtain assured access to ADL materials, publications and programs which essentially are directed towards its historical purpose of combatting bigotry and extremism and assuring civil rights.

2. State the total dollar amount or the percentage dollar amount of corporate and union funds composing ADL's "Gifts, grants, and contributions received" (Form 990, Schedule A, line 15). If you are unable to provide a total dollar amount or a percentage figure, estimate either the total dollar amount or the percentage of this amount composed of corporate and union funds.

91040325304

RESPONSE

3. State the total dollar amount or the percentage dollar amount of corporate and union funds composing ADL's stated amount on Form 990, Schedule A, line 17. If you are unable to provide a total dollar amount or a percentage figure, estimate either the total amount or the percentage of this stated amount composed of corporate and union funds.

RESPONSE

The amount is minimal.

4. For the following three publications produced by ADL (Face to Face, Dimensions, and Education and Society) state for each, separately:

a) the total dollar amount received from corporations and unions or the percentage dollar amount of these funds from corporations and unions received by ADL for advertising. If you are unable to provide either the total dollar amount or the percentage figure of such amounts, estimate such figure.

RESPONSE

In 1986, the year at issue in this matter, the amount also was minimal.

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5. State the total dollar amount of corporate and union funds used to sponsor ADL conferences. If you are unable to provide a dollar amount, estimate the dollar amount of corporate and union sponsorship.

RESPONSE

ADL conferences are not commonly funded by corporations or unions, but instead by funds from ADL's treasury or by special foundation grants.

6. State the dollar amount of corporate and union funds used to sponsor ADL's project "A World of Difference." If you are unable to provide a dollar amount, estimate the dollar amount of such corporate and union funds.

RESPONSE

REQUEST FOR PRODUCTION OF DOCUMENTS

The Commission requests the following documents:

Copies of all 1986 issues of the publications noted in interrogatory number 4.

RESPONSE

Copies of the 1986 editions of those publications that had such editions previously have been provided to the FEC staff. When there was no 1986 edition of a publication, the most recent edition has been supplied.

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Respectfully submitted,
Epstein Becker & Green, P.C.

By: Stuart M. Gerson
Stuart M. Gerson

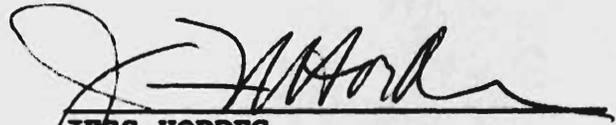
1140 19th Street, N.W.
Washington, D.C. 20036
(202) 861-0900

Attorneys for Anti-Defamation League
of B'nai B'rith

21640825307

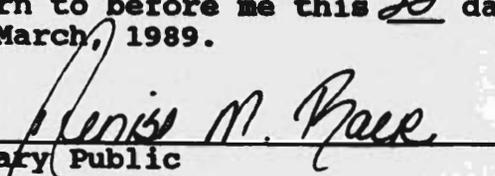
ATTESTATION

I HEREBY DECLARE, under penalty of law, that the foregoing responses are complete and accurate to the best of my knowledge and belief.



JESS HORDES
Director, Washington Office
Anti-Defamation League
of B'nai B'rith

Sworn to before me this 23rd day
of March, 1989.


Notary Public

My commission expires: 2/28/94

91040325308



BEFORE THE FEDERAL ELECTION COMMISSION

89 MAY -3 AM 11:39

In the Matter of)
Anti-Defamation League of New York)
and Chicago and Abraham Foxman,)
National Director)
American Jewish Committee and)
Jonathan Levine, National Director)

MUR 2163

SENSITIVE

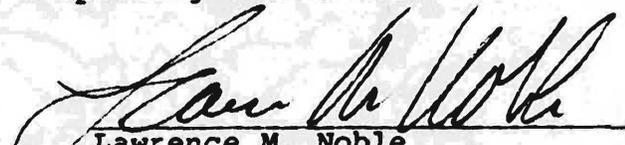
COMPREHENSIVE INVESTIGATIVE REPORT #3

On February 14, 1989, the Commission approved interrogatories and a letter requesting further information from the American Jewish Committee in the above-captioned matter. On February 27, 1989, respondents submitted information responding to the Commission's request.

Following the receipt of interrogatories in this matter, the Anti-Defamation League requested an extension of time pending a meeting with the Office of the General Counsel staff to discuss the scope of the Commission's interrogatories. On March 8, 1989, staff met with respondents' representatives. Subsequently, on March 23, 1989, respondents submitted materials responsive to the Commission's request.

This Office is currently analyzing these responses and will report to the Commission after completing this review.

5/2/89
Date


Lawrence M. Noble
General Counsel

Staff Person: Patty Reilly

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09 AUG 16 AM 9:16

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

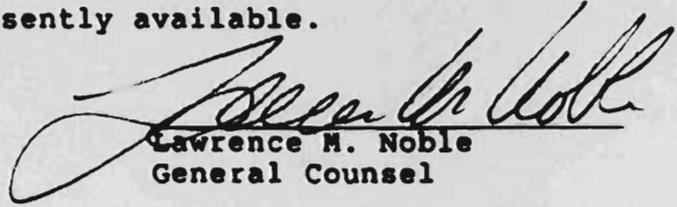
In the Matter of

American Jewish Committee and)	
Jonathan Levine, Director)	
Anti-Defamation League of B'nai)	MUR 2163
B'rith and Abraham Foxman,)	
National Director)	

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the American Jewish Committee and Jonathan Levine, Director, and the Anti-Defamation League of B'nai B'rith and Abraham Foxman, National Director, based on the assessment of the information presently available.

Date 8/15/89


Lawrence M. Noble
General Counsel

Staff Person: Patty Reilly

21040325310



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1989

Stuart M. Gerson, Esquire
Epstein, Becker, Borsody & Green
1140 19th St. N.W.,
Washington, D.C. 20036-6601

RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director
Anti-Defamation League Of B'nai
B'rith of New York and
Chicago and Abraham H.
Foxman, National Director

Dear Mr. Gerson:

Based on a complaint filed with the Federal Election Commission on April 2, 1986, and information supplied by your clients, the Commission, on June 16, 1987, found that there was reason to believe your clients, violated 2 U.S.C. § 441b, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time.

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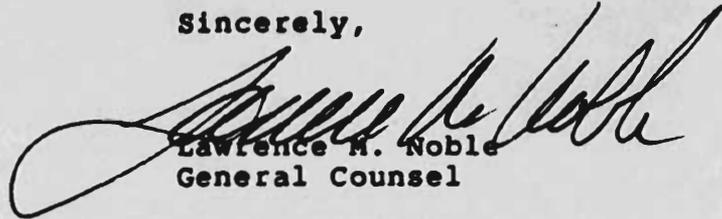
Stuart M. Gerson
Page 2

All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure

91040325312

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The American Jewish Committee) MUR 2163
and Jonathan Levine, Director)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On June 16, 1987, the Commission found reason to believe the American Jewish Committee and Jonathan Levine, Director, ("AJC") violated 2 U.S.C. § 441b. An investigation was initiated revealing that AJC, an incorporated membership organization, had made expenditures in connection with a federal election. Specifically, AJC expended \$465 for printing a publication entitled "Lyndon LaRouche and the Politics Of Deception" (hereinafter "The AJC Study"). Because the Federal Election Campaign Act prohibits corporations from making contributions or expenditures in connection with a federal election, the Office of the General Counsel recommends that the Commission find probable cause to believe respondents violated 2 U.S.C. § 441b.

II. ANALYSIS

A. The AJC Study

It is undisputed that in May 1986, following the March 18, 1986 Illinois primary, respondents released the AJC Study. Respondents printed 1,500 copies of the AJC Study. It was released to members of the press, members of AJC, and to

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non-members.¹

The AJC Study is eleven pages long and also includes a one page preface and two short appendices. It contains three articles entitled, respectively, "The LaRouche Phenomenon," "The LaRouche Victory In Illinois" and "The 'LaRouche Factor' In the 1986 primaries In Downstate Illinois."

The AJC Study is in large part a retrospective account of the 1986 Illinois primary elections in which persons associated with Lyndon LaRouche won primary elections for state and federal offices. Thus, these persons were candidates for the 1986 general elections, which occurred during the time period in which the AJC Study circulated.

Two major concerns appear evident from the AJC Study. First, the study is concerned with the ideology of Lyndon LaRouche and groups said to be associated with him. Thus, the AJC Study focuses on the theories of LaRouche groups, citing a variety of sources to support the proposition that Mr. LaRouche and his followers are anti-Semitic. The Study is overwhelmingly critical of LaRouche, characterizing his views as "unsavory," "extremist," and embracing a "bizarre and viciously anti-Semitic conspiracy that underlies its philosophy."

Second, the AJC Study contains a detailed analysis of the

1. AJC has not been able to furnish this Office with information regarding a further breakdown of distribution. An AJC memorandum issued with the AJC Study to "Field Staff" encourages sharing the report with persons and organizations needing to be "educated on this issue." The memorandum indicated that AJC's Publication Department would make additional copies available on request.

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LaRouche victories in the Illinois primaries. Although the overall focus of this aspect of the study appears to be why certain candidates were supported by voters, as discussed below, the AJC Study contains unequivocal prospective discussions regarding federal elections.

Specifically, the AJC Study includes references to two persons associated with Lyndon LaRouche who were general election candidates for the thirteenth and fifteenth congressional districts in Illinois. A significant portion of this document is devoted to an interview with William Brenner, the LaRouche candidate for Congress from the fifteenth district. The interview includes descriptions of this candidate's views and his apparent lack of support of many of the issues said to be associated with Lyndon LaRouche. This analysis is not directly exhortative; in fact, notwithstanding Mr. Brenner's association with the LaRouche ticket, he is referred to as a "decent man". Nevertheless, in the context of the entire AJC Study that portrays LaRouche in an overwhelmingly negative light, the plain effect of the AJC Study is designed to urge voters to not cast their ballots for persons associated with LaRouche.

B. The Law

Pursuant to 2 U.S.C. § 441b(a), corporations are prohibited from making contributions in connection with a federal election. A corporate contribution is defined to include anything of value. 2 U.S.C. § 441b(b). The term "in connection with"

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includes statements "designed to urge the public to elect a certain candidate or party." See United States v. United Auto Workers, 352 U.S. 567, 587 (1952).

In the instant case it is undisputed that AJC, as an incorporated membership organization, spent funds for a publication criticizing Lyndon LaRouche and persons associated with him. This publication also discussed general election candidates associated with LaRouche, thus requiring a reader to conclude that they should not vote for Lyndon LaRouche or his followers. Thus, AJC spent impermissible funds in connection with a federal election, in violation of 2 U.S.C. §441b.

C. Applicability of the MCFL Exemption

AJC has previously argued that its activities in this matter are constitutionally protected by the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), (hereinafter "MCFL"). In that decision the Court concluded that the Act's prohibitions regarding corporate expenditures made independently of any candidate is unconstitutional as applied to certain not-for-profit corporations. Three factors were cited by the Court to be controlling, and thus must be present for a corporation to come within the MCFL exemption. First, a corporation must be formed for the express purpose of promoting political ideas and not to engage in business activities. Second, a corporation cannot have shareholders or other persons so affiliated as to have a financial incentive against disassociating with it. Third, a corporation cannot be established by a business corporation and

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must have a policy of not accepting contributions from such entities.

AJC cannot meet this exemption. First, AJC acknowledges providing certain benefits to its members. These benefits include a magazine subscription, invitations to participate in forums, newsletters, and an opportunity to enroll in a major medical insurance plan. This latter benefit constitutes a business activity that places AJC outside of the first prong of the MCFL exemption, and a financial incentive against disassociation that runs afoul of the second prong.

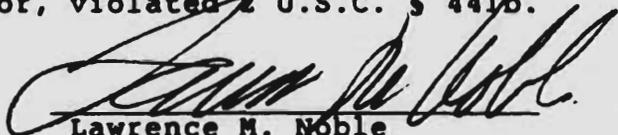
Moreover, AJC also fails to meet the third prong of the MCFL exemption because it both has a policy of accepting funds from corporations and has admittedly accepted an estimated 3.42 million dollars from corporations and labor unions during 1986. This amount, constituting approximately 19% of AJC's funds, are considered to be "non-membership contributions." For this reason as well, AJC cannot assert the MCFL exemption.

In light of the foregoing, therefore, the Office of the General Counsel recommends that the Commission find probable cause to believe AJC violated 2 U.S.C. § 441b.

III. RECOMMENDATION

Find probable cause to believe the American Jewish Committee and Jonathan Levine, Director, violated 2 U.S.C. § 441b.

9/12/89
Date


Lawrence M. Noble
General Counsel

21040325317

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Anti-Defamation League of New) MUR 2163
York and Chicago and Abraham)
Foxman, National Director)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On June 16, 1987, the Commission found reason to believe the Anti-Defamation League of New York and Chicago and its National Director, ("ADL") violated 2 U.S.C. § 441b. An investigation was initiated revealing that ADL, a corporation, had made expenditures in connection with a federal election. Specifically, ADL expended \$10,340 to pay for a publication entitled "The LaRouche Political Cult: Packaging Extremism" (hereinafter "The ADL Report"). Additionally, ADL expended approximately for a fundraising solicitation specifically discussing the possible election of Lyndon LaRouche and his followers. Because the Federal Election Campaign Act prohibits corporations from making contributions or expenditures in connection with a federal election, the Office of the General Counsel recommends that the Commission find probable cause to believe the respondents violated 2 U.S.C. § 441b.

II. ANALYSIS

A. The ADL Report

It is undisputed that in the spring of 1986 ADL issued the ADL Report that discussed in great detail the past and present activities of both Lyndon LaRouche and organizations said to be associated with him. The ADL Report is fifty-four pages in length

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and includes two addenda. Respondents assert that 6,624 copies of the ADL Report were distributed to media representatives, members of congress, persons associated with ADL, researchers and libraries.

The ADL Report focus on the entire alleged LaRouche organization from its formation to its present day activities. In most part, the ADL Report presents an historical overview of this organization's history, causes, facilities, role in international affairs and its use of the judicial system. The ADL Report also includes a discussion of Mr. LaRouche individually, as well as descriptions of LaRouche candidates in election years. The election-related discussions include 1986, the year of the Report's distribution. Two segments of this Report are specifically related to federal elections.

The first such segment is four pages long and discusses the 1986 primary victories of persons associated with Lyndon LaRouche. By virtue of these primary victories, these persons were candidates for the general election at the time the ADL Report was circulated. The ADL Report specifically identifies seven general election candidates in Illinois, California, Pennsylvania, Ohio, New Hampshire, New Jersey, and New York. See ADL Report at pgs. 20-23. In addition to these specifically named candidates, the ADL Report also notes the various states in which other unnamed LaRouche candidates have attained a place on the ballots.

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Immediately following this discussion of LaRouche candidates, this segment concludes:

Other observers would doubtless disagree about such promising prospects for LaRouche - especially in view of the recent intense media focus on the LaRouche movement's nature and tactics, which will likely lead to increased rejection, rather than support, from an informed American public.

Moreover, the ADL Report does not limit itself to such identifications and election-related predictions. The ADL Report's conclusion contains election-related advocacy discussing the rejection of the LaRouche candidates and their philosophies by the American voter in no uncertain terms:

To be sure, despite the continuing efforts of LaRouche's minions over the past decade or more to run candidates in many local, states and national elections, and to promote their leader's blend of conspiracy-filled political fantasy, anti-Semitism and self-aggrandizement, the LaRouche organization has gained neither political office nor public legitimacy in America. Indeed, when the extremism characteristic of this phenomenon is subjected to the piercing light of public exposure, it is rejected by the vast majority of the American people.

B. Fundraising Solicitation

In addition to the election-related statements in the ADL Report, ADL also engaged in a fundraising solicitation drive focusing on the role of Lyndon LaRouche and his followers in the 1986 general election. Mailed in the early summer of 1986, this fundraising letter asserts that ADL would be "working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using --and misusing--the democratic process." Noting that LaRouche and his followers are

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"spending millions of dollars running for scores of political offices on platforms filled with paranoid, slanderous anti-Semitic poison," the letter notes ADL's "massive campaign to counter and expose LaRouche and his fanatic followers" and solicits contributions, urging persons to give generously. The references in this document to the LaRouche candidacies and ADL's acknowledged program to counter these candidacies leads to the inextricable conclusion that the fundraising letter is also election-related.

C. The Law

Pursuant to 2 U.S.C. § 441b(a), corporations are prohibited from making contributions in connection with a federal election. A corporate contribution is defined to include anything of value. 2 U.S.C. § 441b(b). The term "in connection with" includes statements "designed to urge the public to elect a certain candidate or party." See United States v. United Auto Workers, 352 U.S. 567, 587 (1952).

In the instant case, both the ADL Report and the fundraising letter were made in connection with a federal election, and thus violative of 2 U.S.C. § 441b. The ADL Report contains references to candidates by name and office, labeling them as "LaRouche candidates." In light of the ADL Report's overwhelmingly negative characterization of the LaRouche organization, there is no doubt of the report's message that LaRouche candidates are unacceptable electoral options and reasonable informed voters should not cast their ballots for such persons. The fact that some statements in the ADL Report predict voter rejection is irrelevant since in the

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context of the report such predictions are identical to urging rejection by voters. Moreover, the fundraising letter's references to the LaRouche candidacies, asserting that LaRouche candidates must be "countered and exposed" is also election-related in that these words are a call to action to vote against these candidates. Therefore, the expenditures for both publications made from ADL's treasury funds violate section 441b.¹

D. Applicability of the MCFL Exemption

ADL has previously argued that its activities in this matter are constitutionally protected by the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986), (hereinafter "MCFL"). In that decision the Court concluded that the Act's prohibitions regarding corporate expenditures made independently of any candidate is unconstitutional as applied to certain not-for-profit membership corporations. Three factors were cited by the Court to be controlling, and thus must be present for a corporation to come within the MCFL exemption. First, a corporation must be formed for the express purpose of promoting political ideas and not to engage in business activities. Second, a corporation cannot have shareholders or other persons so affiliated as to have a financial incentive against disassociating with it. Third, a corporation cannot be

1. In its most recent submission, respondent appears to argue it activities were those of a "constructive membership organization" whose communications were directed to its "natural base." The Act and Regulations, however, do not exempt from the prohibitions of section 441b partisan communications to "constructive" members.

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established by a business corporation and must have a policy of not accepting contributions from such entities.

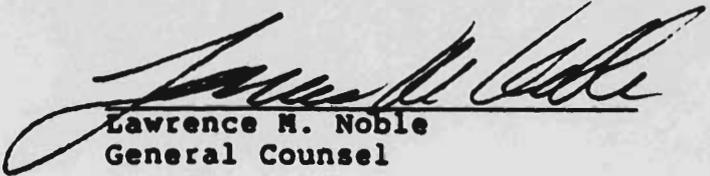
In light of the foregoing, the Office of the General Counsel recommends that the Commission find probable cause to believe ADL violated 2 U.S.C. § 441b.

III. RECOMMENDATION

Find probable cause to believe the Anti-Defamation League of B'nai B'rith and Abraham Foxman, National Director, violated 2 U.S.C. § 441b.

Date

9/12/87


Lawrence M. Noble
General Counsel

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

Reilly

EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601

(202) 861-0800

TELECOPIER: (202) 296-2682

DIRECT LINE

SEP 26 PM 3:05

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 351-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

SIX LANDMARK SQUARE
STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

212 CARNEGIE CENTER
PRINCETON, NEW JERSEY 08540-6212
(609) 482-2445

27 SCHOOL STREET
BOSTON, MASSACHUSETTS 02108-4303
(617) 720-3555

FOUR EMBARCADERO
SAN FRANCISCO, CALIFORNIA 94111-5954
(415) 398-3500

12201 MERIT DRIVE
DALLAS, TEXAS 75251-2213
(214) 490-3143

ONE WOODWARD AVENUE
DETROIT, MICHIGAN 48226-3412
(313) 965-3190

116 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301-1530
(904) 881-0596

2400 SOUTH DIXIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 856-1100

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132
(703) 684-1204

September 26, 1989

* P.C. NEW YORK, WASHINGTON, D.C.
CONNECTICUT, VIRGINIA AND
TEXAS ONLY

HAND-DELIVERED

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Room 657
Washington, D.C. 20463

RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director
Anti-Defamation League of B'nai
B'rith of New York and
Chicago and Abraham H.
Foxman, National Director

Dear Mr. Noble:

On behalf of the above-referenced respondents in MUR 2163, we hereby request an extension of time until October 17, 1989 in which to respond to the General Counsel's brief and recommendations in this matter.

This extension of time is necessary due to prior commitments of the member of the firm who has been handling this matter. In order to adequately represent respondents' position, this extension of time is required.

Having demonstrated good cause, this request is timely. We received the General Counsel's brief in this matter on September

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Lawrence M. Noble, Esquire
September 26, 1989
Page 2

15, 1989. Because our response is due on October 2, 1989, this request has been made 5 days prior to the due date.

Therefore, for the reasons set forth herein, we request that an extension of time be granted.

Respectfully submitted,

EPSTEIN BECKER & GREEN, P.C.

By:


Leslie J. Kerman
1140 19th Street, N.W.
Suite 900
Washington, D.C. 20036
202/861-1877

Attorneys for Respondents

21040325325



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 29, 1989

Leslie J. Kerman
Epstein Becker & Green, P.C.
1140 19th Street, N.W.
Suite 900
Washington, D.C. 20036

RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director
Anti-Defamation League of
B'nai B'rith of New York
and Chicago and Abraham H.
Foxman, National Director

Dear Ms. Kerman:

This is in response to your letter dated September 26, 1989, which we received on the same date, requesting an extension of 15 days until October 17, 1989, to respond to this Office's brief. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on October 17, 1989.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
(LGL)
BY: Lois G. Lerner
Associate General Counsel

21040325326

09 OCT 12 AM 8:48

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

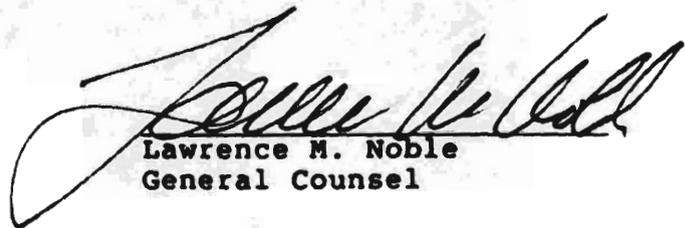
American Jewish Committee and)	
Jonathan Levine, Director)	
Anti-Defamation League of B'nai)	MUR 2163
B'rith and Abraham Foxman,)	
National Director)	

GENERAL COUNSEL'S REPORT

On September 13, 1989, the Office of the General Counsel mailed probable cause briefs in the above-captioned matter. On September 26, 1989, this Office received a request from respondents' counsel for a fifteen day extension of time to file responsive briefs. Counsel cited the press of prior commitments in support of this request. Under this circumstance, this Office granted the requested extension. Responsive briefs are now due on October 17, 1989. After receiving and evaluating these briefs, this Office will report to the Commission.

91040325327

10/11/89
Date


Lawrence M. Noble
General Counsel

Staff person: Patty Reilly

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RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE SERVICES

EPSTEIN BECKER & GREEN, P.C.
ATTORNEYS AT LAW

OCT 12 PM 3:28

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WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELECOPIER: (202) 296-2882

DIRECT LINE

250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 381-4500

1875 CENTURY PARK EAST
LOS ANGELES, CALIFORNIA 90067-2501
(213) 556-8861

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STAMFORD, CONNECTICUT 06901-2704
(203) 348-3737

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(617) 720-3555

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116 SOUTH MONROE STREET
TALLAHASSEE, FLORIDA 32301-1530
(904) 681-0596

2400 SOUTH DIXIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 856-1100

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-3132
(703) 684-1204

* RC. NEW YORK, WASHINGTON, D.C.
CONNECTICUT, VIRGINIA AND
TEXAS ONLY

October 12, 1989

HAND DELIVERED

Chief Clerk
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: American Jewish Committee
MUR 2163

To Whom It May Concern:

Enclosed please find the requisite original and copies of the Respondent's Brief in the above-captioned matter. Please file and distribute said documents.

Sincerely,
Stuart M. Gerson
Stuart M. Gerson

SMG:gj

Enclosure

210403253228

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FEDERAL ELECTION COMMISSION
OCT 13 PM 12:32

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

The American Jewish Committee)
and Jonathan Levine, Midwest)
Regional Director)

MUR 2163

RESPONDENT'S BRIEF IN OPPOSITION TO
GENERAL COUNSEL'S BRIEF

The American Jewish Committee ("AJC") and its Midwest Regional Director, Jonathan Levine, ("respondents") respectfully, but emphatically, submit that the Federal Election Commission ("the Commission") categorically should reject the General Counsel's Brief, which untenably recommends a finding of probable cause to believe that the AJC had made expenditures in violation of 2 U.S.C. §441b(a) of the Federal Election Campaign Act of 1971 ("the Act"). This conclusion relates to the publication and distribution, at a cost of a mere \$465, of 1,500 copies of a publication entitled "Lyndon LaRouche and the Politics of Deception, A Background Paper" ("the AJC Study").

This Study was an after-the-fact analysis of the reasons that several LaRouche-backed, extremist candidates had been able to score upset victories over party regulars in the 1986 Illinois Democratic primary. Only two of those candidates were for federal office, and the one discussed at any length in the Study is treated in what the General Counsel concedes is a balanced way. See General Counsel's Brief at 3.

The AJC Study contains no electoral message, is clearly scholarly in its approach and statements, seeks no action in any federal election and, indeed, was written and disseminated after

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the state primary that it describes. Moreover, its analysis of the extremist and anti-Semitic views of Mr. LaRouche and his followers is entirely consistent with the ideological role of the AJC -- a role that dates back to 1906. As such, the AJC Study presents a matter beyond the jurisdiction of the Commission.

The happenstance that LaRouche or his followers might declare themselves as candidates for office cannot be held to circumscribe the AJC's right to inform its understandably-sympathetic public about them. The General Counsel's view to the contrary is factually, statutorily and constitutionally erroneous. Without even discussing the significant judicial precedents directly contradicting his view, he would -- because his conclusions strike at the very heart of the longstanding mission of AJC to fight anti-Semitism and extremism -- relegate the Commission to inevitable litigation.

The Commission should decline that invitation to extend the Federal Election Campaign Act of 1971 ("the Act") to a form of conduct -- an educational group's non-electioneering communications about someone of longstanding concern who incidentally decides to seek public office -- to which Congress clearly did not intend the Act to apply.

The Commission also should reject the unduly constricted-view of the General Counsel concerning the scope of the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986) ("MCFL"), exempting certain ideological corporations from the requirements of the Act. The brief that the General Counsel has

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lodged in this and a number of other Matters Under Review ("MUR") takes the categorical position that any ideological corporation that accepts outside business corporation contributions falls without MCFL. The lower courts that have dealt with the issue have rejected it, and with good cause; the standard that the General Counsel would set is unduly broad and restrictive of constitutionally protected speech. See, e.g., Michigan State Chamber of Commerce v. Austin, 856 F.2d 783 (6th Cir. 1988), cert. granted sub nom Austin v. Michigan State Chamber of Commerce, No. 88-1569 (October Term 1988) ("Austin"); FEC v. NOW, 713 F. Supp. 428 (D.D.C. 1989) ("NOW").

In order to avoid inherently-unavailing positions in litigation, the Commission should interpret MCFL in a more-limited way than that suggested by the General Counsel. It easily could hold, for example, that if a genuine ideological corporation -- and AJC certainly is that -- receives outside corporate contributions but expresses itself in an electorally-partisan manner on issues which are unrelated to the outside corporations' business affairs and aims, i.e., which are confined to the independent ideological mission of the contributee, those expressions fall within the confines of the First Amendment protection enunciated in MCFL.

Of course, the Commission can resolve this MUR on even-narrower grounds because the communications of the AJC were informational, not electorally partisan, and thus would not come within the confines of the Act even if AJC were not protected under MCFL. For these

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reasons, the Commission should summarily reject the recommendation of the General Counsel.

Factual Background

A. The History and Purpose of the AJC.

The AJC, founded in 1906, is a religious and educational organization incorporated in New York State and exempt from federal income taxation pursuant to section 501(c)(3) of the Internal Revenue Code. The AJC is among the oldest human-relations agencies in the country and is dedicated to the protection of the civil and religious rights of Jews throughout the world.

An inherent and longstanding feature of that role is the AJC's vocal opposition to anti-Semitism wherever it might be found. However, while the AJC is dedicated to identifying and exposing anti-Semitic extremists, the AJC does not endorse or oppose candidates for office or participate in any political campaign.

B. The Activities at Issue and Their Funding.

In 1986, the year at issue in this MUR, AJC became particularly concerned about resurgent anti-Semitism when several previously-unknown followers of the extremist Lyndon LaRouche won the Illinois state primary election. Consistent with its educational and human rights purposes, AJC commissioned field research to determine the causes and potential results of this unpredicted electoral outcome. The AJC Study is the product of that research.

The Study describes the overtly anti-Semitic and extremist views espoused by Lyndon LaRouche and his followers and examines possible

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reasons for the primary successes of certain LaRouche-backed candidates for statewide office. The Study details the political and economic forces that assisted these candidates and warns of the dangers that could ensue if the electorate is not informed of the social and political views of candidates like them.

It does not, however, contain anything remotely resembling the express advocacy that is a necessary precondition for an adverse finding under section 441b. Indeed, the General Counsel himself notes that the study is generally concerned with matters of ideology and, in the one case where a candidate for federal office is discussed in any detail, it refers to his differences with Lyndon LaRouche and describes the candidate as a "decent man." General Counsel's Brief at 2-3.

Nevertheless, because the AJC Study "portrays LaRouche in an overwhelmingly negative light, the plain effect of the AJC Study is designed to urge voters to not [sic] cast their ballots for persons associated with LaRouche." Given the plain, non-electoral language of the Study, this conclusion is erroneous.

Its general, non-electoral purpose, is evidenced further by the fact that the AJC Study was circulated nationally, in limited fashion (1,500 copies), without any concentration upon Illinois or

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any other state where a LaRouche follower might have been a candidate.^{1/}

For 1986, AJC received almost \$18 million in revenues. The Study in question cost a mere \$465 to produce. Approximately 19 percent of AJC's contributions came from corporate funds, reflecting donations from thousands of different corporations.

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^{1/} The General Counsel concludes that the overwhelmingly negative characterization of LaRouche leaves no doubt about the electoral advocacy of the Study. This only begs the question. While any likely recipient of this document could reasonably be expected to vote for candidates other than LaRouche supporters, the General Counsel's test is a mistaken one that denotes the inherent unconstitutionality of his approach. Factually, it does no more than highlight the obvious conclusion that, with respect to the recipients of the AJC Study, absolutely no advocacy is required. They are against LaRouche and his disciples long before they receive these documents.

Applied consistently, this test would subject to Commission supervision any well-established organization of principle that had anything to say about any of its opponents who simply pretend to public office. The General Counsel apparently would have it that anytime, to cite a few examples, a pro or anti-abortion group, a civil rights organization or an environmental group published any critical examination of the activities of an opponent who styled himself or herself as a candidate for federal office the requirements of §441b would be triggered. This dangerous, inhibitory approach, is most untenable, and as we show, the courts have so held.

ARGUMENT

I. BECAUSE THE AJC'S PUBLICATIONS DO NOT AMOUNT TO EXPRESS ADVOCACY, THE RESTRICTIONS ON CORPORATE EXPENDITURES OF 2 U.S.C. §441B CANNOT BE CONSTITUTIONALLY APPLIED TO AJC.

A. The standard developed by the federal courts for express advocacy demands that a candidate must be clearly specified and an unequivocal call for action must be made.

The Supreme Court in MCFL held that §441b only applies to communications amounting to "express advocacy." MCFL, 479 U.S. at 249. The Court had earlier held in Buckley v. Valeo, 424 U.S. 1 (1976) ("Buckley") that the restrictions on independent expenditures imposed by §434(c) could only be triggered by a specific electoral message. This standard ensured that the statutory provision is narrowly drawn in accordance with the limited, compelling state interest of prohibiting undisclosed corporate influence, a matter we discuss in detail in the succeeding two arguments.

The Court acknowledged that it is often difficult to separate electoral advocacy from discussion of issues and candidates and that the distinction "may often dissolve in practical application." MCFL, 479 U.S. at 249 (quoting Buckley v. Valeo, 424 U.S. at 42). Thus to avoid confusion, courts must go beyond a given communication itself to examine the nature of its sponsoring organization and the function of the communication, e.g., whether it was intended to solicit funds for the activities of the sponsoring organization. See NOW, 713 F. Supp. at 430-431.

The NOW court observed that the National Organization for Women ("NOW"), which had published corporate-financed letters criticizing

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certain politicians who were running for office, and with whom NOW disagreed, was an "independent, non-aligned group" and that the mailings at issue were intended to expand the existing organization and to generate support for its causes. NOW, 713 F. Supp. at 430-431.

The NOW court emphasized the need for the express advocacy standard to embody a "clear distinction" between issues advocacy, which implicate First Amendment rights, and candidate-oriented speech, the regulation of which is the proper focus of the Act. See NOW, 713 F. Supp. at 433 (citing Federal FEC v. Furgatch, 807 F.2d 857, 860 (9th Cir. 1987) ("Furgatch"). In making that distinction, the mere opposition of the views and positions of candidates cannot be determinative -- a matter misunderstood by the General Counsel.

That is why the NOW court also noted that the Commission must fail in its efforts to expand the scope of express advocacy to include implied advocacy. NOW, 713 F. Supp. at 434 (citing FEC v. Central Long Island Tax Reform Immediately, 616 F.2d 45 (2d Cir. 1980). The General Counsel's analysis of the AJC Study fails first at this point. ^{2/}

^{2/} See n. 1, supra.

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- B. The AJC did not involve itself in "express advocacy" because its ideological message is essentially informational and does not contain a clear call to vote for or against federal candidates.

As we have noted several times, the matter of alleged "express advocacy" is simplistic in this case given the fact that AJC, by virtue of its limited national audience for the publications in question, is, so to speak, preaching to the choir.^{3/} Nevertheless, we note that the federal courts have developed guidelines for deciding whether a political communication amounts to express advocacy.

These guidelines attempt to effectuate the Supreme Court's exhortation that a clear distinction be made between issues advocacy and express advocacy of candidates. To assure that, even where there was a blurred line between issues advocacy and electioneering, the First Amendment rights of ideological groups would be protected, the NOW court followed the express advocacy test of the 9th Circuit in the Furgatch case.

^{3/} Additionally, even if the AJC Study was a partisan communication, which it is not, its circulation was so small and so limited that they were, in essence, constituent communications. Compare FEC v. National Right to Work Committee, 459 U.S. 197 (1982); Advisory Opinion 1987-31 (as reconsidered, 2/13/89). In that regard, it is curious that the General Counsel (Brief at 5) chooses to emphasize the membership benefits (e.g., magazine subscriptions, newsletters, educational forums, medical insurance plans) that AJC offers. The mention of these benefits, which we believe to be typical of interest groups, not exceptional, as the General Counsel implies, underscores our point.

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The Furgatch test affords First Amendment protection for merely informative political speech which is ambiguous in its call for action:

- (1) (S)peech is "express" for present purposes if its message is unmistakable [sic] and unambiguous, suggestive of only one plausible meaning;
- (2) (S)peech may only be termed "advocacy" if it presents a clear plea for action, and thus speech that is merely informative is not covered by the Act; and
- (3) (I)t must be clear what action is covered.

Furgatch, 807 F.2d at 864.

The NOW decision emphasizes that the third prong of the Furgatch test involves a "reasonable minds could differ" test. See NOW, 713 F. Supp at 435. This test satisfies the "clear distinction" requirement of Buckley by exempting those communications which straddle the line between express advocacy and issues discussion.

In applying the Furgatch test to the NOW solicitations, the NOW court held that

(b)ecause the letters are suggestive of several plausible meanings, because there are numerous pleas for action, and because the types of action are varied and not entirely clear, NOW's letters fail the express advocacy test proposed by the Ninth Circuit in Furgatch.

NOW, 713 F. Supp. at 435. Further, because the NOW solicitations were sent to a nationwide audience of potential supporters, NOW lacked the intent to influence particular statewide elections; most of its targeted audience could not even vote for the election or

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defeat of the candidates mentioned in the solicitations. See NOW, 713 F. Supp. at 435.

Each of those characteristics -- multiple pleas for action, consistency with historical purpose, nationwide and limited circulation -- are present in the AJC Study. While the General Counsel inexplicably cites neither NOW nor Furgatch, he at least concedes that the AJC Study overwhelmingly involves the discussion of issues.

Further, the limited audience to whom the Study was disseminated hardly comprises a specific voting constituency and represents the type of nationwide audience held determinative of non-electioneering in the NOW decision.^{4/}

For all of these reasons, the communications cited by the General Counsel do not amount to express advocacy, as the term has been defined and limited by the courts. Therefore, the Act cannot be applied to the conduct of AJC, and the Commission can terminate this MUR for that reason alone.

^{4/} In fact, bulk of the candidate-related discussion in the Study described by the General Counsel as candidate as balanced and "not directly exhortative." General Counsel's Brief at 3. Absolutely no call for action is made by these statements. By any reasonable reading, the Study involves nothing more than the dissemination of information, which is, at most, only partly political, inasmuch as it relates to the doctrinal leanings of the LaRouche organization. No call to action results, nor could it, given the intended audience, whose minds (as the General Counsel concedes) are closed to LaRouche irrespective of the contents of the communication. The AJC Study does not even involve implied advocacy, a standard which has been flatly rejected by the courts.

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II. 2 U.S.C. § 441b CANNOT CONSTITUTIONALLY INFRINGE THE FIRST AMENDMENT RIGHTS OF AJC BECAUSE AJC'S NON-COMMERCIAL PURPOSE DOES NOT POSE ANY THREAT TO THE POLITICAL MARKETPLACE.

- A. In MCFL, the Supreme Court rejected a per se rule applying §441b to all incorporated entities and specifically excluded from its coverage those non-commercial entities which resembled voluntary political associations.

In the preceding section, we demonstrated that the Act simply does not apply to the AJC Study, which does not, according to prevailing judicial standards, constitute express advocacy. However, assuming arguendo, the contrary, AJC would be exempted from the jurisdiction of the Commission because AJC is a protected ideological corporation.

A campaign finance provision will be held unconstitutional if it burdens political speech and cannot be justified by a compelling governmental interest. Buckley, 424 U.S. 1, 44-45 (1976). Thus, the Supreme Court has consistently held that "preventing corruption or the appearance of corruption are the only legitimate and compelling government interests thus far identified for restricting campaign finances." Buckley, 424 U.S. at 25. See also Citizens Against Rent Control v. Berkeley, 454 U.S. 290, 295-296 (1981) (no anti-corruption justification exists for ballot measures), FEC v. National Conservative Political Action Committee, 470 U.S. 480, 496-497 (1985) ("NCPAC") (no evidence presented that political committees have a greater potential for corruption than individuals when making independent expenditures).

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In MCFL the Supreme Court held that 2 U.S.C. §441b infringed on the First Amendment activities of the Massachusetts Citizens for Life when the Commission sought to require the organization to form a "separate segregated fund," ("SSF") or otherwise forego making independent expenditures merely because it elected the corporate form. As an unincorporated entity it would have been subject only to the less-burdensome disclosure requirements of 2 U.S.C. §434.

The General Counsel, by challenging the AJC Study as violative of §441b's prohibition on corporate "expenditure(s) in connection with any election to any federal office" presents AJC with the same impermissible option which faced MCFL, and we believe that a federal court would so hold.

AJC, like MCFL, is a non-profit, non-stock corporation. Unlike MCFL, however, AJC does not engage primarily in political activities. Instead, AJC is an incorporated association whose primary purposes are educational and non-political. One of AJC's organizational goals is to disseminate information regarding the conduct and tenets of individuals and groups which espouse bigotry and repression. The application of §441b to AJC would require AJC to form a SSF or else forego pursuing its non-partisan informational objectives whenever an individual anathema to its purposes merely happened to be a political candidate. Under the teaching of MCFL and, as we show infra, of cases following it, this result would be as improper as it would be avoidable.

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As the Court held:

Voluntary political associations do not suddenly present the specter of corruption merely by assuming the corporate form. Given this fact, the rationale for restricting core political speech in this case is simply the desire for a bright-line rule.

MCFL, 479 U.S. at 263. Thus, the Court concluded that a compelling regulatory interest could only be found with regard to those corporations which hold out the "potential for unfair deployment of wealth for political purposes," e.g., profit-making enterprises. MCFL, 479 U.S. at 259.

If the MCFL posed no danger to the political marketplace because it was "more akin to a voluntary political association than [a] business firm," then AJC certainly poses no danger because it is neither commercial nor, in contrast to the MCFL, partisan-political.

B. The General Counsel erroneously asserts that the acceptance of corporate money represents a compelling state interest for applying §441b to AJC.

The Supreme Court, and other courts following it, also rejected the General Counsel's argument, renewed here, that a rigid application of §441b was necessary to safeguard against the use of MCFL-type organizations as conduits for undisclosed spending by corporations and unions. See MCFL, 479 U.S. at 262.

The Supreme Court's reasoning simply cannot be reconciled with the General Counsel's contention that AJC's acceptance of corporate contributions justifies application of §441b, notwithstanding the indisputable facts that these contributions are diluted over many

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thousands of contributors and the message that AJC transmits with these contributions represents its anti-extremist point of view, not the individual or collective commercial aims of its contributors.

Under MCFL and subsequent decisions, it is the fundamental purpose of the corporation, not the mere fact of incorporation, which has guided the Court's reasoning in deciding whether a compelling state interest exists vis-a-vis §441b. The General Counsel's Brief, however, attempts to ignore this critical distinction and offers only one fact as evidence of apparent corruption and that is AJC's acceptance of corporate contributions.

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Recently, in a case also unmentioned in the General Counsel's brief, a federal appellate court categorically rejected this argument when it found that because the Michigan State Chamber of Commerce, a non-profit, non-stock "business" association, was not the type of "traditional corporatio[n] organized for economic gain," the mere fact that it accepted corporate contributions was inadequate to prove the existence of apparent corruption. Austin, 856 F.2d at 790 (quoting MCFL, 479 U.S. at 259, (citing NCPAC, 470 U.S. at 500)).

In distinguishing incorporated entities resembling voluntary political associations from those resembling business firms, the Court in MCFL refused to apply §441b to the former and left the constitutionality of the latter open. MCFL, 479 U.S. at 263. The Austin decision extends constitutional protection to an association

which, while not-for-profit, certainly is more of a "business firm" than AJC since the Chamber is an association made up largely of such entities and purports to represent their interests.

Nevertheless, the Austin court granted constitutional protection to the Michigan State Chamber of Commerce holding that it could make independent corporate expenditures when said contributions are subject to state disclosure requirements similar to those of §434(c). The instant case, as noted, is far stronger in the case of the AJC, which does not express "business" interests.

Indeed, in its amicus brief in the Austin case, the Commission argues that it was the "specific Congressional intent to bar business associations like chambers of commerce from serving as conduits for business corporation funds." Brief of the Federal Election Commission as Amicus Curiae in Support of the Appellants, Austin v. Michigan State Chamber of Commerce, at 8. (emphasis added). The FEC's argument in its amicus brief supports the AJC position here that even if §441b can be applied to independent expenditures by non-profit "business" corporations (a proposition specifically rejected in the Michigan case), §441b cannot be constitutionally applied to non-profit "political" corporations:

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III. IF A CORPORATION IS ADVOCATING ITS UNIQUE IDEOLOGICAL AGENDA WHICH IS SEPARABLE FROM THE COMMERCIAL PURPOSES OF THE CORPORATIONS CONTRIBUTING TO IT, IT IS ENTIRELY CONSISTENT WITH MCFL TO CONCLUDE THE CORPORATE FINANCIAL SUPPORT THE GROUP RECEIVES IS IMMATERIAL TO THE APPLICABILITY OF SECTION 441B.

The Supreme Court only inquired into the corporate structure of the MCFL after it had held that the communications at issue involved express advocacy. Because express advocacy was at issue, the Court identified three "essential" features of the Massachusetts Citizens for Life organization which assured the Supreme Court that the restrictions of §441b were not being circumvented:

First of all, [MCFL] was formed for an express purpose of promoting political ideas, and cannot engage in business activities ideas. . .

Second, [MCFL] has no shareholders or other persons affiliated so as to have a claim on its assets or earnings. . .

Third, MCFL was not established by a business corporation or a labor union, and it is its policy not to accept contributions from such entities.

MCFL, 497 U.S. at 264.

The General Counsel erroneously separates these "essential" features from the Court's finding of express advocacy, treating them as a "bright-line" test for corporate relationship. This formulation of MCFL ignores the exhortations of the Supreme Court to the contrary.

The General Counsel argues that AJC is not exempt under MCFL because it lacks the third "essential" feature enunciated in the case because it does not refuse corporate and union funds. Since it is undisputed that AJC was not established by a business

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corporation or a labor union, then AJC's policy of accepting corporate contributions must in and of itself disqualify it from MCFL status, according to the General Counsel. However, the third feature is conjunctive with the other two. Thus, the corporate contribution policy applies only to business or labor associations.

The Supreme Court held that MCFL's policy of not accepting corporate contributions safeguarded against "such corporations from serving as conduits for the type of direct spending that creates a threat to the political marketplace." MCFL, 479 U.S. at 264. (emphasis added). The Court did not, however, intend for the MCFL policy of excluding corporate contributions to be an absolute requirement for exemption to §441b. Rather, the Court's enunciation of the second and third features of MCFL indicate only its conclusion that the legitimate political goals of MCFL were not being unduly-influenced by outside business interests.

The Supreme Court's understanding that individuals who contributed to MCFL were "fully aware of its political purposes, and in fact contribute(d) precisely because they support(ed) those purposes" (479 U.S. at 260) is entirely relevant here. The same conclusion applies to non-profit, non-stock corporations, such as AJC, as well. As long as the corporation acts intra vires, then its contributors, whether individual or corporate, are not influencing its decisions.

Therefore, if an MCFL-type corporation accepts corporate funds, but acts in accordance with its express political, or any non-

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commercial, purpose, then it cannot be said that the corporation serves as an illegal conduit for improper corporate funds. Because it has acted in precisely this way, AJC is entitled to the protection enunciated in MCFL, irrespective of the fact that it accepts corporate contributions.

Conclusion

Throughout its lengthy and illustrious history, the AJC has combatted bigotry, hatred and extremism. For the Commission now to hold impermissible the AJC's publication, which should fall squarely within the activity safeguarded most preciously by the First Amendment, would be statutorily and constitutionally erroneous as well as morally unacceptable.

Given the clear statutory and constitutional authority that supports it, the AJC is fully-prepared to protect its rights judicially. We would hope, however, that the Commission might resolve this matter expeditiously and without risking the further chilling of the free exchange of ideas. The AJC and Jonathan

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Levine, its Midwest Regional Director, therefore, respectfully request the Commission take no further action in MUR 2163 and close this file forthwith.

Respectfully submitted,

EPSTEIN BECKER & GREEN, P.C.

By: Stuart M. Gerson
Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036

(202) 861-0900

Attorneys for the Respondents

Of Counsel:

Leslie J. Kerman
1140 19th Street, N.W.
Washington, D.C. 20036^{5/}

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^{5/} We note, with appreciation, the assistance of John Interrante in the preparation of this brief.

OFFICE OF GENERAL COUNSEL
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EPSTEIN BECKER & GREEN, P.C.

ATTORNEYS AT LAW

1140 19TH STREET, N.W.

WASHINGTON, D.C. 20036-6601

(202) 861-0900

TELECOPIER: (202) 296-2662

DIRECT LINE

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250 PARK AVENUE
NEW YORK, NEW YORK 10177-0077
(212) 351-4500

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LOS ANGELES, CALIFORNIA 90067-2501
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(313) 966-3190

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TALLAHASSEE, FLORIDA 32301-1530
(904) 681-0896

2400 SOUTH DIXIE HIGHWAY, SUITE 100
MIAMI, FLORIDA 33133
(305) 856-1100

510 KING STREET, SUITE 301
ALEXANDRIA, VIRGINIA 22314-31321
(703) 684-1204

October 13, 1989

† RC, NEW YORK, WASHINGTON, D.C.
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Chief Clerk
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: Anti-Defamation League of B'nai B'rith
MUR 2163

To Whom It May Concern:

Enclosed please find the requisite original and copies
of the Respondent's Brief in the above-captioned matter. Please
file and distribute said documents.

Sincerely,

Stuart M. Gerson
Stuart M. Gerson

SMG:gj

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

89 OCT 16 AM 10:46

In the Matter of)
)
The Anti-Defamation League of)
B'nai B'rith, New York and Chicago) MUR 2163
Offices and Abraham Foxman,)
National Director)

RESPONDENT'S BRIEF IN OPPOSITION TO
GENERAL COUNSEL'S BRIEF

Introduction

The Anti-Defamation League ("ADL") of B'nai B'rith (New York and Chicago Offices) and Abraham Foxman, the ADL's National Director ("respondents") strenuously oppose the General Counsel's Brief recommending that the Federal Election Commission ("Commission") find probable cause to believe that the ADL made expenditures in connection with a federal election, in violation of 2 U.S.C. § 441b(a), with regard to two publications calling attention to the activities of the extremist, Lyndon LaRouche and various of his followers.

The General Counsel's analysis is factually, statutorily and constitutionally erroneous. Without even discussing the significant judicial precedents directly contradicting his view, he would -- because his conclusions strike at the very heart of the longstanding mission of ADL to fight anti-Semitism and extremism -- relegate the Commission to inevitable litigation which unnecessarily would weaken its authority.

The Commission should decline that invitation to extend the Federal Election Campaign Act of 1971 ("the Act") to a form of conduct -- an educational group's non-electioneering communications about someone of longstanding concern who incidentally decides to

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seek public office -- to which Congress clearly did not intend the Act to apply.

If the Commission is drawn into extending this case further than is necessary to resolve it, the Commission also should reject the unduly-constricted and superficial view of the General Counsel concerning the scope of the Supreme Court's decision in FEC v. Massachusetts Citizens for Life, 479 U.S. 238 (1986) ("MCFL"), exempting certain ideological corporations from the requirements of the Act.

The brief that the General Counsel has lodged in this and a number of other Matters Under Review ("MUR") takes the categorical position that any ideological corporation that accepts outside business corporation contributions falls without MCFL. The lower courts that have dealt with the issue have rejected it, and with good cause; the standard that the General Counsel would set is unduly broad and restrictive of constitutionally-protected speech.

In order to avoid inherently-unavailing positions in litigation, the Commission should interpret MCFL in a more-limited way than that suggested by the General Counsel. It easily could hold, for example, that if a genuine ideological corporation -- and ADL certainly is that -- receives outside corporate contributions but expresses itself in an electorally-partisan manner on issues which are unrelated to the outside corporations' business affairs and aims, i.e., which are confined to the independent ideological mission of the

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contributor, those expressions fall within the confines of the First Amendment protection enunciated in MCFL.

Of course, the Commission can resolve this MUR on even-narrower grounds because the communications of the ADL were informational, not electorally partisan, and thus would not come within the confines of the Act even if ADL were not protected under MCFL. For these reasons, the Commission should summarily reject the recommendation of the General Counsel.

Factual Background

A. The History and Purpose of ADL.

The ADL was organized in 1913 to stop the defamation of the Jewish people and to secure justice and fair treatment for all. To advance these goals, the ADL seeks good will and mutual understanding among Americans of all creeds and races and, through education and communication, combats racial and religious prejudice and the deprivation of civil liberties.

In pursuit of its aims, the ADL has a longstanding involvement in exposing the conduct and tenets of individuals and groups which espouse bigotry and repression. For example, as the documents previously submitted to the Commission make clear, Lyndon LaRouche and his organization have been the subject of grave public concern to the ADL for many years -- long before Mr. LaRouche or his supporters ever styled themselves as candidates for office.

Similarly, the ADL has become a principal authority about the conduct of the Ku Klux Klan which, like the LaRouche groups, the

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ADL has analyzed and exposed for a considerable period of time. The ADL's ongoing activities and communications regarding these extremist groups are not tied to any election campaign, and their consistent purpose and nature are not altered in any way by the fact that leaders of such groups might decide to run for office.

B. The Activities at Issue and Their Funding.

In 1986, the year at issue in this MUR, ADL published one in a series of special reports that it had issued over the years concerning anti-Semitic and extremist conduct in the United States. The LaRouche organization, which had been the subject of ADL scrutiny before, became the focus of the 1986 report because Mr. LaRouche and his supporters were then attempting to extend their reach and influence.

The 54-page document issued by ADL was entitled "The LaRouche Political Cult: Packaging Extremism." This Report presents a minutely-detailed history of LaRouche's activities and methods. One, but by no means all, of the elements of this extremist conduct involved the announcement of electoral candidacies in various federal and state primaries by LaRouche and some of his supporters.

While ADL is a non-political organization, it believed that this activity should be publicized. However, of the extensive document, only about four pages (approximately seven percent) are devoted to then-recent political activity by LaRouche and his supporters. Most of that activity, including the most-highly

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detailed race (the previous Illinois primary) was in connection with state, not federal elections.

Moreover, the discussion in the Report does not involve an electioneering tone. While it notes that wherever the activities of LaRouche and his supporters are brought into the light of day they are rejected, the Report does not contain any vote-related message. This general, non-electoral purpose, is evidenced further by the fact that the Report was circulated nationally, without any concentration upon the seven states where past or future races are mentioned. While one gets an entirely different impression from the General Counsel's brief, it is also significant to note that ADL distributed a mere 1,000 copies of the report.

In the Summer of 1986, ADL also solicited its donors for contributions to continue its anti-extremist work. While, LaRouche and his followers were a principal point of reference of this solicitation, the mailing again contained no specific electoral reference.^{1/}

^{1/} The General Counsel states that "[i]n light of the ADL Report's overwhelmingly negative characterization of the LaRouche organization, there is no doubt of the report's message that LaRouche candidates are unacceptable electoral options and reasonable informed voters should not cast their ballots for such persons." While any intelligent person who read this document could reasonably be expected to vote for candidates other than LaRouche supporters, the General Counsel's test is an unacceptable one that denotes the inherent unconstitutionality of his approach. Factually, it does no more than beg the obvious conclusion that, with respect to the recipients of the ADL's mailings, absolutely no advocacy is required. They were against LaRouche and his disciples long before they receive these documents.

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For 1986, ADL received almost \$27 million in revenues. The Report in question cost approximately \$17,000, inclusive of printing, postage and in-house labor, to produce and distribute.

In short, ADL is a nonprofit corporation whose principal purpose is to counter anti-Semitism and extremism, primarily by exposing to the public at large and to the leaders of government organizations the individuals who engage in such activity. Although its fundamental activity inherently involves the type of speech most protected by the Constitution, the ADL, by choice, is not a participant in the electoral process, and it was not such a participant with reference to the two publications cited by the General Counsel.

1/ (...continued)

Applied consistently, this test would subject to Commission supervision any well-established organization of principle that had anything to say about any of its opponents who simply pretend to public office. The General Counsel apparently would have it that anytime, to cite a few examples, a pro or anti-abortion group, a civil rights organization or an environmental group published any critical examination of the activities of an opponent who styled himself or herself as a candidate for federal office the requirements of §441b would be triggered. This dangerous, inhibitory approach, is most untenable, and as we show, the courts have so held.

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ARGUMENT

**I. BECAUSE THE ADL'S PUBLICATIONS DO NOT AMOUNT TO EXPRESS
ADVOCACY, THE RESTRICTIONS ON CORPORATE EXPENDITURES OF
2 U.S.C. §441B CANNOT BE CONSTITUTIONALLY APPLIED TO ADL.**

**A. The standard developed by the federal courts
for express advocacy demands that a candidate
must be clearly specified and an unequivocal
call for action must be made.**

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The Supreme Court in MCFL held that §441b only applies to communications amounting to "express advocacy." MCFL, 479 U.S. at 249. The Court had earlier held in Buckley v. Valeo, 424 U.S. 1 (1976) ("Buckley") that the restrictions on independent expenditures imposed by §434(c) could only be triggered by a specific electoral message. This standard ensured that the statutory provision is narrowly drawn in accordance with the limited, compelling state interest of prohibiting undisclosed corporate influence, a matter we discuss in detail in the succeeding two arguments.

The Court acknowledged that it is often difficult to separate electoral advocacy from discussion of issues and candidates and that the distinction "may often dissolve in practical application." MCFL, 479 U.S. at 249 (quoting Buckley v. Valeo, 424 U.S. at 42). Thus to avoid confusion, courts must go beyond a given communication itself to examine the nature of its sponsoring organization and the function of the communication, e.g., whether it was intended to solicit funds for the activities of the sponsoring organization. See FEC v. NOW, 713 F. Supp. 428, 430-431 (D.D.C. 1989) ("NOW").

The NOW court observed that the National Organization for Women ("NOW"), which had published corporate-financed letters criticizing certain politicians who were running for office, and with whom NOW disagreed, was an "independent, non-aligned group" and that the mailings at issue were intended to expand the existing organization and to generate support for its causes. NOW, 713 F. Supp. at 430-431.

The NOW court emphasized the need for the express advocacy standard to embody a "clear distinction" between issues advocacy, which implicate First Amendment rights, and candidate-oriented speech, the regulation of which is the proper focus of the Act. See NOW, 713 F. Supp. at 433 (citing Federal FEC v. Furgatch, 807 F.2d 857, 860 (9th Cir. 1987) ("Furgatch"). In making that distinction, the mere opposition of the views and positions of candidates cannot be determinative -- a matter misunderstood by the General Counsel.

That is why the NOW court also noted that the Commission must fail in its efforts to expand the scope of express advocacy to include implied advocacy. NOW, 713 F. Supp. at 434 (citing FEC v. Central Long Island Tax Reform Immediately, 616 F.2d 45 (2d Cir. 1980). The General Counsel's analysis of ADL's activities first founders on this reef. ^{2/}

^{2/} See n. 1, supra.

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B. The ADL did not involve itself in "express advocacy" because its ideological message is essentially informational and does not contain a clear call to vote for or against federal candidates.

As we have noted several times, the matter of alleged "express advocacy" is immaterial in this case given the fact that ADL, by virtue of its limited national audience for the publications in question, is preaching to the choir; it is looking to amplify, not to change minds.^{3/} Nevertheless, we note that the federal courts have developed guidelines for deciding whether a political communication amounts to express advocacy.

These guidelines attempt to effectuate the Supreme Court's exhortation that a clear distinction be made between issues advocacy and express advocacy of candidates. To assure that, even where

^{3/} Additionally, even if the ADL Report and those matters related to it were partisan communications, which they were not, their circulation was so small and so limited that they were, in essence, constituent communications. Compare FEC v. National Right to Work Committee, 459 U.S. 197 (1982); Advisory Opinion 1987-31 (as reconsidered, 2/13/89).

While ADL is not a membership organization, inasmuch as it does not collect dues or membership fees, it should be readily apparent to the Commission from these and our earlier responses that ADL's contributors obtain what, constructively, are the essential benefits of "membership" -- access to ADL's programs and publications, and participation in its activities designed to combat bigotry and extremism. When ADL informs its contributor base of the activities and threats of the now-convicted LaRouche and his organization, it is fulfilling its mandate to expose extremists and anti-Semites; it is not seeking to influence votes. The report in question clearly was not directed to the electorate in any particular jurisdiction, but rather to contributors and friends of ADL, educational institutions and the media.

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there was a blurred line between issues advocacy and electioneering, the First Amendment rights of ideological groups would be protected, the NOW court followed the express advocacy test of the 9th Circuit in the Furgatch case.

The Furgatch test affords First Amendment protection for merely informative political speech which is ambiguous in its call for action:

- (1) (S)peech is "express" for present purposes if its message is unmistakable [sic] and unambiguous, suggestive of only one plausible meaning;
- (2) (S)peech may only be termed "advocacy" if it presents a clear plea for action, and thus speech that is merely informative is not covered by the Act; and
- (3) (I)t must be clear what action is covered.

Furgatch, 807 F.2d at 864.

The NOW decision emphasizes that the third prong of the Furgatch test involves a "reasonable minds could differ" test. See NOW, 713 F. Supp at 435. This test satisfies the "clear distinction" requirement of Buckley by exempting those communications which straddle the line between express advocacy and issues discussion.

In applying the Furgatch test to the NOW solicitations, the NOW court held that

(b)ecause the letters are suggestive of several plausible meanings, because there are numerous pleas for action, and because the types of action are varied and not entirely clear, NOW's letters fail the express advocacy test proposed by the Ninth Circuit in Furgatch.

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NOW, 713 F. Supp. at 435. Further, because the NOW solicitations were sent to a nationwide audience of potential supporters, NOW lacked the intent to influence particular statewide elections; most of its targeted audience could not even vote for the election or defeat of the candidates mentioned in the solicitations. See NOW, 713 F. Supp. at 435.

Each of those characteristics -- multiple pleas for action, consistency with historical purpose, nationwide and limited circulation -- are present in the communications of ADL at issue here. While the General Counsel inexplicably cites neither NOW nor Furgatch, he at least concedes that the ADL Report overwhelmingly involves the discussion of issues when he agrees that only a few of the documents's 54 pages relate to nominal candidates.

Further, the General Counsel also concedes that the Report was distributed to media representatives, elected officials, persons associated with ADL and researchers. This audience, which hardly comprises a specific voting constituency, represents the type of nationwide audience held determinative of non-electioneering in the NOW decision.^{4/}

^{4/} In fact, the largest segment of alleged candidate-oriented discussion in the report is described by the General Counsel as candidate "identifications and election-related predictions." General Counsel's brief at 3. Absolutely no call for action is made by these statements. The only reference in the entire report alleged to be election-related advocacy discusses how the LaRouche "phenomenon" is invariably "rejected by the vast majority of the American people" when the true nature of this organization is brought to their attention.

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The same conditions abide with regard to the fundraising solicitation by ADL, and the General Counsel perpetuates his errors in attempting to analyze it. Again, like that protected in NOW, the ADL's solicitation involved a plea for funds to support the activities of the sponsoring organization. The ADL clearly states its purpose for raising money and the use to which these funds will be put: to support a "massive campaign to counter and expose LaRouche and his fanatic followers."

Anyone who responded to this solicitation was clearly aware of how his or her funds were being used and, by contributing, was merely expressing approval of the ADL program. Thus, the solicitation did not ask the (already convinced) recipient personally to do anything about the LaRouche organization other than to support the ADL's efforts to cast the public light on the true nature of this organization.

For all of these reasons, the communications cited by the General Counsel do not amount to express advocacy, as the term has been defined and limited by the courts. Therefore, the Act cannot

^{4/}(...continued)

This paragraph involves nothing more than the dissemination of information, which is, at most, only partly political, inasmuch as it relates to the doctrinal leanings of the LaRouche organization. No call to action results, nor could it, given the intended audience, whose minds (as the General Counsel concedes) are closed to LaRouche irrespective of the contents of the communication. The ADL report does not even involve implied advocacy, a standard which has been flatly rejected by the courts.

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be applied to the conduct of ADL, and the Commission can terminate this MUR for that reason alone.

II. 2 U.S.C. § 441b CANNOT CONSTITUTIONALLY INFRINGE THE FIRST AMENDMENT RIGHTS OF ADL BECAUSE ADL'S NON-COMMERCIAL PURPOSE DOES NOT POSE ANY THREAT TO THE POLITICAL MARKETPLACE.

A. In MCFL, the Supreme Court rejected a per se rule applying §441b to all incorporated entities and specifically excluded from its coverage those non-commercial entities which resembled voluntary political associations.

In the preceding section, we demonstrated that the Act simply does not apply to the communications of the ADL, which do not, according to prevailing judicial standards, constitute express advocacy. However, assuming arguendo, the contrary, ADL would be exempted from the jurisdiction of the Commission because ADL is a protected ideological corporation.

A campaign finance provision will be held unconstitutional if it burdens political speech and cannot be justified by a compelling governmental interest. Buckley, 424 U.S. 1, 44-45 (1976). Thus, the Supreme Court has consistently held that "preventing corruption or the appearance of corruption are the only legitimate and compelling government interests thus far identified for restricting campaign finances." Buckley, 424 U.S. at 25. See also Citizens Against Rent Control v. Berkeley, 454 U.S. 290, 295-296 (1981) (no anti-corruption justification exists for ballot measures), FEC v. National Conservative Political Action Committee, 470 U.S. 480, 496-497 (1985) ("NCPAC") (no evidence presented that political

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committees have a greater potential for corruption than individuals when making independent expenditures).

In MCFL the Supreme Court held that 2 U.S.C. §441b infringed on the First Amendment activities of the Massachusetts Citizens for Life when the Commission sought to require the organization to form a "separate segregated fund," ("SSF") or otherwise forego making independent expenditures merely because it elected the corporate form. As an unincorporated entity it would have been subject only to the less-burdensome disclosure requirements of 2 U.S.C. §434.

The General Counsel, by challenging the ADL Report as violative of §441b's prohibition on corporate "expenditure(s) in connection with any election to any federal office" presents ADL with the same impermissible option which faced MCFL, and we believe that a federal court would so hold.

ADL, like MCFL, is a non-profit, non-stock corporation. Unlike MCFL, however, ADL does not engage primarily in political activities. Instead, ADL is an incorporated association whose primary purposes are educational and non-political. ADL's organizational goal is to disseminate information regarding the conduct and tenets of individuals and groups which espouse bigotry and repression. The application of §441b to ADL would require ADL to form a SSF or else forego pursuing its non-partisan informational objectives whenever an individual anathema to its purposes merely happened to be a political candidate. Under the teaching of MCFL

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and, as we show infra, of cases following it, this result would be as improper as it would be avoidable.

As the Court held:

Voluntary political associations do not suddenly present the specter of corruption merely by assuming the corporate form. Given this fact, the rationale for restricting core political speech in this case is simply the desire for a bright-line rule.

MCFL, 479 U.S. at 263. Thus, the Court concluded that a compelling regulatory interest could only be found with regard to those corporations which hold out the "potential for unfair deployment of wealth for political purposes," e.g., profit-making enterprises. MCFL, 479 U.S. at 259.

If the MCFL posed no danger to the political marketplace because it was "more akin to a voluntary political association than [a] business firm," then ADL certainly poses no danger because it is neither commercial nor, in contrast to the MCFL, partisan-political.

B. The General Counsel erroneously asserts that the acceptance of corporate money represents a compelling state interest for applying §441b to ADL.

The Supreme Court, and other courts following it, also rejected the General Counsel's argument, renewed here, that a rigid application of §441b was necessary to safeguard against the use of MCFL-type organizations as conduits for undisclosed spending by corporations and unions. See MCFL, 479 U.S. at 262.

The Supreme Court's reasoning simply cannot be reconciled with the General Counsel's contention that ADL's acceptance of corporate

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contributions justifies application of §441b, notwithstanding the indisputable facts that these contributions are diluted over many thousands of contributors and the message that ADL transmits with these contributions is represents its anti-extremist point of view, not the individual or collective commercial aims of its contributors.

Under MCFL, and subsequent decisions, it is the fundamental purpose of the corporation, not the mere fact of incorporation, which has guided the Court's reasoning in deciding whether a compelling state interest exists vis-a-vis §441b. The General Counsel's Brief, however, attempts to ignore this critical distinction and offers only one fact as evidence of apparent corruption and that is ADL's acceptance of corporate contributions.

Recently, in a case also unmentioned in the General Counsel's brief, a federal appellate court categorically rejected this argument when it found that because the Michigan State Chamber of Commerce, a non-profit, non-stock "business" association, was not the type of "traditional corporatio[n] organized for economic gain," the mere fact that it accepted corporate contributions was inadequate to prove the existence of apparent corruption. Michigan State Chamber of Commerce v. Austin, 856 F.2d 783, 790 (6th Cir. 1988). cert. granted sub nom Austin v. Michigan State Chamber of Commerce, No. 88-1569 (October Term, 1988) ("Austin") (quoting MCFL, 479 U.S. at 259 (citing NCPAC, 470 U.S. at 500)).

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In distinguishing incorporated entities resembling voluntary political associations from those resembling business firms, the Court in MCFL refused to apply §441b to the former and left the constitutionality of the latter open. MCFL, 479 U.S. at 263. The Austin decision extends constitutional protection to an association which, while not-for-profit, certainly is more of a "business firm" than ADL since the Chamber is an association made up largely of such entities and purports to represent their interests.

Nevertheless, the Austin court granted constitutional protection to the Michigan State Chamber of Commerce holding that it could make independent corporate expenditures when said contributions are subject to state disclosure requirements similar to those of §434(c). The instant case, as noted, is far stronger in the case of the ADL, which does not express "business" interests.

Indeed, in its amicus brief in the Austin case, the Commission argues that it was the "specific Congressional intent to bar business associations like chambers of commerce from serving as conduits for business corporation funds." Brief of the Federal Election Commission as Amicus Curiae in Support of the Appellants, Austin v. Michigan State Chamber of Commerce, at 8. (emphasis added). The FEC's argument in its amicus brief supports the ADL position here that even if §441b can be applied to independent expenditures by non-profit "business" corporations (a proposition specifically rejected in the Michigan case), §441b cannot be constitutionally applied to non-profit "political" corporations.

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III. IF A CORPORATION IS ADVOCATING ITS UNIQUE IDEOLOGICAL AGENDA WHICH IS SEPARABLE FROM THE COMMERCIAL PURPOSES OF THE CORPORATIONS CONTRIBUTING TO IT, IT IS ENTIRELY CONSISTENT WITH MCFL TO CONCLUDE THE CORPORATE FINANCIAL SUPPORT THE GROUP RECEIVES IS IMMATERIAL TO THE APPLICABILITY OF SECTION 441B.

The Supreme Court only inquired into the corporate structure of the MCFL after it had held that the communications at issue involved express advocacy. Because express advocacy was at issue, the Court identified three "essential" features of the Massachusetts Citizens for Life organization which assured the Supreme Court that the restrictions of §441b were not being circumvented:

First of all, [MCFL] was formed for an express purpose of promoting political ideas, and cannot engage in business activities. . .

Second, [MCFL] has no shareholders or other persons affiliated so as to have a claim on its assets or earnings. . .

Third, MCFL was not established by a business corporation or a labor union, and it is its policy not to accept contributions from such entities.

MCFL, 497 U.S. at 264.

The General Counsel erroneously separates these "essential" features from the Court's finding of express advocacy, treating them as a "bright-line" test for corporate relationship. This formulation of MCFL ignores the exhortations of the Supreme Court to the contrary.

The General Counsel argues that ADL is not exempt under MCFL because it lacks the third "essential" feature enunciated in the case in that it "does not have a policy of refusing corporate and union funds." Brief at 6. Since it is undisputed that ADL was

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not established by a business corporation or a labor union, then ADL's policy of accepting corporate contributions must in and of itself disqualify it from MCFL status, according to the General Counsel. However, the third feature is conjunctive with the other two. Thus, the corporate contribution policy applies only to business or labor associations.

The Supreme Court held that MCFL's policy of not accepting corporate contributions safeguarded against "such corporations from serving as conduits for the type of direct spending that creates a threat to the political marketplace." MCFL, 479 U.S. at 264. (emphasis added). The Court did not, however, intend for the MCFL policy of excluding corporate contributions to be an absolute requirement for exemption to §441b. Rather, the Court's enunciation of the second and third features of MCFL indicate only its conclusion that the legitimate political goals of MCFL were not being unduly-influenced by outside business interests.

The Supreme Court's understanding that individuals who contributed to MCFL were "fully aware of its political purposes, and in fact contribute(d) precisely because they support(ed) those purposes" (479 U.S. at 260) is entirely relevant here. The same conclusion applies to non-profit, non-stock corporations, such as ADL, as well. As long as the corporation acts intra vires, then its contributors, whether individual or corporate, are not influencing its decisions.

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Therefore, if an MCFL-type corporation accepts corporate funds, but acts in accordance with its express political, or any non-commercial, purpose, then it cannot be said that the corporation serves as an illegal conduit for improper corporate funds. Because it has acted in precisely this way, ADL is entitled to the protection enunciated in MCFL, irrespective of the fact that it accepts corporate contributions.

Conclusion

In the nearly-three-quarters-of-a-century of its existence, the ADL has been a bulwark against threats presented to Jewish liberty and American ideals and law by extremist groups. Now, by the mere happenstance that leaders of such groups declare themselves to be candidates for public office, the General Counsel apparently is prepared to thwart all communications about the conduct and intentions of such extremists by the ADL (and other public-interest groups as well), notwithstanding the fact that these communications have been made for years preceding these irrelevant candidacies.

Fundamental to the purposes of the ADL is the exercise of the right of free speech. It is precisely the type of organization which warrants the ultimate First Amendment protection addressed by the Supreme Court in MCFL. Through speech, the ADL combats bigotry, hatred and extremism. For the Commission to hold impermissible the ADL's publication, which should fall squarely within the activity safeguarded most precious by the First

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Amendment, would be statutorily and constitutionally erroneous as well as morally unacceptable.

Given the clear statutory and constitutional authority that supports it, the ADL is fully-prepared to protect its rights judicially. We would hope, however, that the Commission might resolve this matter expeditiously and without risking the further chilling of the free exchange of ideas. The ADL and Abraham Foxman, its National Director, therefore, respectfully request the Commission take no further action in MUR 2163 and close this file forthwith.

Respectfully submitted,
EPSTEIN BECKER & GREEN, P.C.

By: Stuart M. Gerson/jgi
Stuart M. Gerson

1140 19th Street, N.W.
Washington, D.C. 20036

(202) 861-0900

Attorneys for the Respondents

Of Counsel:

Leslie J. Kerman
1140 19th Street, N.W.
Washington, D.C. 20036^{2/}

^{2/} We note, with appreciation, the assistance of John Interrante in the preparation of this brief.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

American Jewish Committee and)
Jonathan Levine, Director)
Anti-Defamation League of B'nai)
B'rith and Abraham Foxman,)
National Director)

MUR 2163

SENSITIVE
EXECUTIVE SESSION
JAN 23 1990

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 16, 1987, the Commission found reason to believe the American Jewish Committee and Jonathan Levine, Director, ("AJC") violated 2 U.S.C. § 441b. An investigation was conducted revealing that AJC, an incorporated membership organization, had made expenditures in connection with a federal election.

Also on June 16, 1987, the Commission found reason to believe the Anti-Defamation League of B'nai B'rith and its director ("ADL") violated 2 U.S.C. § 441b. An investigation was conducted revealing that ADL, a corporation, had also made expenditures in connection with a federal election.

On September 13, 1989, the Office of the General Counsel mailed briefs to these respondents stating that this Office intended to recommend to the Commission that there was probable cause to believe respondents violated 2 U.S.C § 441b. Following an extension of time until October 17, 1989, counsel submitted briefs opposing these recommendations. As developed below, this Office is unpersuaded by these arguments and therefore recommends

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that the Commission find probable cause to believe ADL and AJC violated section 441b.

II. ANALYSIS

The General Counsel's analysis in this matter is set forth in the briefs noted above. The basis of the Commission's reason to believe determination regarding AJC was this organization's payment for a publication ("the AJC Study") discussing the effect of presidential candidate Lyndon LaRouche and his followers on the 1986 Illinois primary election.¹ It is undisputed that AJC spent \$465 on this study, which resulted in the circulation of 1,500 copies to members and non-members alike.

The basis of the Commission's reason to believe determination regarding ADL was this organization's payments for a publication entitled "The LaRouche Political Cult: Packaging Extremism"

1. The AJC Study was eleven pages in length, plus supplemental material. It contained three articles discussing the 1986 Illinois primary elections in which persons associated with Lyndon LaRouche won primary elections for state and federal offices. Thus, these persons were candidates for the 1986 general elections, which occurred during the time period in which the AJC Study circulated.

The AJC Study negatively characterized the ideology of Lyndon LaRouche and persons associated with him, concluding that such persons were anti-Semitic. The AJC Study also contained a detailed analysis of the LaRouche victories in the Illinois primaries, including unequivocal prospective discussions regarding federal elections and an interview with William Brenner, the LaRouche candidate for Congress from the fifteenth district. The plain effect of the AJC Study was to urge voters to not vote for persons associated with LaRouche.

A complete analysis of this document is contained in the General Counsel's brief.

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(hereinafter "the ADL Report").² ADL spent \$10,340 for this fifty-four page publication and distributed 6,624 copies. Additionally, ADL also published a fundraising solicitation negatively discussing the candidacies of Lyndon LaRouche and his followers.³

Both respondents dispute the General Counsel's proposed recommendation that the Commission find probable cause to believe the Act was violated. Respondents have submitted identical legal arguments in support of their positions in this matter. Many of these arguments have been made previously by respondents at

2. The ADL Report focused at length on the entire alleged LaRouche organization from its formation to its present day activities, including a description of the candidacies of persons associated with it. Two segments of this Report are specifically related to federal elections.

One discussed the 1986 primary victories of persons associated with Lyndon LaRouche who were candidates for the general election at the time the ADL Report was circulated. The ADL Report specifically identified seven general election candidates in Illinois, California, Pennsylvania, Ohio, New Hampshire, New Jersey, and New York. See ADL Report at pps. 20-23. In addition to these specifically named candidates, the ADL Report also noted the various states in which other unnamed LaRouche candidates had attained a place on the ballots. Immediately following this discussion of LaRouche candidates, this segment concluded with predicted rejection of such candidates by the public.

The General Counsel's brief contains a complete analysis of this document.

3. The fundraising letter asserted that ADL would be "working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using --and misusing--the democratic process." The letter further noted ADL's "massive campaign to counter and expose LaRouche and his fanatic followers" and solicited contributions. The references in this document to the LaRouche candidacies and ADL's acknowledged program to counter these candidacies leads to the inextricable conclusion that the fundraising letter is also election-related.

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various stages of this investigation.

There are two essential points to the arguments. First, both respondents cite their purpose for organizing, noting that they are each dedicated to exposing and eradicating anti-Semitism. Thus, they assert that their respective activities noted in the General Counsel's briefs were a response to a perceived rise in anti-Semitism during the 1986 election cycle, but that these activities were not intended to be election-related. Notwithstanding these claims, however, as noted in footnotes 1 and 2, these documents contain unequivocal election-related statements.

Second, respondents rely on the Supreme Court's decision in FEC v. Massachusetts Citizens For Life, 479 U.S. 238 (1986) ("MCFL") discussed at sections II of the General Counsel's Briefs. In that decision the Court concluded that the Act's prohibitions regarding corporate expenditures made independently of any candidate is unconstitutional as applied to certain not-for-profit corporations. Respondents and this Office disagree as a matter of law regarding the reading of MCFL and whether AJC and ADL are the types of corporations intended by the Supreme Court to be within the MCFL exemption.

Initially, respondents argue that MCFL stands for the proposition that only those corporations whose communications contain express advocacy violate section 441b. Respondents further assert that their communications in question were not express advocacy. Contrary to respondents' argument, the Commission has taken the position in several litigation cases that

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the MCFL statement limiting section 441b to independent communications of express advocacy is non-binding dicta.⁴ Moreover, respondents' contention that their communications are not express advocacy is at odds with the Ninth Circuit decision in FEC v. Furgatch, 807 F.2d 857, 860 (9th Cir. 1987). The Furgatch court described express advocacy as not limited to certain key words or phrases, but as looking to the message as a whole. Thus, if speech conveys an exhortation through some call to action, and that call to action is unambiguous, in that it cannot reasonably be interpreted to mean anything else, the requirements of express advocacy are satisfied. Respondents' unequivocal negative descriptions of LaRouche and LaRouche candidates in the context of the election campaign including specific identification of these candidates and exhortation that informed voters would reject these candidates, lead to the inextricable conclusion that voters should not vote for LaRouche or candidates associated with him.⁵ Thus, even if respondents were correct in their assertion that only independent corporate communications containing express advocacy are violative of section 441b, that standard is satisfied here.⁶

4. Respondents draw support for their theory from FEC v. National Organization For Women, 713 F. Supp. 428 (D.D.C. 1989). It is the position of this Office that this case was incorrectly decided. The Commission is appealing this decision.

5. This analysis is more compelling in the case of ADL where the publication specifically named candidates and predicted their "increased rejection, rather than support, from an informed American public." See ADL Report at p. 23.

6. Respondents offer a fallback argument that the communications cannot be express advocacy because the persons to whom they were directed would not have voted for LaRouche in any event. There is, however, no exemption to the application of

Finally, respondents argue that they are akin to the type of organization examined by the Supreme Court in MCFL, pose no danger to the political market place, and thus should be afforded the privileges of making payments for communications that would otherwise be prohibited.⁷

As noted in the General Counsel's briefs in this matter, neither AJC or ADL are able to satisfy the three pronged test specifically established by the Court in MCFL. The test requires: 1) that a corporation must be formed for the express purpose of promoting political ideas and not to engage in business activities; 2) that a corporation cannot have shareholders or other persons so affiliated as to have a financial incentive against disassociating with it; and 3) a corporation cannot be established by a business corporation and must have a policy of not accepting contributions from such entities.

AJC provides certain commercial type services to its members, and thus is outside the first prong.⁸ It also runs afoul of the second prong in that these membership benefits provide a financial incentive against disassociation. Moreover, AJC

(Footnote 6 continued from previous page)
section 441b for communications to a receptive audience.

7. Respondents appear to rely upon a Michigan state case, Austin v. Michigan State Chamber of Commerce, 856 F.2d 783 (6th Cir. 1988) probable jurisdiction noted, No. 88-1569 (U.S.) (oral argument held November, 1989). It is the Commission's position that this case was wrongly decided and this view was reflected with the Commission's amicus brief filed with the Supreme Court.

8. These services include a magazine subscription and an opportunity to enroll in a major medical insurance plan.

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accepted 3.42 million dollars in corporate funds during 1986.

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Respondents insist that this third regarding business and corporate support was only inserted to prevent corporations from serving as conduits for business interests and others undermining spending in the political market place. Consequently, they assert that as long as their message is for the purpose of exposing anti-Semitism and not for promoting the commercial aims of its contributors, they are within the MCFL exemption.⁹

Respondents, however, ignore the intention of the Supreme court in carving out the MCFL exemption. Regardless of the motivation of corporate payments to such issue oriented corporations, as the Supreme Court explicitly stated, "[d]irect corporate spending on political activity raises the prospect that resources amassed in the economic marketplace may be used to provide an unfair advantage in the political marketplace." MCFL, 479 U.S. at 257. Therefore, there is no basis for respondents' argument that the test in MCFL is other than a conjunctive one.

Accordingly, in light of the discussion above, the Office of

9. Respondents appear to argue based on the phrasing of the test set out in MCFL that MCFL type corporations can accept business corporation funds as long as they are not established by a business corporation or union. As they concede in their briefs, however, the criteria are conjunctive ones, as are the twin elements in the third prong. Thus, an MCFL type corporation may not be "established by a business corporation or a labor union, and [may]... not ... accept contributions from such entities". MCFL, 479 U.S. at 264 (emphasis added).

the General Counsel recommends that the Commission find probable cause to believe the American Jewish Committee and Jonathan Levine, as Director, and the Anti-Defamation League of B'nai B'rith and Abraham Foxman, as National Director, violated section 441b.

III. RECOMMENDATIONS TO TAKE NO FURTHER ACTION IN THIS MATTER

This Office further recommends that the Commission take no further action against both respondents and close the file in this matter. As discussed below, a number of reasons support this recommendation that the Commission exercise its prosecutorial discretion. See Heckler v. Chaney, 470 U.S. 821 (1985).

First, the scope of the violation must be considered. For the AJC Study the dollar amount expended to conduct the study was small (\$465), the Study itself was short (only eleven pages of text), and its distribution was limited to 1,500 people. The dollar amount expended for the ADL Report was considerably higher (approximately \$17,000 for all costs), and more people received copies of the publication (6,624). However less than five pages of this fifty-four page publication actually referred to federal elections. Thus, the amount of dollars directly spent on federal elections was not large.

Second, the prospect of litigation must be considered in light of respondents' representations regarding a willingness to obtain a judicial determination in this matter. From the Commission's vantage, although this case presents rather clear cut issues, these issues are already under judicial consideration in the Supreme Court (Michigan State Chamber of Commerce) and the

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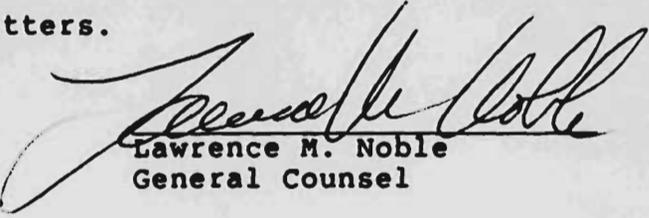
United States Court of Appeals (National Organization For Women). Thus, to the extent outstanding questions of law remain, these questions are best addressed in those cases. Under these circumstances, this Office believes this matter is best resolved by finding probable cause, taking no further action, and closing the file in this matter.

IV. RECOMMENDATIONS

1. Find probable cause to believe the American Jewish Committee and Jonathan Levine, as Director, violated 2 U.S.C. § 441b and take no further action and close the file as to these respondents.
2. Find probable cause to believe that the Anti-Defamation League of B'nai B'rith and Abraham Foxman, as National Director, violated 2 U.S.C. § 441b and take no further action and close the file as to these respondents.
3. Approve the attached letters.

Date

1/8/90


Lawrence M. Noble
General Counsel

Attachments:
Letters (2)

Staff assigned: Patty Reilly

91040325379

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
American Jewish Committee and)	MUR 2163
Jonathan Levine, Director)	
Anti-Defamation League of B'nai)	
B'rith and Abraham Foxman,)	
National Director)	

CERTIFICATION

I, Hilda Arnold, recording secretary for the Federal Election Commission executive session of February 6, 1990, do hereby certify that the Commission decided by a vote of 5-1 to reject the recommendations in the General Counsel's Report dated January 8, 1990, and instead take the following actions with respect to MUR 2163:

1. Find probable cause to believe the American Jewish Committee and Jonathan Levine, as Director, violated 2 U.S.C. § 441b.
2. Find probable cause to believe that the Anti-Defamation League of B'nai B'rith and Abraham Foxman, as National Director, violated 2 U.S.C. § 441b.
3. Approve the appropriate letters.

Commissioners Elliott, Josefiak, McDonald, McGarry and Thomas voted affirmatively for the decision. Commissioner Aikens dissented.

Attest:

2/6/90
Date

Hilda Arnold
Hilda Arnold
Administrative Assistant

21040325380

90 FEB 27 PM 4:00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

SENSITIVE

American Jewish Committee and)	
Jonathan Levine, Director)	
Anti-Defamation League of B'nai)	MUR 2163
B'rith and Abraham Foxman,)	
National Director)	

GENERAL COUNSEL'S REPORT

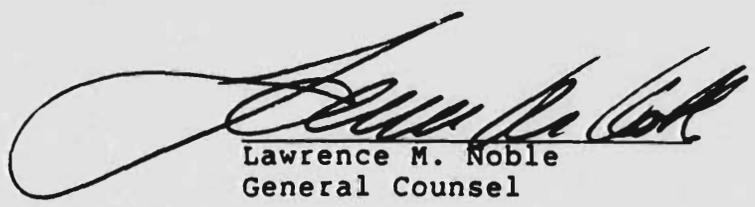
Pursuant to the Commission's directions at its February 6, 1990 meeting, attached for Commission approval are proposed conciliation agreements and a letter to respondents' counsel.

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RECOMMENDATION

Approve the attached proposed conciliation agreements and letter.

2/27/90
Date


Lawrence M. Noble
General Counsel

Staff Person: Patty Reilly

- Attachments:
1. Letter
 2. Conciliation Agreements (2)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
American Jewish Committee and)	MUR 2163
Jonathan Levine, Director)	
Anti-Defamation League of)	
B'nai B'rith and Abraham)	
Foxman, National Director)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 2, 1990, the Commission decided by a vote of 5-1 to approve the proposed conciliation agreements and letter, as recommended in the General Counsel's Report dated February 27, 1990.

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

Attest:

3-2-90
Date

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

Received in the Secretariat:	Tues., Feb. 27, 1990	4:00 p.m.
Circulated to the Commission:	Wed., Feb. 28, 1990	11:00 a.m.
Deadline for vote:	Fri., March 2, 1990	11:00 a.m.

21040325382



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 5, 1990

**Leslie Kerman, Esquire
Epstein, Becker, & Green, PC
1140 19th Street, N.W.
Washington, D.C. 20036-6601**

**RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director
Anti-Defamation League Of
B'nai B'rith of New York and
Chicago and Abraham H. Foxman,
National Director**

Dear Ms. Kerman:

On February 6, 1990, the Federal Election Commission found that there is probable cause to believe your clients, the American Jewish Committee, and Jonathan Levine, Director, and the Anti-Defamation League of B'nai B'rith of New York and Chicago, and Abraham H. Foxman, National Director, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended, regarding prohibited corporate expenditures made in connection with a federal election.

The Commission has a duty to attempt to correct such violations for a period of 30 to 90 days by informal methods of conference, conciliation, and persuasion, and by entering into a conciliation agreement with a respondent. If we are unable to reach an agreement during that period, the Commission may institute a civil suit in United States District Court and seek payment of a civil penalty.

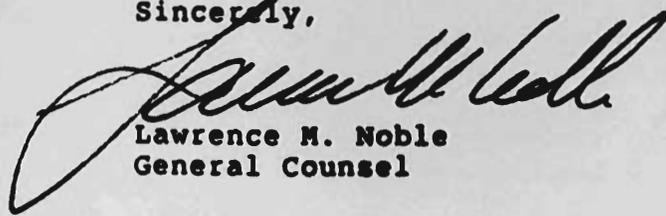
Enclosed are conciliation agreements that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission accept the agreements. Please make your check for the civil penalties payable to the Federal Election Commission.

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Leslie Kerman
Page Two

If you have any questions or suggestions for changes in the enclosed conciliation agreements, or if you wish to arrange a meeting in connection with mutually satisfactory conciliation agreements, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Conciliation Agreements

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90 APR 11 PM 4:05

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

American Jewish Committee and)	
Jonathan Levine, Director)	
Anti-Defamation League of B'nai)	MUR 2163
B'rith and Abraham Foxman,)	
National Director)	

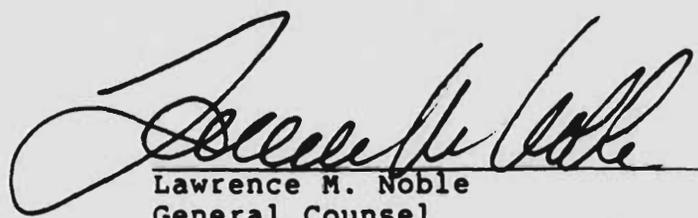
GENERAL COUNSEL'S REPORT

On February 6, 1990, the Commission found probable cause to believe the above-captioned respondents violated 2 U.S.C. § 441b(a). Subsequently, on March 2, 1990 the Commission approved proposed conciliation agreements for the respondents. The agreements were mailed on March 5, 1990, but due to a change of address, these were not received until March 19, 1990.

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Accordingly, this Office will continue conciliation negotiations for an additional thirty days.

4/6/90
Date


Lawrence M. Noble
General Counsel

Staff assigned: Patty Reilly



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 14, 1990

Leslie Kerman, Esquire
Epstein, Becker, Borsody & Green
1227 25th Street N.W.
Suite 800
Washington D.C. 20037

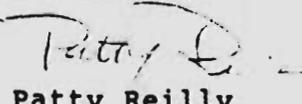
RE: MUR 2163
Anti-Defamation League of
B'nai B'rith

Dear Ms. Kerman:

Pursuant to our telephone conversation of May 11, 1990, enclosed please find a copy of the proposed conciliation agreement in the above-captioned matter. This agreement was previously provided under cover of a letter received by you on March 19, 1990.

It is my understanding that your client will respond to the Commission's proposed agreement on May 21, 1990. Please note that conciliation negotiations are limited to not more than ninety days. Accordingly, the time period for conciliation in this matter will expire on June 19, 1990. Please call me if you have any questions.

Sincerely,


Patty Reilly
Senior Attorney

Enclosure

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OGC 6377



- OFFICERS OF THE NATIONAL COMMISSION
- National Chairman
BURTON S. LEVINSON
- National Director
ABRAHAM H. FORMAN
- Chairman, National Executive Committee
RONALD B. SOBEL
- Associate National Director
JUSTIN J. FINGER
- Honorary Chairmen
KENNETH J. BIALKIN
SEYMOUR GRAUBARD
MAXWELL E. GREENBERG
BURTON M. JOSEPH
- Honorary Vice Chairmen
LEONARD L. ABESS
DOROTHY BINSTOCK
RUDY BOSCHWITZ
EDGAR M. BRONFMAN
MAXWELL DANE
BRUCE I. HOCHMAN
GERI M. JOSEPH
MAX M. KAMPELMAN
PHILIP M. KLUTZNICK
HOWARD M. METZENBAUM
SAMUEL H. MILLER
BERNARD D. MINTZ
MILTON MOLLEN
BERNARD NATH
ROBERT R. NATHAN
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- Honorary Chairman, National Executive Committee
DAVID A. ROSE
- Vice-Chairman
National Executive Committee
LAWRENCE ATLER
- Honorary Treasurers
CHARLES GOLDRING
BENJAMIN GREENBERG
MOE KUDLER
- Treasurer
ROBERT H. NAFTALY
- Assistant Treasurer
MICHAEL BERENSON
- Secretary
SYDNEY JARKOW
- Assistant Secretary
LESLIE DAVIS
- President, B'nai B'rith
SEYMOUR D. REICH
- Executive Vice President
THOMAS NEUMANN
- President, B'nai B'rith Women
MYLA LIPSKY
- Executive Director
ELAINE BINDER
- DIVISION DIRECTORS
- Civil Rights
JEFFREY P. SINENSKY
- Communications
LYNNE IANNIELLO
- Community Service
CHARNEY V. BROMBERG
- Development
SHELDON FLIEGELMAN
- Finance and Administration
PHILIP SHAMIS
- Intergroup Relations
ALAN BAYER
- International Affairs
KENNETH JACOBSON
- Leadership
Assistant to the National Director
MARVIN S. RAPPAPORT
- Washington Representative
JESS N. HORDES
- General Counsel
ARNOLD FORSTER

May 29, 1990

Patty Reilly, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 2163

Dear Ms. Reilly:

Please take notice that the Anti-Defamation League of B'nai B'rith hereby designates new counsel in the above-captioned MUR, as follows:

Barbara S. Wahl
Joseph E. Sandler
Arent, Fox, Kintner, Plotkin & Kahn
1050 Connecticut Avenue, NW
Washington, DC 20036-5339
Telephone: (202) 857-6415 (Wahl)
857-6221 (Sandler)

Thank you for your time and attention to this matter. Our counsel will be in contact with you concerning further steps in this case.

Sincerely yours,

L. D. Thompson
Livia D. Thompson
Legal Counsel

LDT:jb

cc: Jeffrey P. Sinensky, Esq.
Jill L. Kahn, Esq.
Steven M. Freeman, Esq.
Barbara S. Wahl, Esq.
Joseph Sandler, Esq.

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FEDERAL ELECTION COMMISSION
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Arent, Fox, Kintner, Plotkin & Kahn

1080 Connecticut Avenue, N.W.
Washington, D.C. 20036-6338

In Maryland
7475 Wisconsin Avenue
Bethesda, Maryland 20814-3413
(301) 657-4800

In Virginia
8000 Towers Crescent Drive
Vienna, Virginia 22182-2733
(703) 847-8800

Barbara S. Wahl
(202) 857-6415

November 16, 1990

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C.

Re: MUR 2163: Anti-Defamation League
of B'nai B'rith, New York and Chicago
Offices, et. al.

Dear Mr. Noble:

Thank you very much for taking the time to meet with us on November 15, 1990 in connection with the above-referenced MUR.

We would appreciate the opportunity to submit a paper to the Commission to accompany your recommendation as to further action to be taken in this matter. In view of the Thanksgiving holiday week, we will deliver that paper to you on or before November 30, 1990.

Thank you again for your time and attention to this matter. With kind regards,

Sincerely yours,

Barbara S. Wahl
Barbara S. Wahl
Joseph E. Sandler
Counsel for Respondents

cc: Marie P. Reilly, Esq.
Jonathan Bernstein, Esq.

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Arent, Fox, Kintner, Plotkin & Kahn

Washington Square 1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

In Maryland
Bethesda Crescent
7475 Wisconsin Avenue
Bethesda, Maryland 20814-3413
(301) 657-4600

In Virginia
JTL Tyoon Towers I
8000 Towers Crescent Drive
Vienna, Virginia 22182-2733
(703) 847-5800

Joseph E. Sandler
(202) 857-6221

November 30, 1990

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OFFICE OF THE CLERK
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BY HAND

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D. C. 20463

Re: MUR 2163: Anti-Defamation League of B'Nai
B'rith

Dear Mr. Noble:

Further to Barbara Wahl's letter of November 16, 1990, enclosed is a Memorandum which we would request be forwarded to the Commission together with your recommendation as to further action to be taken in the above-referenced MUR.

Thank you very much for your time and attention to this. With kind regards,

Sincerely yours,

Joseph E. Sandler
Joseph E. Sandler

Enclosure

dew

cc: (w/enc.) Barbara A. Wahl, Esquire

21040825369

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

The Anti-Defamation League of B'nai)
B'rith,) MUR 2163
et. al.)

RESPONDENTS' MEMORANDUM IN SUPPORT OF
NO FURTHER ACTION

Respondents, the Anti-Defamation League of B'nai B'rith ("ADL") and Abraham Foxman, respectfully request that the Commission take no further action in the above-referenced MUR. The Supreme Court, the Ninth Circuit and two district courts have uniformly held that independent expenditures for communications by non-profit corporations do not violate 2 U.S.C. § 441b unless those communications constitute "express advocacy."

Since February 1990, when the Commission found probable cause to believe that ADL had violated 2 U.S.C. § 441b, the Commission's regulations governing independent corporate expenditures have been held invalid for failure to apply the "express advocacy" standard, Faucher v. Federal Election Commission, 743 F. Supp. 64 (D. Me. 1990), and, while the Commission is appealing that ruling, it has invited public comment as to whether its regulations should be revised. In view of these developments, we submit that the appropriate course is for the Commission in this case to recognize and apply the "express advocacy" requirement under the clear standard established by the courts. The communications at issue here are clearly an expression of fact and

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opinion regarding a public figure that do not constitute "express advocacy." Therefore, no further action should be taken in this matter.

Alternatively, the Commission should suspend taking further action until the applicable legal standard is clarified through disposition of the pending appeals of the decisions in Faucher, supra, and Federal Election Commission v. National Organization for Women, 713 F. Supp. 428 (D.D.C. 1989), and/or amendment of the Commission's regulations. It would be unfair and burdensome to subject ADL to the substantial expense and adverse publicity that would result from a proceeding while these appeals are pending. In the face of clear Supreme Court and lower court rulings, ADL should not be so burdened, particularly when the Commission's actions strike at the heart of ADL's educational mission and improperly inhibit its right to free speech.

I. Background

A. The ADL Communications at Issue

ADL, a non-profit corporation, was founded in 1913 to combat anti-Semitism and racial and religious bigotry. For more than 75 years, ADL has continued to pursue those goals vigorously. Today ADL is recognized as one of the nation's leading organizations in the fight against racial and religious prejudice.

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A critical part of ADL's program consists of public education designed to make the public aware of the ideas, plans and activities of anti-Semitic, racist and extremist individuals and groups. ADL and its supporters believe that exposing the ideology and actions of these groups and their leaders will generate public aversion, undercut their ability to influence policy and hamper their efforts to recruit members and raise money, particularly from innocent persons ignorant of their real agenda.

Towards this end, ADL undertakes careful and extensive research about these groups and monitors their activities closely. Information about these groups is disseminated in a wide variety of ways--through materials designed for and distributed to the press; to law enforcement officials; workshops and conferences sponsored by ADL; speeches and media appearances by ADL leaders and staff; newsletters and other communications distributed to ADL supporters and other interested individuals and groups, academics, political and community leaders and others.^{1/}

This MUR involves two communications by ADL. In 1986, ADL published a 54-page report entitled "The Larouche

^{1/} The Commission has in the past recognized ADL's special expertise and mandate. In 1988, a Commission representative requested that ADL employee Mira Boland, an expert on radical and extremist groups, provide the Commission with information about Willis Carto and the Liberty Lobby.

Political Cult: Packaging Extremism" ("the Report"). As the General Counsel noted in his brief dated September 12, 1989, "[i]n the most part, the ADL Report presents an historical overview of this [LaRouche] organization's history, causes, facilities, role in international affairs and its use of the judicial system." The General Counsel's brief identified two short statements that allegedly implicated FECA concerns.

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The first statement is contained in a segment of the Report that discusses a number of LaRouche-affiliated candidates for state, local and federal office. After quoting in detail from a LaRouche publication citing victories of LaRouche candidates in the Illinois primaries for statewide office and predicting future electoral success, the ADL Report states that:

Other observers would doubtless disagree about such promising prospects for LaRouche--especially in view of the recent intense focus on the LaRouche movement's nature and tactics, which will likely lead to increased rejection, rather than support, from an informed American public.

The second statement appears at the Report's conclusion and reads in its entirety as follows:

To be sure, despite the continuing efforts of LaRouche's minions over the past decade or more to run candidates in many local, state and national elections, and to promote their leader's blend of conspiracy-filled political fantasy, anti-Semitism and self-aggrandizement, the LaRouche organization has gained neither political office nor public legitimacy in America. Indeed, when the extremism characteristic of this phenomenon is subjected to the piercing light of public exposure, it is rejected by the vast majority of the American people.

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The second communication cited by the Commission is a fundraising letter, mailed in the summer of 1986, which asserts that ADL will be "working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using--and misusing--the democratic process." The letter noted that LaRouche candidates were "spending millions of dollars running for scores of political offices on platforms filled with paranoid, slanderous anti-Semitic poison." This letter did not mention any specific office for which a particular candidate was running.

On February 6, 1990, the Commission notified Respondents that it had found probable cause to believe that they had violated 2 U.S.C. § 441b(a) in connection with the publication of the Report and the distribution of the fundraising letter. Following that finding, Respondents have engaged in conciliation discussions with the Office of General Counsel.

Specifically, ADL believes strongly that it should not be--and under the law is not--barred from continuing to expose and criticize the

ideology and ongoing activities of extremists and bigots, and their followers, merely because they decide to run for federal office.

II. Discussion

A. The Commission Should Recognize and Apply the "Express Advocacy" Requirement

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The "express advocacy" requirement originated in Buckley v. Valeo, 424 U.S. 1 (1976), where the Supreme Court addressed the constitutionality, inter alia, of section 608(e)(1) of the original Federal Election Campaign Act, which purported to limit independent expenditures "relative to a clearly identified candidate." The Court held that, in order to withstand a claim of unconstitutional vagueness, these words would have to be construed to require, not merely advocacy, but express advocacy:

[T]he distinction between discussion of issues and candidates and advocacy of election or defeat of candidates may often dissolve in practical application. Candidates, especially incumbents, are intimately tied to public issues involving legislative proposals and governmental actions. . . . Not only do candidates campaign on the basis of their positions on various public issues, but campaigns themselves generate issues of public interest...[I]n order to preserve the provision against invalidation on vagueness grounds, [the section] must be construed to apply only to expenditures for communications that in express terms advocate the election or defeat of a clearly identified candidate for federal office. (emphasis added)

424 U.S. at 42-44.

In Federal Election Commission v. Massachusetts Citizens for Life, Inc., 479 U.S. 238 (1986) ("MCFL"), the Court was called upon to construe the prohibition in 2 U.S.C. § 441b on independent expenditures by corporations. Citing the above-quoted passage from Buckley, the Court held that--

[T]his rationale requires a similar construction of the more intrusive provision that directly regulates independent spending. We therefore hold that an expenditure must constitute "express advocacy" in order to be subject to the prohibition of § 441b.

479 U.S. at 249.

Although the Commission has in the past declined to recognize this requirement,^{2/} the courts have uniformly imposed it. Federal Election Commission v. Furgatch, 807 F.2d 857 (9th Cir. 1987); Faucher v. Federal Election Commission, 743 F. Supp. 64 (D. Me. 1990); Federal Election Commission v. National Organization for Women, 713 F. Supp. 428 (D.D.C. 1989).

Indeed, since the time the finding of probable cause was made in the instant case, portions of the Commission's regulations on independent corporate expenditures were held to exceed the Commission's authority because they fail to incorporate the "express advocacy" requirement. Faucher, *supra*, 743 F. Supp. at 69. In that case, the court summarily disposed of the FEC's position:

^{2/}Advance Notice of Proposed Rulemaking, 53 Fed. Reg. 416 (Jan. 7, 1988); Advisory Opinion 1989-28.

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I do not accept the FEC's argument that this narrowing of the statutory prohibition to "express advocacy" is not binding on this Court. The Supreme Court specifically said: "We therefore hold that an expenditure must constitute 'express advocacy' in order to be subject to the prohibition of § 441b." [citing MCFL, 479 U.S. at 249]. . . . Nothing could be clearer.

743 F. Supp. at 68 (emphasis added). Although the Commission has appealed the NOW and Faucher decisions, it has determined at least to consider revisions to its regulations to address the issues raised in those cases. Additional Request for Comments, Sept. 27, 1990, 55 Fed. Reg. 40397 (Oct. 3, 1990).^{3/}

In view of the court cases that have uniformly rejected the Commission's position, we submit that the Commission should recognize and apply the "express advocacy" requirement in the disposition of this MUR.

B. ADL's Statements Do Not Constitute "Express Advocacy"

The Commission's recognition and proper application of the "express advocacy" standard would lead to the conclusion that no further action should be taken in this case. ADL's statements cited by the Office of General Counsel do not even approach the line of "express advocacy" under the

^{3/} The Additional Request also sought comments on the need for and nature of regulations in light of the Supreme Court's decision in Austin v. Michigan Chamber of Commerce, ___ U.S. ___, 110 S. Ct. 1391 (1990). The Austin decision did not in any way raise or discuss the "express advocacy" requirement.

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standards established by the courts, much less cross that line.

In Federal Election Commission v. Furgatch, 807 F.2d 857 (9th Cir. 1987), the court set forth a three-part test for determining when a communication constitutes express advocacy:

This standard can be broken into three main components. First, even if it is not presented in the clearest, most explicit language, speech is "express" for present purposes if its message is unmistakable and unambiguous, suggestive of only one plausible meaning. Second, speech may only be termed "advocacy" if it presents a clear plea for action, and thus speech that is merely informative is not covered by the Act. Finally it must be clear what action is advocated. (emphasis added).

807 F.2d at 864.

The District of Columbia district court recently grappled with the issue of what types of statements constitute express advocacy in Federal Election Commission v. National Organization for Women, supra. There, the court considered whether the statements contained in three mass mailings (direct mail) distributed to solicit new members for the National Organization for Women ("NOW") constituted "express advocacy." The letters named specific senators who were opposed to abortion and the equal rights amendment, some of whom were candidates for reelection. Among other things, the letters appealed to prospective members to "begin right now to take the steps necessary to defend our right to

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abortion in the new Congress . . . in the states . . . and at the ballot box" (emphasis added).

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The court held that the NOW solicitation letters did not constitute "express advocacy" for three reasons. First, the court concluded that "the central message of all three letters was to expand the organization," an activity that was distinct from electioneering. 713 F. Supp. at 434. Second, the letters "call for action, but they fail to expressly tell the reader to go to the polls and vote against particular candidates in the 1984 election." Id. They "do not provide explicit directives to vote against these politicians." Id. Rather, the court found, there were "numerous pleas for action," and the "types of action are varied and not entirely clear." Id. Finally, the court reasoned, "since NOW had no idea where the mailing would be distributed, it clearly lacked the intent to influence any statewide elections. A tiny percentage of the letters ended up reaching the states of those two candidates whose names were actually mentioned." Id.

Under the Furgatch test, as applied in the NOW case, the ADL communications do not constitute "express advocacy." First, as in the NOW case, the central purpose of the publication and letter was not electioneering. Rather, the clear purpose of the ADL Report was to educate the public about LaRouche organization activities and the purpose of the fund-raising letter was to solicit donations to the organization,

exactly the purpose sought to be achieved by NOW in its mass mailings.

As to the second and third prongs of the Furgatch test, the ADL communications fail to present an unmistakable plea for voters to vote against LaRouche candidates. In the words of the NOW court, in order to constitute "express advocacy," a communication must "expressly tell the reader to go to the polls and vote against particular candidates." NOW, 713 F. Supp. at 434. The NOW court found that this test was not met by letters which predicted powerful campaigns to defeat two U.S. Senate candidates who opposed NOW's position on the ERA, and called on recipients to "defend our right to an abortion . . . at the ballot box."

The ADL communications do not even begin to approach the level of encouragement and specificity in the NOW case--a level which the court still found to be clearly insufficient to rise to "express advocacy." There are literally two paragraphs at issue in the 54-page ADL Report. The first refers to a LaRouche article bragging about a victory in a state election and predicting future LaRouche victories. The ADL Report then states objectively that "other observers would doubtless disagree" with this LaRouche boast, and makes its own prediction that continued publicity about LaRouche "will likely lead to increased rejection, rather than support, from an informed American public." This passage does not call on anyone to do anything. Manifestly it cannot be considered an

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"explicit directive" to vote against anyone. It refers to "observers," not voters, and suggests that rejection of LaRouchian views is "likely." There is no exhortation, no campaigning, no advocacy.

The second paragraph contains only two sentences. Both are outright statements of fact: that LaRouche's followers had not in fact yet won any political offices and that when LaRouche's views are exposed, they are "rejected by the vast majority of the American people." Again, there is no call to particular action of any kind, let alone an "explicit directive" to vote for or against any candidate.

Further, the ADL fundraising solicitation does not mention any particular election or elective office anywhere. The letter calls for no action of any kind other than donating to ADL. As in NOW, the letter was part of a "solicitation drive, akin to the normal activity of a press entity sending out a letter soliciting subscriptions." Id. at 434.

Moreover, as in the NOW case, there is simply no specific finding that the ADL Report went to a single voter in any of the two states or two congressional districts mentioned. Indeed, as a matter of general policy, ADL does not target specific voters to receive its publications and

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did not do so here. For this reason, too, ADL "clearly lacked the intent to influence" any elections.^{4/}

C. Alternatively, the Commission Should Suspend Action Pending the Outcome of the Appeals of NOW and Faucher and/or Its Rulemaking

Alternatively, the Commission should suspend further action on this MUR pending the outcome of the appeals of the NOW and Faucher decisions and/or its current review of its regulations in light of those decisions. If those decisions are affirmed, the Commission may well decide to recognize and apply the "express advocacy" standard as defined by the courts.^{5/} At any point, the Commission may also conclude that its regulations should be amended to incorporate that standard. In either case, the Commission may then conclude

^{4/} Even if the ADL statements at issue are considered to constitute "express advocacy," and clearly they are not, ADL nonetheless has not violated 2 U.S.C. § 441b because it is exempt under the standards set forth in Massachusetts Citizens for Life, supra. As ADL has made clear in its prior written submissions, ADL meets the three criteria set forth in Massachusetts Citizens for Life, supra, in that: (1) it was formed for the express purpose of promoting political and social ideas, not to engage in business activities; (2) it has no shareholders who have a claim on its assets; and (3) it is not the mouthpiece for businesses or labor unions. A further discussion of the substance of ADL's position on this issue can be found at pp. 13-20 of the Respondents' Brief in Opposition to the General Counsel's Brief.

^{5/} If the Court of Appeals should recognize the "express advocacy" requirement but find that the NOW communications did constitute "express advocacy," we submit the ADL communications would still be found to fall short of that standard. The ADL statements are far less a plea for action than those in NOW. Moreover, contrary to the NOW statements, which urged sending messages through the political process, the ADL statements were ambiguous and merely predict how "observers" will react to LaRouche's ideas.

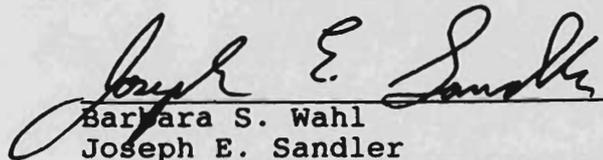
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that, as demonstrated above, ADL's communications do not meet that standard. The Commission, at a minimum, should await these developments before taking any action which would cripple the educational efforts of ADL.

Conclusion

For the reasons set forth above, the Commission should take no further action on this MUR.

Respectfully submitted,



Barbara S. Wahl
Joseph E. Sandler
ARENT, FOX, KINTNER, PLOTKIN & KAHN
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036
(202) 857-6000

Attorneys for Respondents

Dated: November 30, 1990

91040325403

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of

American Jewish Committee and)
 Jonathan Levine, Director)
 Anti-Defamation League of B'nai) MUR 2163
 B'rith and Abraham Foxman,)
 National Director)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 6, 1990, the Commission found probable cause to believe the American Jewish Committee ("AJC") violated 2 U.S.C. § 441b(a). The basis of the Commission's determination regarding AJC was this organization's payment for a publication ("the AJC Study") discussing the effect of presidential candidate Lyndon LaRouche and his followers on the 1986 Illinois primary election.¹ It is undisputed that AJC spent \$465 on this study, which resulted

1. The AJC Study was eleven pages in length, plus supplemental material. It contained three articles discussing the 1986 Illinois primary elections in which persons associated with Lyndon LaRouche won primary elections for state and federal offices. Thus, these persons were candidates for the 1986 general elections, which occurred during the time period in which the AJC Study circulated.

The AJC Study negatively characterized the ideology of Lyndon LaRouche and persons associated with him, concluding that such persons were anti-Semitic. The AJC Study also contained a detailed analysis of the LaRouche victories in the Illinois primaries, including unequivocal prospective discussions regarding federal elections and an interview with William Brenner, the LaRouche candidate for Congress from the fifteenth district. The plain effect of the AJC Study was to urge voters to not vote for persons associated with LaRouche.

A complete analysis of this document is contained in the General Counsel's brief.

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in the circulation of 1,500 copies to members and non-members alike.

Also on February 6, 1990, the Commission determined that there was probable cause to believe the Anti-Defamation League of B'nai B'rith and its director violated 2 U.S.C. § 441b(a). The basis of the Commission's determination regarding ADL was this organization's payments for a publication entitled "The LaRouche Political Cult: Packaging Extremism" (hereinafter "the ADL Report").² ADL approximately spent \$17,000 for this fifty-four page publication and distributed 6,624 copies. Additionally, ADL also published a fundraising solicitation negatively discussing the candidacies of Lyndon LaRouche and his followers.³

2. The ADL Report focused at length on the entire alleged LaRouche organization from its formation to its present day activities, including a description of the candidacies of persons associated with it. Two segments of this Report are specifically related to federal elections.

One discussed the 1986 primary victories of persons associated with Lyndon LaRouche who were candidates for the general election at the time the ADL Report was circulated. The ADL Report specifically identified seven general election candidates in Illinois, California, Pennsylvania, Ohio, New Hampshire, New Jersey, and New York. See ADL Report at 20-23. In addition to these specifically named candidates, the ADL Report also noted the various states in which other unnamed LaRouche candidates had attained a place on the ballots. Immediately following this discussion of LaRouche candidates, this segment concluded with predicted rejection of such candidates by the public.

The General Counsel's brief contains a complete analysis of this document.

3. The fundraising letter asserted that ADL would be "working around the clock and across the country contending with political cultist Lyndon LaRouche, who's all too adept at using --and misusing--the democratic process." The letter further noted ADL's "massive campaign to counter and expose LaRouche and his fanatic followers" and solicited contributions. The references in this

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The Commission approved proposed conciliation agreements for both respondents.⁴

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(Footnote 3 continued from previous page)
document to the LaRouche candidacies and ADL's acknowledged program to counter these candidacies leads to the inextricable conclusion that the fundraising letter is also election-related.

4. In doing so, the Commission rejected the recommendations of the Office of the General Counsel that the Commission find probable cause to believe these respondents violated the Act, take no further action, and close the file in this matter.

The Commission approved proposed conciliation agreements on March 2, 1990 and these were mailed on March 5, 1990. At that time, both respondents were represented by the same counsel. Due to an unreported change in address, the conciliation agreements did not reach counsel until March 19, 1990.

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On November 30, 1990, counsel submitted the attached "Respondents' Memorandum In Support of No Further Action".

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The motion requests the Commission to take two alternative avenues to resolve this matter. First, it urges the Commission to take no further action and close the file in this matter. Alternatively, it requests the Commission to suspend action in this matter until court cases interpreting the requirements of section 441b are resolved. Respondent raises three arguments in support of their request. In large part, these are a reiteration of the arguments made continuously during the course of this matter, including in the responsive brief. Thus, because the Commission has already made a determination of probable cause, we address each of these arguments only briefly below.

1. Factual Background

First, respondent presents the historical evolution of ADL, citing its mission as an organization dedicated to fighting racial and religious prejudice through a variety of avenues including public education. ADL Memo at 2-3. Additionally, respondent quotes from the publication at issue, noting that the two passages in question are, in fact, rather small segments of a publication that was essentially an historical overview of the LaRouche organizations. Respondent further notes that the fund raising

letter in question did not specifically name any federal candidates or offices.

This Office does not dispute any of these assertions. In fact, these conditions were noted in the General Counsel's Brief in this matter. The point remains, notwithstanding these factors, that ADL, a corporation, published materials in connection with a federal election.

2. Respondent Argues that a Violation of Section 441b Requires the Presence of Express Advocacy

As a matter of law, respondent and the Commission continue to disagree regarding the requirements necessary for a violation of section 441b. Citing the Supreme Court's decision in Federal Election Commission v. Massachusetts Citizens For Life, 479 U.S. 238 (1986) (hereinafter "MCFL"), respondent asserts that a corporate communication must constitute express advocacy in order to be subject to section 441b's prohibitions. ADL Memo at 7. Respondent further cites Federal Election Commission v. Furgatch, 807 F.2d 857 (9th Cir. 1987) (hereinafter "Furgatch"); Faucher v. Federal Election Commission, 743 F. Supp. 64 (D. Me. 1990) (hereinafter "Faucher"); and Federal Election Commission v. National Organization for Women, 713 F. Supp. 428 (D.D.C. 1989) (hereinafter "NOW") in support of this proposition. Further, respondent notes that the Commission has requested comments on this issue in its rulemaking proceedings.

The Commission has not accepted the legal proposition put forth by respondent and has consistently argued in both

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enforcement and litigation actions that section 441b violations do not require a finding of express advocacy.

Moreover, the Commission is currently appealing both NOW and Faucher. Indeed, respondent apparently recognizes the uncertain legal postures of these two decisions by offering to forestall further action in this matter until a final judicial resolution is obtained or the Commission's regulations are amended. See ADL Memo at 2.⁸ Finally, the fact that the Commission has requested public comment in a rulemaking proceeding should be perceived as nothing other than the Commission soliciting a variety of points of view from the community they regulate. In short, respondent has presented no new arguments convincing this Office that our position regarding MCFL should be altered.

2. **Express Advocacy is contained in the Communications at Issue**

Respondent again repeats its argument that the communications at issue do not constitute express advocacy. ADL Memo at 8. The Commission considered this argument when it was made in ADL's Brief. As noted in the General Counsel's Probable Cause Report, the courts have viewed express advocacy expansively. Indeed, the Furgatch court described express advocacy as not limited to certain key words or phrases, but looking to the message as a whole. Thus, if speech conveys an exhortation through some call

8. The Commission has never acceded to such a request to suspend an enforcement action pending Commission approval of regulations. In any event, respondent's conduct would not be retroactively addressed by whatever regulations are adopted by the Commission.

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to action, and that call to action is unambiguous, in that it cannot reasonably be interpreted to mean anything else, the requirements of express advocacy are satisfied. Respondent's unequivocal negative descriptions of LaRouche and LaRouche candidates in the context of the election campaign including specific identification of these candidates and exhortation that informed voters would reject these candidates, lead to the inextricable conclusion that voters should not vote for LaRouche or candidates associated with him. Thus, even if respondent was correct in their assertion that only independent corporate communications containing express advocacy are violative of section 441b, that standard is satisfied here.

Respondent also devotes substantial space comparing this matter to the NOW case. As previously noted, that case is currently on appeal. Moreover, all that respondent really argues is that the violations in NOW are possibly stronger than the ones at issue here. That, of course, does not mean that ADL's publications are not express advocacy.⁹

9. As a footnote, respondent also argues that it is within the MCFL exemption. This is simply incorrect because respondent accepts corporate funds and thus is outside the third prong of the MCFL test. See General Counsel's Brief dated September 19, 1990. Consistent with the Supreme Court's recent decision in Austin v. Michigan Chamber of Commerce, ___ U.S. ___, 110 S.Ct. 1391 (1990), a corporation must meet all three prongs of this test. In its Brief, ADL had argued that this test was not conjunctive. See ADL Brief at 14-15. Its most recent submission modifies this argument, stating the third prong of the test as that a corporation may not be "a mouthpiece for business or labor unions." ADL Memo at 13 n.4. No support is offered for such a reading of Austin.

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In short, while essentially reiterating all of its points previously considered in its brief, ADL fails to undermine the Commission's probable cause to believe determination.

IV. RECOMMENDATIONS REGARDING CIVIL SUIT

In light of the small amount of money expended, that AJC Report was distributed to only an estimated 1,500 people, and that a discussion of federal candidates was not its main focus, this Office believes the Commission should exercise its prosecutorial discretion and not expend any further resources on this violation. See Heckler v. Chaney, 470 U.S. 821 (1985).

A more difficult situation is presented by ADL, whose violations are more serious by comparison.

After careful consideration, this Office also recommends that the Commission exercise its prosecutorial discretion and not pursue this matter in a judicial forum. A number of reasons support this course of action.

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First, the amount expended must be considered. Although the dollar amount spent for the ADL Report was approximately \$17,000 for all costs, only two very small segments of this fifty-four page document actually impacted upon federal elections. Thus, the amount spent directly on discussions of federal candidates would be in the range of \$1,500 to \$2,000. Moreover, although approximately 6,624 persons received copies of this publication, this must be balanced against the small amount of space actually devoted to federal elections.

Also influencing the recommendation of this Office is the desirability of litigating this particular case. Although there is no question that there is sufficient evidence to support the Commission's findings of probable cause to believe, two concerns must be addressed in considering litigation.

First, the relatively sympathetic posture of the respondent should be considered. It is undisputed that ADL has a tradition as a non-profit organization primarily conducting educational and informational activities. In light of respondent's posture and the relatively low dollar amount at issue, a Commission judicial victory is far from assured. Additionally, as recognized by respondent, the ability of corporations to make expenditures concerning federal elections is an area of the law with which the courts are struggling. At this juncture, the Commission has seen a favorable resolution in some of these areas, i.e. the Austin case, and is awaiting resolution others, i.e. the NOW and Faucher cases. Thus, to the extent outstanding questions of law remain, these questions are best

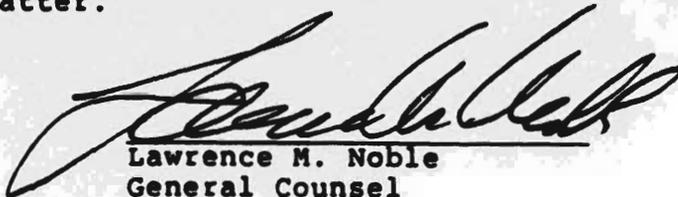
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addressed in these cases. Under these unique circumstances, this Office believes this particular matter is best resolved by closing the file.

V. RECOMMENDATIONS

1. Take no further action as to the American Jewish Committee and Jonathan Levine, as director.
2. Take no further action as to the Anti-Defamation League of B'nai B'rith and Abraham Foxman, as National Director.
3. Approve the appropriate letters.
4. Close the file in this matter.

Date 1/2/90


Lawrence M. Noble
General Counsel

Staff assigned: Patty Reilly

21040325416

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 American Jewish Committee and)
 Jonathan Levine, Director;) MUR 2163
 Anti-Defamation League of B'nai)
 B'rith and Abraham Foxman,)
 National Director.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 9, 1991, the Commission decided by a vote of 6-0 to take the following actions in MUR 2163:

1. Take no further action as to the American Jewish Committee and Jonathan Levine, as director.
2. Take no further action as to the Anti-Defamation League of B'nai B'rith and Abraham Foxman, as National Director.
3. Approve the appropriate letters, as recommended in the General Counsel's Report dated January 2, 1991.
4. Close the file in this matter.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

Jan. 10, 1991
Date

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

Received in the Secretariat: Wed., Jan. 2, 1991 3:49 p.m.
 Circulated to the Commission: Thurs., Jan. 3, 1991 11:00 a.m.
 Deadline for vote: Wed., Jan. 9, 1991 4:00 p.m.

dr

21040325417



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Spannaus
P.O. Box 17068
Washington D.C. 20041

RE: MUR 2163

Dear Mr. Spannaus:

This is in reference to the complaint you filed with the Federal Election Commission on April 14, 1986, against the Anti-Defamation League of B'nai B'rith and the American Jewish Committee. Based on the complaint, the Commission found that there was reason to believe that both respondents violated 2 U.S.C. § 441b, a provision of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation in the matter.

After an investigation was conducted and the General Counsel's and the respondents' briefs were considered, on February 6, 1990, the Commission found that there was probable cause to believe these respondents violated 2 U.S.C. 441b. In consideration of the circumstances of the matter, however, the Commission determined on January 9, 1991, to take no further action against both respondents, and closed the file in this matter. This matter will become part of the public record within 30 days.

The Federal Election Campaign Act of 1971, as amended, 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 Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

21040325418



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1991

Joseph E. Sandler, Esquire
Arent, Fox, Kintner, Plotkin & Kahn
1050 Connecticut Avenue N.W.
Washington D.C. 20036-5339

RE: MUR 2163
Anti-Defamation League of
B'nai B'rith

On February 6, 1990, the Federal Election Commission found that there is probable cause to believe your clients violated 2 U.S.C. § 441b(a). After considering the circumstances of this matter, however, on January 9, 1991 the Commission also determined to take no further action against your clients, and closed its file in this matter.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble (FP2)

Lawrence M. Noble
General Counsel

21040325419



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 18, 1991

CLOSED

Leslie Kerman, Esquire
Epstein, Becker, & Green, PC
1227 25th Street, N.W.
Washington, D.C. 20037-1156

RE: MUR 2163
American Jewish Committee and
Jonathan Levine, Director

Dear Ms. Kerman:

On February 6, 1990, the Federal Election Commission found that there is probable cause to believe your clients violated 2 U.S.C. § 441b(a). After considering the circumstances of this matter, however, on January 9, 1991 the Commission also determined to take no further action against your clients, and closed its file in this matter.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Patty Reilly, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

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AGC 000
Reilly

Institute of Human Relations
165 East 56 Street
New York, New York 10022-2746
212 751-4000/FAX: 212 319-0975



**The American Jewish
Committee**

- Sholom D. Comay**
President
- Alfred H. Moses**
Chair, Board of Governors
- Mimi Alperin**
Chair, National Executive Council
- Bruce M. Ramer**
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January 29, 1991

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Board of Governors

Leo Nevas

Executive Vice President Emeritus

Bertram H. Gold

Office of the General Counsel
Federal Election Commission
999 E. Street, NW, Room 657
Washington, DC 20463

Attn: **Patty Reilly, Esq.**
Senior Attorney

Re: **MUR 2163**
American Jewish Committee and
Jonathan Levine, Director

Dear Ms. Reilly:

We have received your office's letter of January 18, 1991, to Leslie Kerman, Esq. advising that the Commission has determined to take no further action in the above-mentioned matter.

Your letter refers to the Commission's finding of probable cause to believe that the American Jewish Committee ("AJC") and Jonathan Levine violated 2 U.S.C. § 441b(a). The AJC and Mr. Levine deny that they violated 2 U.S.C. § 441b(a) and maintain that there is no probable cause to believe that there was such a violation.

The AJC and Mr. Levine request that this letter be made part of the file which you have advised shall shortly become a public record.

Very truly yours,

Richard T. Foltin
Director of Governmental Affairs (House Counsel)

RTF:sp

cc: **Leslie Kerman, Esq.**

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MAIL ROOM
91 FEB -3 AM 8:30

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Arent, Fox, Kintner, Plotkin & Kahn

*OGC 9961
Reilly*

Washington Square 1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5339

In Maryland
Bethesda Crescent
7475 Wisconsin Avenue
Bethesda, Maryland 20814-3413
(301) 857-4800

In Virginia
JTL Tycoon Towers I
8000 Towers Crescent Drive
Vienna, Virginia 22182-2733
(703) 847-5800

Joseph E. Sandler
(202) 857-8221

January 30, 1991

By Hand

Lawrence M. Noble, Esq.
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2163
Anti-Defamation League of B'nai
B'rith, et. al.

Dear Mr. Noble:

Thank you very much for your letter of January 18, 1991, advising that the Commission has determined to take no further action and has closed its file in the above-referenced MUR. With respect to your advice that the file will be made part of the public record:

A. We respectfully request that the following items, if not already a part of the public record, be made a part of it:

(1) A complete copy of the publication at issue, entitled "The Larouche Political Cult: Packaging Extremism-- A Case Study", an additional copy of which is enclosed; and

(2) Any memorandum or report of the General Counsel advising or making recommendations to the Commission with respect to the Commission's decision of January 9, 1991 on this matter.

B. We also respectfully request that the following materials be withheld from the public record for the reasons indicated:

(1) From ADL's Response, dated September 15, 1988, to Supplemental Interrogatories and Request for Production of Documents, please withhold:

(i) Attachment A, ADL's IRS Form 990 for 1986. This is exempt from disclosure under Exemption 3 of the Freedom of Information Act ("FOIA"), 11 C.F.R. § 4.5(a)(3). 26 U.S.C. §6103 prohibits the release of any tax return by any

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FEDERAL ELECTION COMMISSION

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Arent, Fox, Kintner, Plotkin & Kahn

government agency except as authorized by the Internal Revenue Code. Nothing in the Code authorizes the Federal Election Commission to release tax returns submitted to it in the course of a § 437g investigation.

(ii) The answer to Interrogatory 12, page 10, which reveals the number of persons to whom a fundraising letter was sent and the cost of producing the letter, including internal labor costs. This is exempt from disclosure under FOIA Exemption 4, 11 C.F.R. § 4.5(a)(4), because it consists of confidential financial information which is not otherwise available to the public, disclosure of which would harm ADL, and which would impair the Government's ability to obtain similar information in the future.

(2) From ADL's Response, dated March 23, 1989, to the Third Set of Interrogatories and Request for Production of Documents, please withhold:

(i) the answer to Interrogatory 2, which indicates the percentage of certain contributions composed of corporate funds and a number of contributions; and

(ii) the answer to Interrogatory 6, which indicates the estimated dollar amount of union and corporate funds used to sponsor a particular ADL project.

These items are also exempt from disclosure under FOIA Exemption 4, 11 C.F.R. § 4.5(a)(4), because they consist of confidential financial information which is not otherwise available to the public, disclosure of which would harm ADL, and which would impair the Government's ability to obtain similar information in the future.

If you have any questions or need further information or clarification concerning the above, please contact me. Thank you very much for your time and attention to this matter.

Sincerely yours,



Joseph E. Sandler
Counsel for Respondent Anti-
Defamation League of B'nai B'rith

cc: Patty Reilly, Esq. (w/o enclosure)
Barbara Wahl, Esq. (w/o enclosure)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2163

DATE FILMED 2/27/91 CAMERA NO. 4

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