



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE END OF MUR # 1396

Date Filmed 10/25/82 Camera No. --- #

Cameraman J. A. D.

22747351163

FEDERAL ELECTION COMMISSION

- 1) Documents relating to informal Conciliation
- 2) Routing Cards comment sheet
12 Day Reports

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

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy. |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input checked="" type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed Deborah C. King
date 9-20-82

FEC 9-21-77

12740354164



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 14, 1982

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

Re: MUR 1396

Dear Mr. Blaemire:

This is in reference to the complaint you filed with the Commission on November 2, 1981 concerning allegations of violations by the Ship Out Bayh Committee.

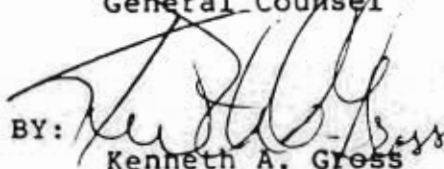
After conducting an investigation in this matter, the Commission determined there was reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. §§ 432(e)(4); 441d; and 434(b) and (c), provisions of the Federal Election Campaign Act of 1971, as amended. On September 8, 1982, a conciliation agreement signed by the respondent was accepted by the Commission, thereby concluding the matter. A copy of this agreement is enclosed for your information.

The file number in this matter is MUR 1396. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1) Respondent is a political committee registered with the Federal Election Commission.

2) Ship Out Bayh Committee is not an authorized committee of a candidate.

3) Ship Out Bayh Committee was organized to oppose Birch Bayh's candidacy.

4) 2 U.S.C. § 432(e)(4) states that "... any political committee which is not an authorized committee ... shall not include the name of any candidate in its name."

5) The Ship Out Bayh Committee violated 2 U.S.C. § 432(e)(4) by using the candidate's name in the committee's name.

6) On or about October 7, 1980, the Ship Out Bayh Committee made expenditures for a direct mail solicitation of contributions.

7) 2 U.S.C. § 441d requires that solicitations of contributions through direct mail include a disclaimer stating that the solicitation is "not authorized by a candidate, an authorized political committee of a candidate, or its agents." Additionally such communication must state who paid for the communication. (See also 11 C.F.R. 110.11 and 102.16).

02040354167

8) Ship Out Bayh Committee's communication soliciting contributions did not contain the disclaimer required by 2 U.S.C. § 441d.

9) The Ship Out Bayh Committee violated 2 U.S.C. § 441d by failing to include a disclaimer on its campaign solicitation mailings.

10) On October 31, 1980, the Ship Out Bayh Committee made an independent expenditure, for newspaper advertising, totalling \$1,961.69.

11) 2 U.S.C. § 434(c)(2) requires that a report be filed with the Clerk, the Secretary, or the Commission and the Secretary of State when an independent expenditure in excess of \$1,000 is made after the 20th day but more than 24 hours before an election (See 11 C.F.R. § 104.5(a)).

12) The Ship Out Bayh Committee did not file a 24 hour report for the independent expenditure of \$1,961.69 made October 31, 1980.

13) The Ship Out Bayh Committee violated 2 U.S.C. § 434(c)(2) by its failure to file a 24 hour independent expenditure report.

14) The Ship Out Bayh Committee did not properly itemize receipts for five individuals.

15) 2 U.S.C. § 434(b) requires the identification of contributions in excess of \$200.

16) 11 C.F.R. § 104.8(a) states that such "identification shall include the individual's name, mailing

address, occupation, the name of his or her employer,"

17) The five itemized receipts are lacking in one or more elements required under identification.

18) The Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by its failure to properly itemize receipts.

19) Respondent contends that none of the foregoing was done knowingly and willfully.

WHEREFORE, Respondent agrees:

V. The above facts represent violations of the Federal Election Campaign Act of 1971, as amended, as set forth above in the Commission's findings.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty (\$250) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 432, et seq.

General Conditions

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IV. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

Charles N. Steele
General Counsel

September 9, 1982
Date

BY:

Kenneth A. Gross - by letter
Kenneth A. Gross
Associate General Counsel

13 August 82
Date

Ship Out Bayh Comm
Ship Out Bayh Committee

BY:

Anthony L. Miles

ITS:

Chairman



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 10, 1982

Jack C. Brown
Jenner and Brown
701 Chamber of Commerce Bldg.
Indianapolis, Indiana 46204

RE: MUR 1396

Dear Mr. Brown:

On September 8, 1982, the Commission accepted the conciliation agreement signed by your client Ship Out Bayh Committee and a civil penalty in settlement of violations of 2 U.S.C. §§ 432(e)(4); 441d; 434(b) and (c), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross - by [signature]

Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

82 AUG 20 AIO: 35

In the Matter of)
) MUR 1396
Ship Out Bayh Committee)

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1) Respondent is a political committee registered with the Federal Election Commission.

2) Ship Out Bayh Committee is not an authorized committee of a candidate.

3) Ship Out Bayh Committee was organized to oppose Birch Bayh's candidacy.

4) 2 U.S.C. § 432(e)(4) states that " ... any political committee which is not an authorized committee ... shall not include the name of any candidate in its name."

5) The Ship Out Bayh Committee violated 2 U.S.C. § 432(e)(4) by using the candidate's name in the committee's name.

6) On or about October 7, 1980, the Ship Out Bayh Committee made expenditures for a direct mail solicitation of contributions.

7) 2 U.S.C. § 441d requires that solicitations of contributions through direct mail include a disclaimer stating that the solicitation is "not authorized by a candidate, an authorized political committee of a candidate, or its agents." Additionally such communication must state who paid for the communication. (See also 11 C.F.R. 110.11 and 102.16).

8) Ship Out Bayh Committee's communication soliciting contributions did not contain the disclaimer required by 2 U.S.C. § 441d.

9) The Ship Out Bayh Committee violated 2 U.S.C. § 441d by failing to include a disclaimer on its campaign solicitation mailings.

10) On October 31, 1980, the Ship Out Bayh Committee made an independent expenditure, for newspaper advertising, totalling \$1,961.69.

11) 2 U.S.C. § 434(c)(2) requires that a report be filed with the Clerk, the Secretary, or the Commission and the Secretary of State when an independent expenditure in excess of \$1,000 is made after the 20th day but more than 24 hours before an election (See 11 C.F.R. § 104.5(a)).

12) The Ship Out Bayh Committee did not file a 24 hour report for the independent expenditure of \$1,961.69 made October 31, 1980.

13) The Ship Out Bayh Committee violated 2 U.S.C. § 434(c)(2) by its failure to file a 24 hour independent expenditure report.

14) The Ship Out Bayh Committee did not properly itemize receipts for five individuals.

15) 2 U.S.C. § 434(b) requires the identification of contributions in excess of \$200.

16) 11 C.F.R. § 104.8(a) states that such "identification shall include the individual's name, mailing

address, occupation, the name of his or her employer,"

17) The five itemized receipts are lacking in one or more elements required under identification.

18) The Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by its failure to properly itemize receipts.

19) Respondent contends that none of the foregoing was done knowingly and willfully.

WHEREFORE, Respondent agrees:

V. The above facts represent violations of the Federal Election Campaign Act of 1971, as amended, as set forth above in the Commission's findings.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and fifty (\$250) dollars, pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 432, et seq.

General Conditions

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

IV. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

Charles N. Steele
General Counsel

September 9, 1982
Date

BY: Kenneth A. Gross - by 68
Kenneth A. Gross
Associate General Counsel

13 August 82
Date

Ship Out Bayh Comm.
Ship Out Bayh Committee

BY: Anthony L. Miles
ITS: Chairman

127740351175

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Ship Out Bayh Committee)

MUR 1396

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 8, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1396:

1. Accept the conciliation agreement signed by Anthony L. Miles, Chairman of the Ship Out Bayh Committee, as submitted with the September 2, 1982 Memorandum to the Commission.
2. Close the file.
3. Send the letter as attached to the September 2, 1982 Memorandum.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

9-8-82

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

9-2-82, 4:52
9-3-82, 2:00

2005.05.17

Please have the attached Memo to the Commission distributed to the Commission on a 48 hour tally basis.

Thank you.

Attachment

cc: Curry



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 3

Jack C. Brown
Jenner and Brown
701 Chamber of Commerce Bldg.
Indianapolis, Indiana 46204

RE: MUR 1396

Dear Mr. Brown:

On September , 1982, the Commission accepted the conciliation agreement signed by your client Ship Out Bayh Committee and a civil penalty in settlement of violations of 2 U.S.C. §§ 432(e)(4); 44ld; 434(b) and (c), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

LAW OFFICES

Jenner and Brown

701 CHAMBER OF COMMERCE BUILDING

INDIANAPOLIS, IND. 46204



Ms. Debra Curry
Federal Election Commission
Washington, D.C. 20463

82 AUG 20 10:35
RECEIVED

LAW OFFICES

Jenner and Brown

701 CHAMBER OF COMMERCE BUILDING

INDIANAPOLIS, IND. 46204



Ms. Debra Curry
Federal Election Commission
Washington, D.C. 20463



MESSAGE REPLY FORM

KEYSTONE PROCESS PRINTING CO. JAMAICA, N.Y. 11432

LAW OFFICE OF
 RICHARD L. SCHULTHEIS
 1919 EAST FIFTY-SECOND STREET, SUITE 302
 INDIANAPOLIS, INDIANA 46205

(317) 253-1254
 (317) 253-1255

ccc# 8134

MESSAGE

REPLY

TO:

Deborah Curry
 Attorney at Law
 Federal Election Commission
 Washington, D.C. 20463

DATE:

Re: Ship Out Bayh Committee
 Re: MUR 1396

July 12, 1982

Dear Attorney Curry:

Enclosed please find a letter by Anthony Miles authorizing Attorney Jack Brown to work along with me on behalf of the Ship Out Bayh Committee in this matter. I would appreciate it if you would call Mr. Brown directly to discuss this matter. His number is 317-634-4389.

Sincerely,

Richard L. Schultheis

Richard L. Schultheis, M.D., F.C.L.M.
 cc: Jack Brown
 Anthony Miles

SIGNED:



SIGNED:

THIS COPY FOR PERSON ADDRESSED

July 12, 1982

62 JUL 20 P 4: 33

Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

Dear Attorney Curry:

This is to inform you that in my capacity as Chairman of the Ship Out Bayh Committee, I hereby authorize the following attorney to represent the Committee in this matter. I also hereby authorize this attorney to receive any notifications and other communications from the Commission.

His name and address is as follows:

Jack C. Brown
JENNER & BROWN
Law Offices
701 Chamber of Commerce Bldg.
Indianapolis, In. 46204

Area Code (317) 634-4389

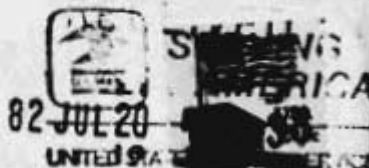
Sincerely,

Anthony L. Miles
Anthony L. Miles, Chairman
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, In. 46203

cc: Richard L. Schultheis
Jack C. Brown

8510750 61:32

1 2 0 4 0 3 5 1 1
LAW OFFICE OF
RICHARD L. SCHULTHEIS
1919 EAST FIFTY-SECOND STREET, SUITE 302
INDIANAPOLIS, INDIANA 46205



Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

May 18, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1396

Please have the attached Memo to the Commission
distributed to the Commission on a 48 hour tally basis.
Thank you.

Attachment

cc: Curry

LAW OFFICE OF
RICHARD L. SCHULTHEIS
1919 EAST FIFTY-SECOND STREET, SUITE 302
INDIANAPOLIS, INDIANA 46208

Curry Ccc# 7570
32 APR 19 11:55

(8)

Attachment 3

TELEPHONE (317) 253-1254
(317) 253-1255

April 13, 1982

Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

Dear Attorney Curry:

Please find enclosed an authorization for me to serve as counsel to the Ship Out Bayh Committee and to represent them with regard to the complaint received by the Federal Election Commission.

With regard to the first allegation, if the Committee is in violation of said regulation, I fail to see of what real import or significance violation of this regulation might have. Next is allegation number two (2). It is obvious from the letterhead who is paying for the solicitation. It lists the officers of the Committee, and the name of the Committee is on the face of the letter. In the third allegation, the error of not filing a 24 hour report was overcome by the filing of a quarterly report and there was obviously no intent not to disclose because full disclosure was made. An amended report has been filed to correct whatever minor errors alleged in number four (4).

It is the Committee's contention that it has made a good faith effort to correct any problems and correct, where possible, any and all alleged violations as set out in your correspondence of March 25, 1982.

Further, the Committee would submit that the violations are miniscule and of no particular import and that it is pure speculation that any harm resulted from those alleged violations.

32 APR 19 11:17

GENERAL COUNCIL

12040354185

Deborah Curry
April 13, 1982
page 2

(9)

Thank you for your conscientious consideration in
this matter.

Sincerely,



Richard L. Schultheis, M.D., F.C.L.M.

RLS/sw

Enclosure

12740551197

10

April 13, 1982

Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

Dear Attorney Curry:

This is to inform you that in my capacity as Chairman of the Ship Out Bayh Committee, I hereby authorize the following attorney to represent the Committee in this matter. I also hereby authorize this attorney to receive any notifications and other communications from the Commission.

His name and address is as follows:

Richard L. Schultheis
1919 E. 52nd Street, Suite 302
Indianapolis, Indiana 46205
(317) 253-1254

Sincerely,

Anthony L. Miles

Anthony L. Miles, Chairman
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

LAW OFFICE OF
RICHARD L. SCHULTHEIS
1919 EAST FIFTY-SECOND STREET, SUITE 303
INDIANAPOLIS, INDIANA 46205

Ccc# 7570
12 APR 19 11:55

TELEPHONE (317) 553-1254
(317) 553-1255

April 13, 1982

Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

Dear Attorney Curry:

Please find enclosed an authorization for me to serve as counsel to the Ship Out Bayh Committee and to represent them with regard to the complaint received by the Federal Election Commission.

With regard to the first allegation, if the Committee is in violation of said regulation, I fail to see of what real import or significance violation of this regulation might have. Next is allegation number two (2). It is obvious from the letterhead who is paying for the solicitation. It lists the officers of the Committee, and the name of the Committee is on the face of the letter. In the third allegation, the error of not filing a 24 hour report was overcome by the filing of a quarterly report and there was obviously no intent not to disclose because full disclosure was made. An amended report has been filed to correct whatever minor errors alleged in number four (4).

It is the Committee's contention that it has made a good faith effort to correct any problems and correct, where possible, any and all alleged violations as set out in your correspondence of March 25, 1982.

Further, the Committee would submit that the violations are miniscule and of no particular import and that it is pure speculation that any harm resulted from those alleged violations.

12 APR 19 14:17

12040351187

Deborah Curry
April 13, 1982
page 2

Thank you for your conscientious consideration in
this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Richard L. Schultheis".

Richard L. Schultheis, M.D., F.C.L.M.

RLS/sw

Enclosure

06145561060

April 13, 1982

Deborah Curry
Attorney at Law
Federal Election Commission
Washington, D.C. 20463

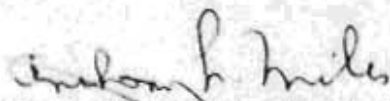
Dear Attorney Curry:

This is to inform you that in my capacity as Chairman of the Ship Out Bayh Committee, I hereby authorize the following attorney to represent the Committee in this matter. I also hereby authorize this attorney to receive any notifications and other communications from the Commission.

His name and address is as follows:

Richard L. Schultheis
1919 E. 52nd Street, Suite 302
Indianapolis, Indiana 46205
(317) 253-1254

Sincerely,


Anthony L. Miles, Chairman
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

02040354191



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 25, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rolena Jackson, Treasurer
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

Re: MUR 1396

Dear Ms. Jackson:

The Federal Election Commission notified you on November 9, 1981, and again on January 5, 1982, of a complaint which alleges that your committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on March 23, 1982, determined that there is reason to believe that your committee has violated 2 U.S.C. §§ 432, 434 and 441d. Specifically it appears that the Ship Out Bayh Committee has: 1) used the candidate's name in its committee's name; 2) failed to include a disclaimer on a campaign solicitation mailing; 3) failed to properly file a 24 hour report of independent expenditures; and 4) failed to report the name of employers for several contributors.

As of this date we have received no written response from you in connection with this matter. The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

Rolena Jackson
Page Two

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 Deborah Curry, the attorney assigned to this matter at (202)523-4529.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures
Procedures

32040354193



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rolena Jackson, Treasurer
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

Re: MUR 1396

Dear Ms. Jackson:

The Federal Election Commission notified you on November 9, 1981, and again on January 5, 1982, of a complaint which alleges that your committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on March , 1982, determined that there is reason to believe that your committee has violated 2 U.S.C. §§ 432, 434 and 441d. Specifically it appears that the Ship Out Bayh Committee has: 1) used the candidate's name in its committee's name; 2) failed to include a disclaimer on a campaign solicitation mailing; 3) failed to properly file a 24 hour report of independent expenditures; and 4) failed to report the name of employers for several contributors.

As of this date we have received no written response from you in connection with this matter. The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

Rolena Jackson
Page Two

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 Deborah Curry, the attorney assigned to this matter at (202)523-4529.

Sincerely,

Enclosures
Procedures

202040351195

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Ship Out Bayh Committee)

MUR 1396

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 23, 1982, the Commission decided by a vote of 6-0 to take the following actions in MUR 1396:

1. Find Reason to Believe that the Ship Out Bayh Committee violated 2 U.S.C. § 432(e)(4) by using the candidate's name in the committee's name.
2. Find Reason to Believe that the Ship Out Bayh Committee violated 2 U.S.C. § 441d by failing to include a disclaimer on campaign solicitation mailings.
3. Find Reason to Believe that the Ship Out Bayh Committee violated 2 U.S.C. § 434(c)(2) by their failure to file a 24 hour report of independent expenditures.
4. Find Reason to Believe that the Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by their failure to properly itemize receipts.

(Continued)

CERTIFICATION

Page 2

MUR 1396

First General Counsel's Report

Dated March 18, 1982

5. Approve the letter as submitted with the First General Counsel's Report dated March 18, 1982.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3/24/82

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary :
Circulated on 48 hour tally basis:

3-18-82, 4:09
3-19-82, 2:00

027740351077

March 18, 1982

MEMORANDUM TO: Marjorie W. Emmons
FROM: Phyllis A. Kayson
SUBJECT: MUR 1396

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

Thank you.

Attachment

cc: Curry

SENSITIVE

FEDERAL ELECTION COMMISSION

1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL 82 MAR 08 P 4: 00

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION: 3-18-82

MUR 1396
DATE COMPLAINT RECEIVED
BY OGC: 11/02/81
DATE OF NOTIFICATION TO
RESPONDENT: 11/09/81
STAFF MEMBER: Deborah Curry

COMPLAINANT'S NAME: Committee For American Principles

RESPONDENT'S NAME: Ship Out Bayh Committee

RELEVANT STATUTE: 2 U.S.C. § 432(e)(4), 2 U.S.C. § 441d,
2 U.S.C. § 434(b) and (c)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On November 2, 1981, the Office of General Counsel received a notarized complaint from the Committee For American Principles (hereinafter "CFAP") (Attachment 1). Complainant alleges that the Ship Out Bayh Committee: 1) violated 2 U.S.C. § 432(e)(4) by using a candidate's name in its committee name; 2) failed to include a disclaimer on a campaign solicitation mailing in possible violation of 2 U.S.C. § 441d; 3) failed to properly file reports of independent expenditures; and 4) failed to report the name of employers for several contributors in possible violation

32740351197

of 2 U.S.C. § 432(c). */ CFAP submitted copies of the registration statement for and the reports filed by the Ship Out Bayh Committee to substantiate its allegations. The Ship Out Bayh Committee was notified by certified mail on November 9, 1981 and again by first class mail on January 5, 1982. To date there has been no response from the Committee.

FACTUAL AND LEGAL ANALYSIS

Allegation 1 - Committee's Name

CFAP states that "[t]he Ship Out Bayh Committee admits in its registration statement that it was organized to oppose Birch Bayh's candidacy and that it 'is not an authorized committee'" (Attachment 2 page 6 of attachments). Therefore, CFAP concludes that the Ship Out Bayh Committee is in violation of 2 U.S.C. § 432(e)(4) which states that "any political committee which is not an authorized committee ... shall not include the name of any candidate in its name." (See 11 C.F.R. § 102.14(a)).

Birch Bayh was a candidate for federal office in 1980. The Ship Out Bayh Committee admits in its registration statement that the Committee was organized to oppose the candidacy of Birch Bayh. In addition, the forms filed by the Ship Out Bayh Committee are for a political committee other than an authorized committee.

*/ The Committee for American Principles in its complaint cited specifically to Commission regulations. Where these regulations duplicate the statute the code sections are used instead.

Therefore, the Office of General Counsel recommends that the Commission find reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. § 432(e)(4) by using Birch Bayh's name in the committee's name (See also Advisory Opinion 80-79) Allegation 2 - Solicitation Letter

CFAP alleges that "[o]n or about October 7, 1980, the Ship Out Bayh Committee made expenditures for a direct mail solicitation of contributions which expressly advocated the defeat of Senator Birch Bayh." CFAP states that the "mailing consisted of a cover letter and either a copy of the September 17, 1980 issue of the Review of the News, ... or a reprint of an article contained therein on Senator Bayh's voting record." (See Attachment 2 pages 16-34 of attachments). CFAP asserts that since the mailing was both a solicitation and an independent expenditure for the purpose of financing a communication expressly advocating the election or defeat of a candidate, the Ship Out Bayh Committee violated 2 U.S.C. § 441d by its failure to include the required disclaimer.

2 U.S.C. § 441d(a) and (a)(3) states that

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

(3) if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of

12040354201

the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee.

The cover letter solicits contributions to help in the work of the committee (Attachment 2 page 16 of attachments). The solicitation of contributions by direct mail, subjects the Ship Out Bayh Committee to the requirement of notice on the solicitation of the identity of the persons who paid for or authorized the communication. Consequently, FECA mandates the disclaimer notice contained in 2 U.S.C. § 441d(a)(3) (See 11 C.F.R. § 110.11 and 102.16).

In addition, the Committee's name plus the fact that the cover letter in question contained an article critical of Birch Bayh seem to indicate that these direct mail materials may have also been expenditures expressly advocating the defeat of a clearly identified candidate. However, it is unnecessary to decide the express advocacy issue since the disclaimer notice is required when solicitations are made via direct mailings.

Therefore, the Office of General Counsel recommends that the Commission find reason to believe that Ship Out Bayh Committee violated 2 U.S.C. § 441d, by failing to print the required disclaimer on the cover letter.

Allegation 3 - Independent Expenditures

After reviewing the itemized independent expenditure report of the Ship Out Bayh Committee, CFAP discovered that four independent expenditures were made expressly advocating the defeat of Bayh between October 27, 1980 and October 31, 1980 (See Attachment 2 page 15 of attachments). The aggregate total for

these four independent expenditures was \$4,023.93, with one independent expenditure of \$1,961.69. CFAP in its complaint contends that the Ship Out Bayh Committee violated 2 U.S.C. § 434(c)(2) by its failure to file the 24 hour report for expenditures over \$1,000 (See 11 C.F.R. § 104.5(g)).

2 U.S.C. § 434(c)(2) states the following:

Any independent expenditure ... aggregating \$1,000 or more made after the 20th day, but more than 24 hours, before any election shall be reported within 24 hours after such independent expenditure is made. Such statement shall be filed with the Clerk, the Secretary, or the Commission and the Secretary of State and shall contain the information required by subsection (b)(6)(B)(iii) of this section indicating whether, the independent expenditure is in support of, or in opposition to, the candidate involved.

According to the Post General Election Report filed by the Ship Out Bayh Committee the independent expenditure in question totalling \$1,961.69 was for newspaper advertising and the date on the report for this expenditure is listed as October 31, 1980 (see Attachment 2 page 15 of attachments). Since the independent expenditure of \$1,961.69 was made after the 20th day but more than 24 hours before an election a report should have been filed within 24 hours. As required by 2 U.S.C. § 434(c)(2), such a report must be filed with the Clerk, the Secretary, or the Commission and the Secretary of State.

There is nothing in the files of the Committee to indicate a receipt of the 24 hour report by the Commission or the Secretary of the Senate. Consequently, the Office of General Counsel

recommends that the Commission find reason to believe the Ship Out Bayh Committee violated 2 U.S.C. § 432(c) by its failure to file a 24 hour independent expenditure report.

Allegation 4 - Failure to Itemize Receipts

CFAP alleges that the Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by failing to properly itemize receipts from five individuals (see Attachment 2 page 13 of attachments). 2 U.S.C. § 434(b) requires the identification of contributions in excess of \$200. 11 C.F.R. § 104.8(a) states that such "identification shall include the individual's name, mailing address, occupation, the name of his or her employer," The five itemized receipts are lacking in one or more elements required under identification.

Therefore, the Office of General Counsel recommends that the Commission find reason to believe the Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by its failure to properly itemize receipts.

CFAP also questions the failure of the Ship Out Bayh Committee to completely itemize the \$9,942 raised. However, the memo entry on the Post General Report states that \$8,817.87 was unitemized (see Attachment 2 page 11 of attachments line 11a). As noted above under 2 U.S.C. § 434(b), a committee is not required to itemize and identify receipts unless those receipts are in excess of \$200.

RECOMMENDATION

1. Find reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. § 432(e)(4) by using the candidate's name in the committee's name.

2. Find reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. § 441d by their failure to include a disclaimer on campaign solicitation mailings.

3. Find reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. § 434(c)(2) by their failure to file a 24 hour report of independent expenditures.

4. Find reason to believe that the Ship Out Bayh Committee violated 2 U.S.C. § 434(b) by their failure to properly itemize receipts.

5. Approve attached letter.

March 18, 1982
Date

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint (pages 1-5)
2. Exhibits submitted in support of complaint (pages 6-34)
3. Letter to Treasurer (pages 35 and 36)

COMMITTEE
FOR
AMERICAN
PRINCIPLES

Attachment 1

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

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

November 2, 1981

Dear Sirs:

Before the Federal Election Commission

In the Matter of:

SHIP OUT BAYH COMMITTEE

MUR No. _____

NOV 2 10:01

COMPLAINT

1. The Federal Election Commission's ("Commission") records include a registration statement for and reports filed by the SHIP OUT BAYH COMMITTEE. (Copies of the Registration Statement and reports are attached hereto as Exhibits A-B). These materials reveal a number of violations of the Federal Election Campaign Act of 1971, as amended, and of the Commission's regulations.

2.(a) The SHIP OUT BAYH COMMITTEE admits in its registration statement that it was organized to oppose Birch Bayh's candidacy and that it "is not an authorized committee." (Exhibit A, page 1)

(b) The Commission's regulations expressly provide that, with certain exceptions not relevant here, "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11CFR Sec. 102.14(a)).

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 102.14 by using Birch Bayh's name in its name.

3.(a) On or about October 7, 1980, the SHIP OUT BAYH COMMITTEE made expenditures for a direct mail solicitation of contributions which expressly advocated the defeat of Senator Birch Bayh. The mailing consisted of a cover letter and either a copy of the September 17, 1980 issue of the Review of the News, a publication of the John Birch Society, or a reprint of an article contained therein on Senator Bayh's voting record (Copies of the cover letter, the reprint of the article, the enclosed return envelope and of the envelope used to mail the communication and solicitation are attached hereto as Exhibit B).

(b) 11CFR Sec. 102.16 requires that each "political committee shall comply with the notice requirements for solicitation of contributions set forth at 11CFR Sec. 110.11." (emphasis supplied) Similarly, 11CFR Sec. 109.3 requires that "(W)henever any person makes an independent expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, such person shall comply with the requirements of 11CFR Sec. 110.11." (emphasis supplied)

(c) 11CFR Sec. 110.11(a)(1)(iv) provides that, with certain exceptions not relevant here, "whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate or solicits any contribution through any...direct mailing..., a disclaimer meeting the requirements of 11CFR Sec. 110.11(a)(1)...(iv) shall appear or be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of persons who paid for or who authorized the communication...

"(iv) Such communication, if paid for and authorized by a

political committee, other than an authorized committee of a candidate(s) shall clearly state that the communication has been paid for by such political committee."

(d) Neither the cover letter not the enclosed reprint contained the required notice. (That these materials "expressly advocated" the defeat of Senator Bayh is established by the name SHIP OUT BAYH COMMITTEE, which appeared on each of these materials.)

(e) The SHIP OUT BAYH COMMITTEE violated 11CFR Sections 102.16, 109.3 and 110.11(a)(1)(iv) by making expenditures for the direct mail distribution of these materials.

4.(a) I have examined the SHIP OUT BAYH COMMITTEE's itemized independent expenditures and discovered that said Committee has admitted making four independent expenditures expressly advocating Senator Bayh's defeat between October 27, 1980 and October 31, 1980. The aggregate total for the four independent expenditures was \$4,023.93, including one expenditure of \$1,961.69.

(b) 11CFR Sec. 104.5(g) requires that "(a)ny independent expenditures aggregating \$1,000 or more made after the 20th day, but more than 24 hours before 12:01 AM of the day of the election, shall be reported within 24 hours after such independent expenditure is made..."

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 104.5(g) by failing to file the report required thereby. (See a copy of the Federal Election Commission's "C" Index for this Committee, a copy of which is attached hereto as Exhibit A.)

5.(a) The SHIP OUT BAYH COMMITTEE's December 2, 1980 Report itemized receipts from five individuals. In each instance the

name of the employer was omitted. Furthermore, SHIP OUT BAYH COMMITTEE reports \$9942 raised but only itemizes 5 contributions amounting in the aggregate to \$1,800. No expenditures are indicated on the report to reveal how the remaining 80% of the funds collected was raised. It is left up to the imagination of the public. Yet, it can be assumed that if the remaining \$8,142 raised and not itemized contained only contributions of less than \$200 each, then some expenditures for the purpose of making a fundraising effort should be indicated.

(b) 11CFR Sec. 104.8(a) requires that a "reporting committee shall disclose the identification of each individual who contributes an amount in excess of \$200. This identification shall include the individual's name, mailing address, occupation, the name of his or her employer, if any, and the date of receipt and amount of any such contribution..."

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 104.8(a) by not disclosing the name of Mr. Richard Schultheis' employer (Mr. Schultheis contributed \$1,000.00).

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

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: Robert Blaemire
Robert Blaemire
President

Date

15/3.1/87

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

Janet G. Mayes
Notary Public

(SEAL)

My Commission Expires February 14, 1984

My Commission expires: _____

32040354210

4 PAGES P. 1 ENVELOPE

REC'D FEB 2 1981

6

Attachment 2

REPORT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

11002 21:22

(Summary Page)

1. Name of Committee (in Full)

SHIPCUT BAYH COMMITTEE

Address (Number and Street)

740 S. DANCELOFT ST.

City, State and ZIP Code

INDIAN IN 46203

X Check if address is different than previously reported.

2. FEC Identification Number

C99002958

3. This committee qualified as a multicandidate com-

mittee during this Reporting Period on _____ (date)

4. TYPE OF REPORT (check appropriate boxes)

- (a) ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☒ January 31 Year End Report
☐ July 31 Mid Year Report (Non-election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election)
 election on _____ in the State of _____
☐ Thirtieth day report following the General Election
 on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☐ YES ☒ NO

SUMMARY

5. Covering Period 11-24-80 Through 12-31-80

6. (a) Cash on Hand January 1, 1981 - 00 -

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))

9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)

Column A
This PeriodColumn B
Calendar Year-to-Date

\$ 4769.80

\$ 354.00

\$ 5123.80

\$ 354.00

\$ 5000.00

\$ 123.80

\$

\$ 2748.00

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
 Toll Free 800-424-9530
 Local 202-523-4068

Rolena J. Jackson
 Type or Print Name of Treasurer

Signature of Treasurer
 Date 1-25-81

NOTE Submission of false, fraudulent, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437c.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3a-12 80

11002 21:22 6 3 4 7 0 6 2 5 6 7 4 1

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 10 for
LINE NUMBER 10
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
<i>Ship Out Bank Committee</i>				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor <i>Argayette Printing Co. 5117 Perry St. Argayette, Ia. 47902</i>	<i>7748.00</i>		<i>5,600.00</i>	<i>2,148.00</i>
Nature of Debt (Purpose) <i>Printing</i>				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
1. SUBTOTALS This Period This Page (optional)				
2. TOTAL This Period (last page this line only)				<i>2,148.00</i>
3. TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4. ADD 2 and 3 and carry forward to appropriate line of Summary Page (last page only)				<i>2,148.00</i>

1031760677

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
LINE NUMBER 18
(Use separate schedule for
category of the Disbursement
Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Ship Out Bayh Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
<i>Lafayette Printing Co. 511-17 Perry St. Lafayette, Ind. 47902</i>	<i>Printing</i> Disbursement for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	<i>12-3-80</i> <i>12-18-80</i>	<i>\$4,000.00</i> <i>\$1,000.00</i>
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)		

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

5,000.00

51762675

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

Name of Committee (in Full) <i>Step Out Gay Committee</i>		Report Covering the Period: From: <i>11-24-80</i> To: <i>12-31-80</i>	
		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS			
11 CONTRIBUTIONS (other than loans) FROM:			
(i) Individuals/Persons Other Than Political Committees			
Memo Entry Unitemized \$ <i>354.00</i>			
(ii) Political Party Committees			
(iii) Other Political Committees			
11 TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)		<i>354.00</i>	
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13 ALL LOANS RECEIVED			
14 LOAN REPAYMENTS RECEIVED			
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
17 OTHER RECEIPTS (Dividends, Interest, etc.)			
18 TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)		<i>354.00</i>	
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES		<i>5,000.00</i>	
20 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES			
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
22 INDEPENDENT EXPENDITURES (Use Schedule E)			
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 2441a(d)) (Use Schedule F)			
24 LOAN REPAYMENTS MADE			
25 LOANS MADE			
26 REFUNDS OF CONTRIBUTIONS TO:			
(i) Individuals/Persons Other Than Political Committees			
(ii) Political Party Committees			
(iii) Other Political Committees			
26 TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)			
27 OTHER DISBURSEMENTS			
28 TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)		<i>5,000.00</i>	
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11d		<i>354.00</i>	
30 TOTAL CONTRIBUTION REFUNDS from Line 26d			
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)		<i>354.00</i>	
32 TOTAL OPERATING EXPENDITURES from Line 19			
33 OFFSETS TO OPERATING EXPENDITURES from Line 15			
34 NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)			

1031762675

9

17-4-80

(11)

Name of Committee (Print)

Sally Port Reg. Committee

Report Due Date

11-24-80

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

- Enter Every Unincorporated \$517.87

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTIONS (other than loans) from 11a, 11b and 11c

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Scholarships, Interest, etc.)

18. TOTAL RECEIPTS (Add Lines 11d, 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES

22. INDEPENDENT EXPENDITURES (See Schedule D)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (U.S.C. (42 U.S.C. § 1973f-2))

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO:

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (Add 26a, 26b and 26c)

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11d

30. TOTAL CONTRIBUTION REFUNDS from Line 26d

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

80020151315

12-2-01

12

80020151316

Debtor Name, Mailing Address and Zip Code of Debtor or Creditor	Outstanding Balance Beginning This Period	Amount Paid This Period	Payment This Period	Balance Due at End of Period
Miss Out Book Committee Lafayette Printing Co. 511-17 Perry St Lafayette Ind. 47902	-0-	7748.00	-0-	7748.00
Name of Debt (Purpose): <i>printing</i>				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Name of Debt (Purpose):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Name of Debt (Purpose):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Name of Debt (Purpose):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Name of Debt (Purpose):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Name of Debt (Purpose):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				7748.00
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				7748.00

12-2-81

13

Slip Out Payroll Permitter			
A. Full Name, Mailing Address and ZIP Code George Baker Jr. 1111 Main St. Slig. St. Louis, Mo. 63105		Name of Employer	Date (month, day, year) 10-20-80
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Amount of Each Receipt This Period 200.00
B. Full Name, Mailing Address and ZIP Code Richard Schultze 6704 Main St. St. Louis, Mo. 63120		Name of Employer	Date (month, day, year) 10-21-80
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation Teacher	Amount of Each Receipt This Period 1,000.00
C. Full Name, Mailing Address and ZIP Code William Johnson 3205 Reverend St. St. Louis, Mo. 63105		Name of Employer	Date (month, day, year) 10-21-80
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Amount of Each Receipt This Period 200.00
D. Full Name, Mailing Address and ZIP Code Pete Johnson 1241 Ridge Dr. St. Louis, Mo. 63121		Name of Employer	Date (month, day, year) 11-18-80
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Amount of Each Receipt This Period 200.00
E. Full Name, Mailing Address and ZIP Code Dr. Kenneth De Voe 19310 Darden Rd. South St. Louis, Mo. 63135		Name of Employer	Date (month, day, year) 11-18-80
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation Doctor	Amount of Each Receipt This Period 200.00
F. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	Amount of Each Receipt This Period
TOTAL of Receipts This Page (optional)			1800.00
TOTAL This Period (last page this line number only)			

12-2-81

14

SCHEDULE B

ITEMIZED DISBURSEMENTS

1001
EST. 1-1-81
SCHEDULE B-1

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Name of Committee (in Full)

Ship Out Bygones Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Page
Kline Dinkelschies 224 Main St. Brook Stone, N.J.	postage Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	10-20-80	361.25
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Page
MacBee Printing Co. 308 1/2 N. 4th St. Hillsdale, N.J. 07901	printing Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	10-27-80	423.89
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Page
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F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Page
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I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Page
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SUGTOTAL of Disbursements This Page (optional)			795.14
TOTAL This Period (last page this line number only)			

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12-2-81

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EXHIBIT

ITEMIZED INDEPENDENT EXPENDITURES

Page _____ of _____ Pages

See Reverse Side for Instructions

Name of Committee or Fund		I.D. No.		
Miss. Cent. Bayh Committee		C-99002958		
Name, Street Address & Zip Code of Each Party	Invoice or Receipt	Date (month, day, year)	Amount	Name of Person or Persons who made or caused to be made the expenditure & other notes
The Union of the Towns Belmont Mass. 02178	magazine advertising	10-27-80	975.00	Brick Bayh Senator <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
Greenville Courier 2017 N. Main St. Apt. 363 Greenville S.C. 47702	Newspaper advertising	10-28-80	970.20	Brick Bayh Senator <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
Wilbur-Hite Publishing Co. New Haven, Conn.	Newspaper advertising	10-31-80	1961.69	Brick Bayh Senator <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
Duke's County Herald Jasper Ind.	Newspaper advertising	10-28-80	117.04	Brick Bayh Senator <input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
				<input type="checkbox"/> Support <input checked="" type="checkbox"/> Oppose
a) SUBTOTAL of Itemized Independent Expenditures			\$ 4023.93	
b) SUBTOTAL of Unitemized Independent Expenditures			\$	
c) TOTAL Independent Expenditures			\$ 4023.93	

Under penalty of perjury I certify that the independent expenditures reported herein were not made in consideration, consultation, concert with, or at the request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or republication in whole or in part of any campaign materials prepared by the candidate, his campaign committee, or their agent.

Robert J. Jackson

11-28-80
Date

Subscribed and sworn to before me this 12-2-81 Day of


12-2-81

My Commission expires

7-6-81

NOTARY PUBLIC

Pat. C. Jackson



Ship Out Bayh Committee

"We've looked him over"

P.O. Box 11024 • Indianapolis, Indiana 46201

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Dear Fellow Victim of...Inflation...Soaring Taxes...
Rising Unemployment...Defense Crises...You Name It:

Enclosed is either a copy of the September 17, 1980,
issue of The Review Of The News featuring an article
on Senator Birch Bayh's voting record on page 39, or
a reprint of that article which has been reprinted
with the permission of the publisher.

The objective of the Ship Out Bayh Committee is simply
to get broad exposure of Senator Bayh's voting record
through extensive distribution of the reprinted article
and through paid newspaper advertising.

The time is short, and your help is vitally needed.
You may help in either or both of two ways:

1. In helping to distribute this reprint. It is
available to you in bulk quantities (more than ten)
at 16¢ each. (Ten or less at 20¢.) This breaks down
to \$16.00 per hundred; \$160.00 per thousand, etc.,
postpaid.

2. And in helping to support our newspaper ad efforts
through contributions. The ads will feature excerpts
from the reprint, again making Senator Bayh's voting
performance available to wide segments of Indiana
voters. Your contributions to the Ship Out Bayh
Committee will be used exclusively for newspaper
advertising and in defraying expenses for reprint
distribution.

Please forward your order for reprints to the committee
without delay. And, of course, your contribution will
also be received with appreciation.

Thanks for your help.

Sincerely,

Anthony L. Miles

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YOUR
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BEGINS
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Ship Out Bayh Committee

P.O. Box 11024

Indianapolis, Indiana 46201



BIRCH BAYH

**A Review Of The
Voting Record Of
The U.S. Senator
From Indiana
Reveals Why He
Is In Trouble**

by Robert W. Lee

■ INDIANA is the scene this year for one of the most hotly contested of many exciting Senate races, with incumbent Democrat Birch Bayh striving for a fourth term against two-term Republican Congressman Dan Quayle. Among the factors which make this year's re-election effort Senator Bayh's most difficult yet are his narrow margins of victory in past

elections, a Hoosier tradition of never having elected a Senator to a fourth term, and especially the widespread exposure of his exotic "Liberal" voting record.

Birch Evan Bayh was born on January 22, 1928, in Terre Haute, Indiana, but spent much of his childhood in Washington, D.C., where his father headed the physical education pro-

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gram in the public school system. After graduating from Fayette Township High School near Terre Haute in 1945, he served from 1946 to 1948 as a private in the U.S. Army of Occupation in Germany. He received his B.S. degree from the Purdue University School of Agriculture in 1951, and his law degree from the Indiana School of Law in 1960, after which he was admitted to the bar in 1961 and briefly practiced in Terre Haute.

Bayh soon went to Washington, upsetting three-term Republican Senator Homer Capehart by a razor-thin margin of 50.3 to 49.7 percent in 1962. Six years later he was re-elected with 51.7 percent, and narrowly won a third term in 1974 with 50.7 percent of the vote. His major congressional assignments include seats on the Senate's Appropriations and Judiciary Committees. In addition, he was appointed Chairman of the Special Subcommittee assigned to probe the so-called "Billygate" affair.

It is certainly ironic that Bayh was selected to lead the Senate's investigation of Billy Carter's shameful Libya ties when he was himself in hot water over the "Koreagate" scandal only a few years earlier. Bayh was in fact found by the Senate Ethics Committee to have made "misleading statements" about his involvement with Tongsun Park, central figure in the influence-buying fiasco. The Committee stated that Bayh had been wrong in denying he had received offers of various amenities from Park, and wrong in denying that Park had

offered him anything of value in excess of \$35. Birch Bayh was in fact forced to admit under oath that he had been offered a large campaign contribution by the wily Korean. In addition, the Ethics Committee found "substantial credible evidence" that either Bayh or one of his top aides had committed a federal offense in accepting \$1,000 from Park right in the Capitol Building itself.

The Ethics Committee turned its findings, including perjurious testimony, over to the Justice Department for prosecution. Shortly thereafter, it was announced by then-Deputy Attorney General Benjamin Civiletti that the case was "closed without any action." Today, as Attorney General, Civiletti is deeply implicated in the "Billygate" coverup, and many observers are convinced Senator Bayh was selected to head the "investigation" because Civiletti had let him off the hook in 1978.

The Senator's stand on the Vietnam War illustrates his pragmatic approach to controversial issues. While Democrat Lyndon Johnson was in office, Bayh backed the Johnson war policies. After L.B.J. departed, and Republican Richard Nixon entered the White House, Senator Bayh did a purely partisan about-face and became an outspoken critic of the war. At the same time, he moved to make life easier for the Communists who were killing and maiming our fighting forces. For example, on October 22, 1969, during the week when the U.S. death toll in Southeast Asia surpassed

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39,000, the Senator shamefully voted to liberalize trade with Communist countries by approving for sale to the Reds hundreds of items previously designated as "strategic." This despite the fact that the Nixon Administration had publicly acknowledged that well over 80 percent of the supplies going to the Communists in Vietnam were coming from the Soviet Union and its satellites — to whom U.S. strategic goods would now be shipped.

On October 30, 1969, the *Washington Post* reported: "The [Soviet] Communist Party newspaper *Pravda* today welcomed a U.S. Senate vote last week approving a bill that would cut from 1,300 to 200 the number of items considered strategic and prohibited from sale to Communist nations." Senator Bayh voted for that disgraceful measure which received *Pravda's* praise, contributing to the Communist war effort.

On January 12, 1976, *U.S. News & World Report* observed: "Recently, Bayh announced he has changed another position, and is now 'prepared to support unconditional amnesty' for draft evaders and war deserters." And so he was. On January 21, 1977, President Carter granted a "full, complete and unconditional pardon" to Vietnam-era draft dodgers and most other violators of the Selective Service Act. The move was widely (and rightly) interpreted as a slap in the face to those who served (and, in tens of thousands of cases, died serving) their country with honor. Four days later, the Senate considered a Resolution to

oppose the Presidential pardon program. The measure was tabled (killed) on a close 48 to 46 vote. Had Birch Bayh voted against the tabling motion (rather than for it), the move to table would have failed on a tie vote.

In fact, the entire voting record of Senator Birch Bayh is similarly remarkable. Consider:

Abortion. Senator Bayh has been a persistent advocate of federal abortion funding and has voted on dozens of occasions for the position endorsed by such pro-abortion lobbies as the National Abortion Rights Action League (N.A.R.A.L.). On April 28, 1976, for instance, Bayh voted to kill a motion intended to allow the Senate to consider a Constitutional Amendment to outlaw abortion. On June 29, 1977, the Senator voted to delete all prohibitions on the use of federal funds for abortions. And, on September 22, 1975, he voted to allow the use of Peace Corps funds to pay for abortions.

In addition, Senator Bayh has voted on many occasions against amendments intended to limit abortion funding to those instances where the mother's life is endangered, preferring instead less restrictive language which would also sanction tax-financed abortions in instances of rape or incest, when deemed "medically necessary" by two physicians, etc.

An exception such as "medically necessary" is so vague and open-ended as to allow abortion on demand. The problem with the rape or incest exceptions is that either can be claimed

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when neither actually occurred. One solution would be to require *prompt* reporting of the offense to health and/or law enforcement officials. Yet, just such a "prompt report" proposal was defeated by the Senate on November 29, 1977. Senator Bayh was absent for the vote, but publicly announced his opposition to the measure.

Senator Bayh's abortion stance is especially interesting in view of his concern for animal life. On July 26, 1972, for example, he voted for a bill to preclude the killing of seals, sea lions, porpoises, dolphins, sea otters, manatees, walruses, and polar bears. And, on June 4, 1974, he backed a ban on the use of dogs in evaluating the disabling nature of biological or chemical warfare agents. Many find it difficult to understand a standard of morality which expresses concern for manatees and polar bears, while encouraging with federal funding the destruction of innocent human babies through abortion.

Friends And Enemies. Senator Bayh has also compiled a disturbingly consistent record of support for measures which build up our Marxist enemies while at the same time voting to undermine our anti-Communist allies. For instance:

November 26, 1963: Voted to kill an amendment to stop government agencies from guaranteeing private U.S. credit to Communist countries for any purchase.

August 10, 1967: Voted for an amendment intended to bar the Export-Import Bank from financing

purchases of goods by Communist nations (or by non-Communist nations inclined to pass the goods on to the Communists).

May 29, 1974: Voted to kill an amendment to deny Export-Import Bank loans or credits to any Communist country.

June 14, 1977: Voted to kill an amendment requiring U.S. representatives to international lending institutions (such as the World Bank) to vote against loans to nations violating human rights and to oppose by voice and vote loans to the brutal Marxist regimes presently occupying Cambodia, Cuba, Laos, and Vietnam.

June 16, 1977: Voted against an amendment to prohibit the use of funds appropriated by Congress for negotiations regarding aid or reparations payments to Vietnam.

January 24, 1980: Voted for the Resolution granting lucrative Most Favored Nation trading status to Red China.

January 29, 1980: Voted for a bill to provide \$75 million in foreign aid to the Marxist Sandinista regime which has captured Nicaragua. (On June 28th of this year, a last-ditch move was made to delete the \$75 million handout to Nicaragua. Bayh voted to kill it.)

In contrast to this sympathetic treatment of our enemies, consider the Senator's cavalier treatment of our anti-Communist friends:

December 20, 1969: Voted to eliminate \$50 million in military assistance to South Korea, and \$54.5 million

to Free China, from a foreign-aid bill.

July 28, 1971: Voted to suspend the sugar quota for South Africa, to protest that nation's internal policies.

October 1, 1974: Endorsed an amendment to bar military assistance to anti-Communist Chile. (He was, however, absent for the actual vote.)

March 15, 1977: Voted to repeal the Byrd Amendment which had allowed importation of chromium ore from Rhodesia in defiance of the unprecedented and unprincipled United Nations trade sanctions against that pro-Western nation. (One day earlier, Bayh had voted against a proposal also to bar importation of chromium ore from the Soviet Union.)

August 10, 1978: Voted to prohibit economic assistance to South Korea under the Food for Peace program, to protest the Korean Government's lack of cooperation regarding the "Korea-gate" affair. (You will recall that Senator Bayh was himself less than candid and cooperative about his own involvement in that scandal.)

All of this is not to say that Senator Bayh is necessarily pro-Communist. Conceivably, he may simply have hit upon the clever strategy of making the Reds complacent by undermining their opposition throughout the world and feeding them so richly at the expense of U.S. taxpayers that they eventually collapse of gluttony.

Internal Security. On three occasions between 1970 and 1972, Senator Bayh voted to abolish the federal Subversive Activities Control Board. Eventually, the Far Left drive to scrap

the S.A.C.B. succeeded, as did additional campaigns to destroy other important investigative entities such as the Senate Internal Security Subcommittee, the House Committee on Internal Security, and the Justice Department's Internal Security Division. As a result, counter-terrorist intelligence activity at the federal level has been all but destroyed.

In 1977, Congress approved an incredible proposal to require the Secretary of State automatically to recommend approval of applications for visas to members of Communist organizations seeking to visit the United States. On July 26, 1978, the Senate reconsidered by adopting an amendment which deleted the pro-Communist provision and returned to the Secretary of State some discretion as to which Red agents are to be permitted entry into the United States. Senator Bayh opposed the change.

Defense. On numerous occasions Senator Bayh has voted to abolish or seriously impede military systems sorely needed to maintain an adequate defense posture in the wake of an unprecedented Soviet military buildup. Some examples:

August 12, 1970: Voted for an amendment to prohibit the use of funds for deployment of the Safeguard anti-ballistic missile system (A.B.M.) at any site.

September 30, 1971: Voted to cut by more than half the funding for research and development of the prototype of the Army's XM-803 Main Battle Tank.

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September 27, 1973: Voted to cut by nearly one billion dollars funds for development and procurement of the Trident submarine.

June 4, 1975: Voted to delete funds for research and development of the five-system counterforce program aimed at improving the accuracy of U.S. strategic missiles.

May 26, 1976: Voted to delete funds for procurement of 60 Minuteman III intercontinental ballistic missiles.

July 13, 1977: Voted to prohibit production of the neutron bomb.

February 1, 1978: Voted to scrap production of the B-1 bomber which was needed to replace our aging fleet of B-52s.

November 6, 1979: Voted to delete funds for a fourth nuclear-powered aircraft carrier. (On August 9, 1976, he had also voted to abolish funds for long lead-time procurement of a fifth nuclear-powered carrier.)

May 7, 1980: The Senate voted by more than two-to-one to table one of the notorious "transfer" amendments which would have stripped \$2 billion from the defense budget and transferred the funds to various socialist domestic programs. Senator Bayh voted with the anti-defense minority to keep the transfer amendment alive.

Senator Bayh's anti-defense inclinations have also surfaced in his votes on seemingly unrelated issues. On December 6, 1975, and again on July 27, 1978, Bayh voted to bail out New York City with federal loan guarantees amounting to billions of dollars. On December 21, 1979, he also

voted to bail out the failing Chrysler Corporation with a federal loan guarantee of \$1.5 billion. Yet, on August 2, 1971, Senator Bayh voted *against* a bill authorizing a federal guarantee of \$250 million to bail out the defense-oriented Lockheed Aircraft Corporation.

Union Dues. Bayh has delivered his *quid pro quo* to union bosses for backing he has received in his various Senatorial and Presidential campaigns. For example, on October 11, 1965 (and again on February 8th and 10th, 1966), Birch Bayh voted to stop a filibuster against, and bring to a Senate vote, a bill to repeal Section 14(b) — the right-to-work provision — of the Taft-Hartley Act.

On May 2, 1974, he voted to kill an amendment which sought to define as an unfair labor practice discrimination in labor union membership based on race, color, religion, sex, or national origin. Five days later, he also voted to kill an amendment to brand as an unfair labor practice discrimination by an employer against an employee who cited religious beliefs as the reason for refusal to join a labor union, even when the employee paid to a charity an amount equal to dues, or the union waived such payments.

On December 15, 1975, Senator Bayh voted for the notorious "common-situs picketing" bill to permit the picketing of everyone at a construction site, even when the dispute involves only one small contractor or subcontractor.

On August 3, 1977, Senator Bayh

voted to kill an amendment intended to prohibit the political use of labor-union funds collected under a compulsory union contract, thereby backing the "principle" of forcibly extracting money from workers' paychecks to support candidates with whom they may vigorously disagree.

And, on six separate occasions in June of 1978, the Senator voted to invoke cloture and bring to a vote a major labor-law bill which, had it not been turned back by a filibuster, would have greatly increased union-boss influence while subjecting employers who resist compulsory unionization to such severe and one-sided penalties that few would ever dare risk bucking a union boss.

One-Vote Victories For The Left. The difference which a lone Senator's vote can make is indicated by the surprising number of significant issues which have been resolved in recent years by a single vote. For example:

June 27, 1967: The Senate considered an amendment to hold an increase in the permanent National Debt limit to \$348 billion, rather than allow it to reach \$358 billion. It failed, 43 to 44, with Senator Bayh's "Nay" vote making the \$10 billion difference.

August 11, 1967: The Senate considered an amendment which would have given Congress veto power over a Presidential decision that a proposed Export-Import Bank transaction to finance goods bound for a Communist country was in the national interest and should be permitted. The pro-

posal to give Congress a handle on such Red trade failed on a tie vote of 34 to 34. Senator Bayh voted against it. Had he been absent, or voted the other way, it would have passed.

March 14, 1968: The Senate passed the inflation-promoting bill which eliminated an existing requirement that each Federal Reserve Bank maintain gold certificate reserves of not less than 25 percent of its circulating currency. The vote was 39 to 37. Had Senator Bayh voted against (rather than for) it, the measure would have failed on a tie vote.

March 1, 1972: The Senate considered an amendment to bar federal courts from ordering the forced busing of schoolchildren on the basis of race, color, religion, or national origin. It was defeated, 47 to 48, with Senator Birch Bayh voting to continue racial busing.

October 3, 1972: An amendment to exempt firms which employ four or fewer persons from inspections by the malodorous Occupational Safety and Health Administration (O.S.H.A.) failed on a 39 to 39 tie vote. Senator Bayh voted against it. Had he voted for it, or been absent, the proposal would have passed.

December 10, 1973: Another anti-busing amendment sought to authorize the Secretary of Health, Education and Welfare to encourage limitations on racist busing so students would walk to school where possible or be transported no further than to the appropriate schools nearest their homes. The amendment was tabled.

(killed), 46 to 45. Senator Bayh voted with the busers.

May 17, 1974: The Senate tabled (killed), by a 47 to 46 vote, an amendment which, among other things, would have precluded forced busing for racist purposes to any but the school closest or next closest to a student's home. Senator Bayh voted to keep the buses racing. Had he instead voted "Nay," or been absent, the tabling motion would have failed.

May 11, 1976: The Senate approved funding for the radical National Commission on the Observance of International Women's Year. Prior to the final vote, an attempt was made to delete the entire \$3 million amount earmarked to fuel the Commission's activities. Senator Bayh voted against that proposal. Then, an amendment was proposed to raise the Commission's funding to \$5 million. Senator Bayh voted for it, and it passed by a single vote (46 to 45), which means that his vote made the difference in giving the Commission an additional \$2 million of your tax dollars to fuel its pro-abortion, pro-Lesbian, anti-family crusade. (Again, had the Senator voted to the contrary, or even been absent, the additional ripoff would have failed on a tie vote.)

August 7, 1978: The Senate considered an amendment to reduce spending by \$810,205,000 in the Department of Housing and Urban Development and three independent agencies for Fiscal 1979. The proposal was rejected, 43 to 44, with Bayh voting to spend the extra \$810 million.

August 23, 1978: Again, forced busing of schoolchildren was the issue as the Senate pondered an amendment to limit court-ordered busing under certain circumstances. The amendment was tabled (killed), 49 to 47, but the tabling motion would have failed on a tie vote had Bayh voted "Nay" rather than for it.

March 26, 1979: The Senate tabled (killed) an amendment which would have prevented increases in the National Debt limit after Fiscal 1980 unless the federal Budget is balanced or any deficit is approved by a three-fifths roll call vote of Congress. The tabling motion was approved, 46 to 44, but would have failed on a tie vote had Bayh not voted to continue inflating our money.

Energy. Senator Bayh's record on the energy front is enough to give one the shivers. *U.S. News & World Report* for January 12, 1976, reminded readers that Birch Bayh "led a fight that delayed construction of the Alaskan pipeline for environmental reasons." As indeed he did. When 77 Senators voted to give the crucial project a green light on July 17, 1973, Bayh was among 20 who voted to keep it frozen.

Senator Bayh is also a vigorous opponent of the strip-mining procedure for extracting coal. On July 20, 1977, he voted for restrictive strip-mining legislation which, presented as merely a way to assure that strip-mined land would be restored as nearly as possible to its original condition, was actually a far-ranging land-use bill full of obstacles to needed coal production.

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Natural Gas: On October 4, 1977, the Senate adopted an amendment intended to stimulate natural-gas production by eliminating oppressive federal price controls on new gas found onshore (retroactive to the first of 1977) and cease such regulation of new offshore gas after five years. Senator Bayh voted against it.

Nuclear: On July 17, 1979, the Senator voted to impose a six-month moratorium on the construction of new nuclear-power plants, despite the convincing evidence that nuclear power is far and away our safest, most abundant, and least expensive large-scale energy source.

On August 2, 1977, Senator Bayh voted to establish the Department of Energy, a bureaucratic monstrosity of 23,000 employees spending \$12 billion annually to stifle energy production through paperwork requirements and costly edicts, but producing not so much as a drop of oil.

And, Senator Bayh has opposed many attempts to preserve energy for no apparent reason other than that they conflicted with goals of the labor bosses and social activists. On December 14, 1973, in the face of that year's energy concerns, he voted to kill an amendment which would have authorized trucks operating in interstate commerce to transport any property on return trips rather than squander oil by returning empty. And, on June 5, 1979, he voted to kill another amendment which would have prohibited the fuel-wasting forced busing of school-children for purposes of racial deseg-

regation during a national energy emergency declared by the President.

Consumer Protection Agency. Radicals reaping millions from the so-called "consumer movement" have labored for nearly two decades to establish a federal agency to propagate their one-sided views at taxpayers' expense. Initially, it was to be a "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The scheme involved representing federal consumerists against producers before courts and federal agencies. Among other things, it would do research, propose legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least nine occasions between 1970 and 1975, Senator Bayh cast votes favoring establishment of such a Naderite bureaucracy.

Equal Rights Amendment. Senator Bayh was a leader in the drive to gain congressional approval of the controversial Equal Rights Amendment. He voted for the E.R.A. on March 22, 1972, after opposing all attempts to modify its provisions to secure important protections for women. For example, on March 21, 1972, the Senate considered two amendments to provide that the E.R.A. would not invalidate any laws exempt-

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ing women from compulsory military service or combat duty. Senator Bayh voted to leave women subject to combat and the draft under E.R.A.

And, when it became apparent that the increasingly unpopular E.R.A. would not be ratified within the seven-year period originally set by Congress, Senator Bayh supported the unprecedented and constitutionally questionable legislation (passed by the Senate on October 6, 1978) to extend the E.R.A. ratification deadline to June 30, 1982.

Gun Control. Senator Bayh has also been a proponent of gun control. On September 18, 1968, he voted for that year's Gun Control Act. On October 9, 1969, he voted to kill an amendment to repeal burdensome record-keeping requirements for rifle and shotgun ammunition sales. On August 8, 1972, he voted against another amendment to eliminate the 1968 Act's record-keeping requirements for .22-caliber rim-fire ammunition. And, on that same date, he voted to give the Secretary of the Treasury authority to promulgate, at his whim, new regulations concerning handguns.

On August 9, 1972, Senator Bayh voted for a bill to outlaw the sale and distribution of inexpensive, domestically produced handguns (commonly referred to as "Saturday Night Specials"). And, on July 27, 1978, he voted to restore funds (which had been deleted by the House) which the Bureau of Alcohol, Tobacco and Firearms had earmarked for the imposition of new gun regulations. (Fortunately, the

Senate upheld the House ban and deprived the B.A.T.F. of its gun-control slush fund.)

Panama Canal. It is perhaps enough simply to say that Senator Bayh voted for the Panama Canal "neutrality" and "transfer" treaties (on March 16th and April 18th, 1978, respectively), thereby surrendering the vital American waterway to the control of an unstable, Castroite dictatorship. And, on September 25, 1979, the Senator voted for legislation needed to implement the infamous treaties.

Pornography. On October 10, 1977, the Senate approved (73 to 13) an amendment to a child pornography bill to make the interstate or foreign distribution or sale of material showing children under 16 in sexual conduct a federal crime. Indiana Senator Birch Bayh was among the handful to vote to keep such monstrous child abuse legal.

And, on January 25, 1978, the Senate also adopted an amendment specifying that in federal prosecutions for the distribution of obscene materials, the concept of "community," under which a jury would determine whether such materials appeal to the prurient interest and were "patently offensive," would mean "the state or local community in which the obscene material is disseminated," and not the nation as a whole (as some Supreme Court decisions had allowed). This reasonable clarification merely sought to recognize that in matters of obscenity the community standards of Goshen, Indiana, for example, are likely

3 2 7 4 0 3 5 4 2 3 3

to differ significantly from those of, say, San Francisco. Senator Bayh voted against the amendment.

Food Stamps. The federal Food Stamp program, launched in 1961 as a relatively modest \$6 million pilot project intended to assist a few thousand truly needy citizens, has metastasized into a \$10 billion per year income-transfer program larded with abuse and waste. Senator Bayh has regularly opposed attempts to clean up the program by curbing improper expenditures. On April 6, 1976, for instance, he voted against an amendment to bar full-time federal, state, or local government employees from receiving Food Stamps. On at least five other occasions, he voted against amendments which would have precluded workers on strike during labor disputes from receiving Food Stamps. And, on May 24, 1977, he also opposed an amendment to bar college students from the Food Stamp trough.

Land Use. On June 21, 1973, Senator Bayh voted for a federal land-use bill which would have authorized federal grants to states to establish comprehensive land-control schemes. Needless to say, the federal government would have retained control over how the money could be spent, thereby dictating the direction of the various land manipulations.

On the day prior to the final vote, the Senate considered an extortionate amendment to the bill which attempted to require that a state which failed to develop a federally sanctioned land-use planning program

within five years would have its federal aid funds for highways, airports, and land-water conservation programs reduced until federal land-use requirements were met. The ploy was rejected — but Bayh voted for it.

O.S.H.A. Senator Bayh was absent for the November 11, 1970, vote in which the Senate moved to establish the Occupational Safety and Health Administration (O.S.H.A.), but has since done his share to support the despised agency's bureaucratic expansion and increased funding. And, he has opposed many worthwhile attempts to curb O.S.H.A.'s excesses.

On October 3, 1972, for example, he opposed amendments to exempt from O.S.H.A.'s edicts small firms employing 15 or fewer, seven or fewer, and even four or fewer persons. (At last, however, he voted that day to exempt firms employing three or fewer persons.)

On September 17, 1975, the Senator voted to kill an amendment to reduce from \$1,000 to \$50 the maximum penalty that O.S.H.A. inspectors could levy for non-serious health or safety violations. The next day, he expressed his opposition (although absent for the actual vote) to an amendment which would have transferred millions of dollars from the fearsome inspection and enforcement program to a program merely to consult with employers regarding health and safety problems.

On June 29, 1976, Bayh voted to kill an amendment to prohibit O.S.H.A. from issuing first-instance citations

The Review Of The NEWS, September 17, 1980

3 2 7 4 0 3 5 4 2 3 1

for not... willful violations of O.S.H.A. regulations. And, on June 28 1977, he opposed an amendment which would have required O.S.H.A. to submit economic impact statements for the regulations it issues. Needless to say, the agency's main economic impact to date has been to impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. And Senator Bayh approves.

Balancing The Budget. While voting time and again for huge federal deficits, Senator Bayh has, with one notable exception, opposed attempts to bring the federal Budget into balance. That single, incongruous exception occurred on July 31, 1978, when the Senate, with Bayh agreeing, voted to require a balanced Budget beginning in Fiscal 1981. Yet, when the chips were down on May 6th and May 8th of this year, the Senator voted against two attempts to balance the books for Fiscal 1981.

He also opposed modest moves to entice Congressmen to put the nation's fiscal house in order. On June 29, 1970, for example, he voted against an amendment to suspend a proposed congressional pay raise until the Budget was balanced. On March 21, 1975, he also voted against an amendment to reduce the salaries of Members of Congress and Cabinet officials by the same percentage by which federal expenditures exceeded federal revenues. And, on September 27, 1979, he voted to kill an amendment which would

have required a balanced Budget before any pay increases would be allowed for federal workers, and would have decreased the existing pay for such workers by the percentage that outlays exceeded revenues beginning in Fiscal 1981.

Senator Bayh has also voted year after year to increase the National Debt limit to ever higher levels. The latest such move occurred on June 26, 1980, when the limit was raised to \$925 billion. Your personal share of that figure exceeds \$4,100.

Feathering The Nest. On July 29, 1975, Senator Bayh voted for a bill which, among other things, provided for automatic annual cost-of-living pay increases for himself and his colleagues. Two years later he supported the huge 29 percent congressional pay hike which angered taxpayers who had to foot the bill. (The Senate had an opportunity to disapprove the pay increase on February 2, 1977, but Senator Bayh voted to let it go into effect.)

Plucking The Goose. The art of taxation has been described as plucking the goose in a way which collects the most feathers with the least squawk. One of the subtle methods used by the federal government to increase its tax take is that of allowing the inflation it creates to force taxpayers into ever higher tax brackets even when their actual purchasing power may not have increased in the slightest (and may even have decreased) as a result of the pay raises they receive. Yet, on at least a half-dozen occasions since his re-election in 1974,

Senator Bayh has voted against amendments which would have required the indexing of income-tax brackets to take this inflationary rip-off into account and abolish the cost-of-living penalty which taxpayers now suffer at the hands of the graduated tax structure.

The feds also benefit unfairly from the present withholding tax arrangement which purposely takes more from the average worker's paycheck than is actually owed for taxes. The government then uses the extra funds interest-free until the refund is made. Even then, the government benefits further as many gullible taxpayers sing its praises for sending them such a nice "bonus." On March 21, 1975, the Senate considered an amendment to authorize the Secretary of the Treasury to revise the federal income-tax withholding tables to reduce over-withholding from employee paychecks. Birch Bayh voted to kill it.

On that same date, Senator Bayh also voted to scuttle an amendment which would have raised the federal estate-tax exemption from \$60,000 to \$100,000. That same amendment would have allowed Hoosiers and other citizens who inherit farms or woodlands to pay estate taxes on the value of the property's *existing* use rather than its potential *future* value in alternative commercial uses. It was a move to keep family farms in family hands rather than compel their liquidation to pay exorbitant estate taxes. Bayh opposed it.

On August 6, 1976, Birch Bayh also


voted to kill an amendment which would have raised the personal income-tax exemption from \$750 to \$1,000. Later, on September 22, 1976, he opposed an amendment to have the government reimburse attorney's fees incurred by a citizen who, having been subjected to an I.R.S. audit, was found to owe no additional taxes.

On April 27, 1977, Bayh voted against an amendment to reduce the tax rates in brackets under \$20,000 by four to 14 percent. And, on that same date, the Senator opposed amendments which would have permanently cut tax rates in all brackets by 10 percent and provided a \$250 tax credit to any who maintain a home for elderly dependents (aged 65 and over).

THERE IS more to report on the voting record of Senator Birch Bayh, but additional illustrations would tell us the same story about the Senator's misplaced faith in the ability of Big Government to solve our problems by taxing us to our knees.

Time magazine once observed: "Mesmerized by the spirited campaigner with his crooked smile and dimpled chin, people sometimes forget what Bayh has said or that he has not said much of anything." This year, the voters of Indiana are unlikely to forget what the Senator has said and done to promote the policies of socialism, insolvency, and surrender that now threaten us all. That is why Birch Evan Bayh is in such deep trouble as the 1980 campaign heads for the November 4th showdown. ■ ■

32



Ship Out Bayh Committee

"We've looked him over"

P.O. Box 11024 - Indianapolis, Indiana 46201

CHAIRMAN
Hon. Anthony L. Miles
State Representative
SECRETARY/TREASURER
Rufus Jackson

Dear Fellow Victim of... Inflation... Soaring Taxes...
Rising Unemployment... Defense Crises... You Name It:

This article originally appeared in the September 17,
1980, issue of The Review Of The News and is reprinted
with the permission of the publisher.

The objective of the Ship Out Bayh Committee is simply
to get broad exposure of Senator Bayh's voting record
through extensive distribution of this reprint and
through paid newspaper advertising.

The time is short, and your help is vitally needed.
You may help in either or both of two ways:

1. In helping to distribute this reprint. It is
available to you in bulk quantities (more than ten)
at 16¢ each. (Ten or less at 20¢.) This breaks down
to \$16.00 per hundred; \$160.00 per thousand, etc., post-
paid.

2. And in helping support our newspaper ad efforts
through contributions. The ads will feature excerpts
from this reprint, again making Senator Bayh's voting
performance available to wide segments of Indiana
voters. Your contributions to the Ship Out Bayh
Committee will be used exclusively for newspaper
advertising and in defraying expenses for reprint
distribution.

Please forward your order for reprints to the committee
without delay. And, of course, your contribution will
also be received with appreciation.

The Ship Out Bayh Committee's address is P.O. Box 11024,
Indianapolis, Ind., 46201.

Thanks for your help.

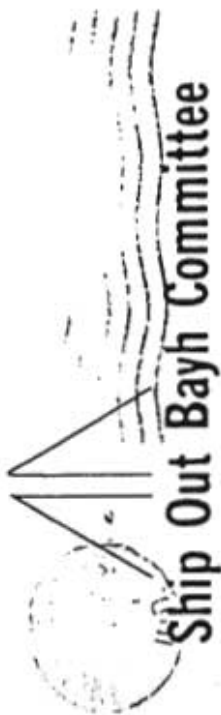
Sincerely,

Anthony L. Miles

22040354237

INSIDE BACK PAGE

02740754033



P.O. Box 11024 • Indianapolis, Indiana 46201



~~Ship Out Bayh Committee~~
~~Co., Inc.~~
P.O. Box ~~11024~~
Indianapolis, IN ~~46201~~

"We've looked him over"

34

From:

[Redacted]

To:

[Redacted]

POSTAGE

[Redacted]

621151131

BACK PAGE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 3

35

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rolena Jackson, Treasurer
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

Re: MUR 1396

Dear Ms. Jackson:

The Federal Election Commission notified you on November 9, 1981, and again on January 5, 1982, of a complaint which alleges that your committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on March , 1982, determined that there is reason to believe that your committee has violated 2 U.S.C. §§ 432, 434 and 441d. Specifically it appears that the Ship Out Bayh Committee has: 1) used the candidate's name in its committee's name; 2) failed to include a disclaimer on a campaign solicitation mailing; 3) failed to properly file a 24 hour report of independent expenditures; and 4) failed to report the name of employers for several contributors.

As of this date we have received no written response from you in connection with this matter. The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your committee, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

Rolena Jackson
Page Two

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 Deborah Curry, the attorney assigned to this matter at (202)523-4529.

Sincerely,

Enclosures
Procedures

2010354141



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 6, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Dear Mr. Blaemire:

This letter is to acknowledge receipt of your complaint of November 2, 1981, against the Ship Out Bayh Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification.

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

Sincerely,

Law

Encl

1396 *copy*

<p>1. The following service is requested (check one.)</p> <p><input type="checkbox"/> Show to whom and date delivered.....</p> <p><input type="checkbox"/> Show to whom, date and address of delivery.....</p> <p><input type="checkbox"/> RESTRICTED DELIVERY</p> <p><input type="checkbox"/> Show to whom and date delivered.....</p> <p><input type="checkbox"/> RESTRICTED DELIVERY.</p> <p><input type="checkbox"/> Show to whom, date, and address of delivery.....</p>		<p>2. ARTICLE ADDRESSED TO:</p> <p><i>Robert Blaemire</i></p>	
<p>3. ARTICLE DESCRIPTION:</p> <p>REGISTERED NO. <i>1583546</i></p> <p>CERTIFIED NO. <i>1583546</i></p> <p>INSURED NO. <i>1583546</i></p> <p>(Always obtain signature of addressee or agent)</p> <p>I have received the article described above.</p> <p>SIGNATURE <i>D. Yeels</i> DATE OF DELIVERY <i>NOV - 6 1981</i></p>		<p>4. ADDRESS (Complete only if requested)</p> <p>5. UNABLE TO DELIVER REASON:</p> <p>6. CLERK'S INITIALS</p>	

PS Form 3811, Jan. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

MUR # 1396
DATE 11-5-81

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

82040354143
Lolena Jackson, Treasurer
Ship Out Bayh Committee
740 S. Bancroft St
Indianapolis, IND 46203



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Rolena Jackson, Treasurer
Ship Out Bayh Committee
740 South Bancroft Street
Indianapolis, Indiana 46203

November 9, 1981

Re: MUR 1396

Dear Ms. Jackson:

This letter is to notify you that on November 2, 1981 the Federal Election Commission received a complaint which alleges that your Committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1396. Please refer to this number in all future correspondence.

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

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

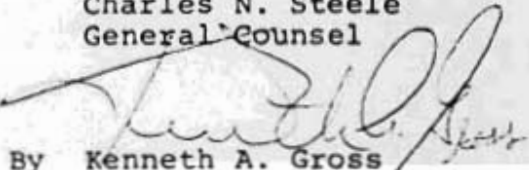
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

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

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

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

COMMITTEE
FOR
AMERICAN
PRINCIPLES

GCC#5751
2000 N Street NW, Suite 105
Washington, D.C. 20036
(202) 775-0313

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

November 2, 1981

Dear Sirs:

Before the Federal Election Commission

In the Matter of:

SHIP OUT BAYH COMMITTEE

MUR No. _____

COMPLAINT

1. The Federal Election Commission's ("Commission") records include a registration statement for and reports filed by the SHIP OUT BAYH COMMITTEE. (Copies of the Registration Statement and reports are attached hereto as Exhibits A-B). These materials reveal a number of violations of the Federal Election Campaign Act of 1971, as amended, and of the Commission's regulations.

2.(a) The SHIP OUT BAYH COMMITTEE admits in its registration statement that it was organized to oppose Birch Bayh's candidacy and that it "is not an authorized committee." (Exhibit A, page 1)

(b) The Commission's regulations expressly provide that, with certain exceptions not relevant here, "any political committee which is not an authorized committee shall not include the name of any candidate in its name." (11CFR Sec. 102.14(a)).

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 102.14 by using Birch Bayh's name in its name.

3.(a) On or about October 7, 1980, the SHIP OUT BAYH COMMITTEE made expenditures for a direct mail solicitation of contributions which expressly advocated the defeat of Senator Birch Bayh. The mailing consisted of a cover letter and either a copy of the September 17, 1980 issue of the Review of the News, a publication of the John Birch Society, or a reprint of an article contained therein on Senator Bayh's voting record (Copies of the cover letter, the reprint of the article, the enclosed return envelope and of the envelope used to mail the communication and solicitation are attached hereto as Exhibit B).

(b) 11CFR Sec. 102.16 requires that each "political committee shall comply with the notice requirements for solicitation of contributions set forth at 11CFR Sec. 110.11." (emphasis supplied) Similarly, 11CFR Sec. 109.3 requires that "(W)henever any person makes an independent expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, such person shall comply with the requirements of 11CFR Sec. 110.11." (emphasis supplied)

(c) 11CFR Sec. 110.11(a)(1)(iv) provides that, with certain exceptions not relevant here, "whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate or solicits any contribution through any...direct mailing..., a disclaimer meeting the requirements of 11CFR Sec. 110.11(a)(1)...(iv) shall appear or be presented in a clear and conspicuous manner to give the reader, observer or listener adequate notice of the identity of persons who paid for or who authorized the communication...

"(iv) Such communication, if paid for and authorized by a

political committee, other than an authorized committee of a candidate(s) shall clearly state that the communication has been paid for by such political committee."

(d) Neither the cover letter not the enclosed reprint contained the required notice. (That these materials "expressly advocated" the defeat of Senator Bayh is established by the name SHIP OUT BAYH COMMITTEE, which appeared on each of these materials.)

(e) The SHIP OUT BAYH COMMITTEE violated 11CFR Sections 102.16, 109.3 and 110.11(a)(1)(iv) by making expenditures for the direct mail distribution of these materials.

4.(a) I have examined the SHIP OUT BAYH COMMITTEE's itemized independent expenditures and discovered that said Committee has admitted making four independent expenditures expressly advocating Senator Bayh's defeat between October 27, 1980 and October 31, 1980. The aggregate total for the four independent expenditures was \$4,023.93, including one expenditure of \$1,961.69.

(b) 11CFR Sec. 104.5(g) requires that "(a)ny independent expenditures aggregating \$1,000 or more made after the 20th day, but more than 24 hours before 12:01 AM of the day of the election, shall be reported within 24 hours after such independent expenditure is made..."

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 104.5(g) by failing to file the report required thereby. (See a copy of the Federal Election Commission's "C" Index for this Committee, a copy of which is attached hereto as Exhibit A.)

5.(a) The SHIP OUT BAYH COMMITTEE's December 2, 1980 Report itemized receipts from five individuals. In each instance the

name of the employer was omitted. Furthermore, SHIP OUT BAYH COMMITTEE reports \$9942 raised but only itemizes 5 contributions amounting in the aggregate to \$1,800. No expenditures are indicated on the report to reveal how the remaining 80% of the funds collected was raised. It is left up to the imagination of the public. Yet, it can be assumed that if the remaining \$8,142 raised and not itemized contained only contributions of less than \$200 each, then some expenditures for the purpose of making a fundraising effort should be indicated.

(b) 11CFR Sec. 104.8(a) requires that a "reporting committee shall disclose the identification of each individual who contributes an amount in excess of \$200. This identification shall include the individual's name, mailing address, occupation, the name of his or her employer, if any, and the date of receipt and amount of any such contribution..."

(c) The SHIP OUT BAYH COMMITTEE violated 11CFR Sec. 104.8(a) by not disclosing the name of Mr. Richard Schultheis' employer (Mr. Schultheis contributed \$1,000.00).

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

Respectfully submitted,

COMMITTEE FOR AMERICAN PRINCIPLES

By: Robert Blaemire
Robert Blaemire
President

Date 10/30/87

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

Janet G. Meyers
Notary Public

(SEAL)

My Commission Expires February 14, 1984

My Commission expires: _____

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

11002 11:22

(Summary Page)

1. Name of Committee (in Full)

SHIPCUT BAYH COMMITTEE

Address (Number and Street)

740 S. BRANCOFT ST.

City, State and ZIP Code

INDIAN IN 46203

☒ Check if address is different than previously reported.

2. FEC Identification Number

C99002955

3. ☐ This committee qualified as a multicandidate com-

mittee during this Reporting Period on _____
(date)

4. TYPE OF REPORT (check appropriate boxes)

- (a) ☐ April 15 Quarterly Report
☐ July 15 Quarterly Report
☐ October 15 Quarterly Report
☒ January 31 Year End Report
☐ July 31 Mid Year Report (Non-election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election)
election on _____ in the State of _____
☐ Thirtieth day report following the General Election
on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☒ NO

SUMMARY

5. Covering Period 11-24-80 Through 12-31-80

6. (a) Cash on Hand January 1, 1981 - 00 -

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add lines 6(b) and 6(c) for Column A and
lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract line 7 from 6(d))

9. Debts and Obligations Owed TO the Committee
(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee
(Itemize all on Schedule C or Schedule D)

Column A
This Period

Column B
Calendar Year-to-Date

		\$
\$	<u>4769.80</u>	
\$	<u>354.00</u>	\$
\$	<u>5123.80</u>	\$ <u>354.00</u>
\$	<u>5000.00</u>	\$
\$	<u>123.80</u>	\$
\$		
\$	<u>2748.00</u>	

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information, contact:

Federal Election Commission
Toll Free 800 424 9530
Local 202 523 4068

Rolena J. Jackson
Type or Print Name of Treasurer

Rolena J. Jackson
SIGNATURE OF TREASURER

1-25-81
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437c.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

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FEC FORM 3X-13 87

103770367451

SCHEDULE D
(Revised 3/80)

DEBTS AND OBLIGATIONS
Excluding Loans

Page 1 of 12 for
LINE NUMBER 12
(Use separate schedules
for each numbered line)

Name of Committee (in Full)	Outstanding Balance Beginning This Period	Amount Incurred This Period	Payment This Period	Outstanding Balance at Close of This Period
Ship Out Bayh Committee				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor Annapolis Printing Co. 5117 Leary St. Annapolis, Md. 47902	7748.00		5,000.00	2,748.00
Nature of Debt (Purpose) Printing				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Nature of Debt (Purpose)				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				2,748.00
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				2,748.00

1031760677

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 1 of 1 for
LINE NUMBER 18
(Use separate schedule(s) for
category of the Detail
Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)

Ship Out Bayh Committee

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Disbursement To
<i>Lafayette Bunting Co. 511-17 Perry St. Lafayette, Ind. 47902</i>	<i>Printing</i> Disbursement for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	<i>12-3-80</i> <i>12-13-80</i>	<i>\$4,000.00</i> <i>\$1,000.00</i>
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Disbursement To

SUBTOTAL of Disbursements This Page (optional)

TOTAL This Period (last page this line number only)

5,000

01031762675

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

Name of Committee (in Full) <i>Sheep Out Byleh Committee</i>		Report Covering the Period: From: <i>11-24-80</i> To: <i>12-31-80</i>	
		COLUMN A Total This Period	COLUMN B Calendar Year-to-Date
I. RECEIPTS			
11 CONTRIBUTIONS (other than loans) FROM:			
1a) Individuals/Persons Other Than Political Committees			
(Memo Entry Unitemized \$ <i>354.00</i>)			
1b) Political Party Committees			
1c) Other Political Committees			
11 TOTAL CONTRIBUTIONS (other than loans) (add 11a, 11b and 11c)		<i>354.00</i>	
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES			
13 ALL LOANS RECEIVED			
14 LOAN REPAYMENTS RECEIVED			
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)			
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
17 OTHER RECEIPTS (Dividends, Interest, etc.)			
18 TOTAL RECEIPTS (Add 11d, 12, 13, 14, 15, 16 and 17)		<i>354.00</i>	
II. DISBURSEMENTS			
19 OPERATING EXPENDITURES		<i>5,000.00</i>	
20 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES			
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES			
22 INDEPENDENT EXPENDITURES (Use Schedule E)			
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (20 USC 2481(d)) (Use Schedule F)			
24 LOAN REPAYMENTS MADE			
25 LOANS MADE			
26 REFUNDS OF CONTRIBUTIONS TO:			
a) Individuals/Persons Other Than Political Committees			
b) Political Party Committees			
c) Other Political Committees			
26 TOTAL CONTRIBUTION REFUNDS (add 26a, 26b and 26c)			
27 OTHER DISBURSEMENTS			
28 TOTAL DISBURSEMENTS (Add Lines 19, 20, 21, 22, 23, 24, 25, 26d and 27)		<i>5,000.00</i>	
III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES			
29 TOTAL CONTRIBUTIONS (other than loans) from Line 11d		<i>354.00</i>	
30 TOTAL CONTRIBUTION REFUNDS from Line 26d			
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from Line 29)		<i>354.00</i>	
32 TOTAL OPERATING EXPENDITURES from Line 19			
33 OFFSETS TO OPERATING EXPENDITURES from Line 15			
34 NET OPERATING EXPENDITURES (subtract Line 33 from Line 32)			

89020151312

1478

DEC 4, 1980

2.

5. Covering Period 10-16-52 Through 11-24-52

6. (a) Cash on Hand January 1, 1950 -0-

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(a) and 6(c) for Column A and
Lines 6(b) and 6(c) for Column B)

7. Total Disbursements (from Line 23)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from 6(d))

9. Debits and Credits of Cash to the Committee
(transferred from Schedule C of Exhibit 1)

10. Debits and Credits of Cash to the Committee
(transferred from Schedule C of Exhibit 1)

For further information, contact:

Postal Service Commission
Test Form 95-100-100-100
Local 200-100-100-100

11-38-50

All previous versions of FEC FORM 3 and FEC FORM 3e are obsolete and should no longer be used.

FEC FORM 3X (2004)

DEPARTMENT OF COMMERCE
Office of Foreign and International Affairs
(Page 2, FEB. 1968, 1968)

Name of Company (Use On Field)

INFORME DE LA COMISIÓN DE VERIFICACIÓN

11-24-30
C. J. [illegible]
[illegible]

29514

12-2-81

80020151316

Payee's Name (or Firm)	Outstanding Balance Beginning This Period	Amount Received This Period	Payment This Period	Outstanding Balance at End of Period
<i>Ship Out Book Committee</i>				
A. Full Name, Mailing Address and Zip Code of Debtor or Creditor <i>Safayette Printing Co. 517-17 Ferry St Safayette Ind 47902</i>	<i>-0-</i>	<i>7748.00</i>	<i>-0-</i>	<i>7748.00</i>
Reason of Debt (Optional): <i>printing</i>				
B. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Reason of Debt (Optional):				
C. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Reason of Debt (Optional):				
D. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Reason of Debt (Optional):				
E. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Reason of Debt (Optional):				
F. Full Name, Mailing Address and Zip Code of Debtor or Creditor				
Reason of Debt (Optional):				
1) SUBTOTALS This Period This Page (optional)				
2) TOTAL This Period (last page this line only)				<i>7748.00</i>
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only)				
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only)				<i>7748.00</i>

12-2-81

Any information received from such persons or entities shall not be made or used by any person for the purpose of procuring insurance or for any other purpose, other than using the name and likeness of any person appearing on such information for the purpose of procuring insurance from such persons or entities.

Receipt For: ☐ Primary ☐ General ☐ Other (specify):

A. Full Name, Mailing Address and ZIP Code
George Peter Jr
1111 1/2 N. 1st St.
Indianapolis, Ind. 46205
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period
10-20-81
200.00

Occupation
Aggregate Year-to-Date—\$

B. Full Name, Mailing Address and ZIP Code
Richard Schullman
6704 Sunny Lane
Indianapolis, Ind. 46220
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period
10-21-80
6000.00

Occupation
Manager
Aggregate Year-to-Date—\$

C. Full Name, Mailing Address and ZIP Code
William Johnson
3205 Riverland Rd.
Indianapolis, Ind. 46105
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period
10-21-80
200.00

Occupation
Aggregate Year-to-Date—\$

D. Full Name, Mailing Address and ZIP Code
Pete Johnson
1241 Ridge Dr
Indianapolis, Ind. 46321
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period
11-18-80
200.00

Occupation
Aggregate Year-to-Date—\$

E. Full Name, Mailing Address and ZIP Code
Dr. Kenneth DeVoe
17310 Darden Rd
South Bend, Ind. 46635
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period
11-18-80
200.00

Occupation
Doctor
Aggregate Year-to-Date—\$

F. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period

Occupation
Aggregate Year-to-Date—\$

G. Full Name, Mailing Address and ZIP Code
 Receipt For: ☐ Primary ☐ General ☐ Other (specify):

Name of Employer
Date (month, day, year)
Amount of Each Receipt This Period

Occupation
Aggregate Year-to-Date—\$

GRAND TOTAL of Receipts This Page (optional): *1800.00*

TOTAL This Period (list page this line number only):

12-2-81

SCHEDULE D

ITEMIZED DISBURSEMENTS

USE IN CONNECTION WITH
STATEMENT OF DISBURSEMENTS
SCHEDULE D

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full)			
<i>Shirley D. Bugh Committee</i>			
A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
<i>James Dinkelhorst 284 Main St. Brook Street, N.J.</i>	<i>postage</i>	<i>10-20-80</i>	<i>361.25</i>
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
<i>McLennan Printing Co. 308 1/2 N. 4th St. Milwaukee, Wis. 53201</i>	<i>printing</i>	<i>10-27-80</i>	<i>423.89</i>
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
	Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		
SUBTOTAL of Disbursements This Page (optional)			<i>795.14</i>
TOTAL This Period (last page this line number only)			

8002015-310

ITEMIZED INDEPENDENT EXPENDITURES

Page _____ of _____ Pages

(See Reverse Side for Instructions)

12-2-81

Name of Committee (in Full)		I.D. No.		
<i>Alto Cont. Bayh Committee</i>		<i>C99002958</i>		
Name, Address & City of Each Payee	Purpose of Expenditure	Date Made, day, month, year	Amount	Name of Person(s) Incurred or for whom the expenditure is being made
<i>The Union of the Town of Belmont Mass. 02178</i>	<i>magazine advertising</i>	<i>10-27-80</i>	<i>995.00</i>	<i>Buck Bayh Senator</i> <input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
<i>Poussville Courier 2017 N. Main St. Rt. 203 Poussville Ind. 47702</i>	<i>Newspaper advertising</i>	<i>10-28-80</i>	<i>970.20</i>	<i>Buck Bayh Senator</i> <input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
<i>Indiana Star Publishing Co Terre Haute, Ind.</i>	<i>Newspaper advertising</i>	<i>10-31-80</i>	<i>1961.69</i>	<i>Buck Bayh Senator</i> <input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
<i>Darwin County Herald Jasper Ind.</i>	<i>Newspaper advertising</i>	<i>10-28-80</i>	<i>117.04</i>	<i>Buck Bayh Senator</i> <input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
				<input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
				<input type="checkbox"/> Subject <input checked="" type="checkbox"/> Opponent
SubTOTAL of Itemized Independent Expenditures			<i>\$402393</i>	
SubTOTAL of Unitemized Independent Expenditures				
Total TOTAL Independent Expenditures			<i>\$402393</i>	


Under penalty of perjury I certify that the independent expenditures reported herein were not made in cooperation, consultation, concert with, or at the request or suggestion of any candidate or any authorized committee or agent of such candidate or authorized committee. Furthermore, these expenditures did not involve the financing of dissemination, distribution, or reproduction in whole or in part of any campaign materials prepared by the candidate, his campaign committee, or their agent.

Robert J. Jackson *11-28-80*
Signature Date

Subscribed and sworn to before me this *28th* day of *Nov* 19*80*

My Commission expires *10-10-81*
Robert J. Jackson
NOTARY PUBLIC

8002015131



Ship Out Bayh Committee

"We've looked him over"

P.O. Box 11024 • Indianapolis, Indiana 46201

CHAIRMAN

Hon. Anthony L. Miles,
State Representative

SECRETARY/TREASURER

Rolena Jackson

EXECUTIVE COMMITTEE MEMBERS

Dr. George M. Wolverton, M.D.
Clarksville, Indiana

Graham Storm
Madison, Indiana

Victor Spreng
Muncie, Indiana

Harold Ransburg
Ransburg Corporation

Robert Tresslar
Vincennes, Indiana

Dr. Thomas E. Bailey, M.D., FACS
Linton, Indiana

William Binder
Marion County

Hon. Gordon L. Harper
State Representative

Lloyd W. Laughner
Indianapolis, Indiana

John Holmes
Indianapolis, Indiana

Dear Fellow Victim of...Inflation...Soaring Taxes...
Rising Unemployment...Defense Crises...You Name It:

Enclosed is either a copy of the September 17, 1980,
issue of The Review Of The News featuring an article
on Senator Birch Bayh's voting record on page 39, or
a reprint of that article which has been reprinted
with the permission of the publisher.

The objective of the Ship Out Bayh Committee is simply
to get broad exposure of Senator Bayh's voting record
through extensive distribution of the reprinted article
and through paid newspaper advertising.

The time is short, and your help is vitally needed.
You may help in either or both of two ways:

1. In helping to distribute this reprint. It is
available to you in bulk quantities (more than ten)
at 16¢ each. (Ten or less at 20¢.) This breaks down
to \$16.00 per hundred; \$160.00 per thousand, etc.,
postpaid.

2. And in helping to support our newspaper ad efforts
through contributions. The ads will feature excerpts
from the reprint, again making Senator Bayh's voting
performance available to wide segments of Indiana
voters. Your contributions to the Ship Out Bayh
Committee will be used exclusively for newspaper
advertising and in defraying expenses for reprint
distribution.

Please forward your order for reprints to the committee
without delay. And, of course, your contribution will
also be received with appreciation.

Thanks for your help.

Sincerely,

Anthony L. Miles

1 2 3 4 5 6 ?

YOUR
CONTRIBUTION
BEGINS
HERE

Ship Out Bayh Committee

P.O. Box 11024

Indianapolis, Indiana 46201



BIRCH BAYH

**A Review Of The
Voting Record Of
The U.S. Senator
From Indiana
Reveals Why He
Is In Trouble**

by Robert W. Lee

■ Indiana is the scene this year for one of the most hotly contested of many exciting Senate races, with incumbent Democrat Birch Bayh striving for a fourth term against two-term Republican Congressman Dan Quayle. Among the factors which make this year's re-election effort Senator Bayh's most difficult yet are his many weaknesses and failures in past

elections, a Hoosier tradition of never having elected a Senator to a fourth term, and especially the widespread exposure of his exotic "Liberal" voting record.

Birch Evan Bayh was born on January 22, 1928, in Terre Haute, Indiana, but spent much of his childhood in Washington, D.C., where his father headed the physical education pro-

The Review Of The NEWS, September 17, 1980

gram in the public school system. After graduating from Fayette Township High School near Terre Haute in 1945, he served from 1946 to 1948 as a private in the U.S. Army of Occupation in Germany. He received his B.S. degree from the Purdue University School of Agriculture in 1951, and his law degree from the Indiana School of Law in 1960, after which he was admitted to the bar in 1961 and briefly practiced in Terre Haute.

Bayh soon went to Washington, upsetting three-term Republican Senator Homer Capehart by a razor-thin margin of 50.3 to 49.7 percent in 1962. Six years later he was re-elected with 51.7 percent, and narrowly won a third term in 1974 with 50.7 percent of the vote. His major congressional assignments include seats on the Senate's Appropriations and Judiciary Committees. In addition, he was appointed Chairman of the Special Subcommittee assigned to probe the so-called "Billygate" affair.

It is certainly ironic that Bayh was selected to lead the Senate's investigation of Billy Carter's shameful Libya ties when he was himself in hot water over the "Koreagate" scandal only a few years earlier. Bayh was in fact found by the Senate Ethics Committee to have made "misleading statements" about his involvement with Tongsun Park, central figure in the influence-buying fiasco. The Committee stated that Bayh had been wrong in denying he had received offers of various amenities from Park, and wrong in denying that Park had

offered him anything of value in excess of \$35. Birch Bayh was in fact forced to admit under oath that he had been offered a large campaign contribution by the wily Korean. In addition, the Ethics Committee found "substantial credible evidence" that either Bayh or one of his top aides had committed a federal offense in accepting \$1,000 from Park right in the Capitol Building itself.

The Ethics Committee turned its findings, including perjurious testimony, over to the Justice Department for prosecution. Shortly thereafter, it was announced by then-Deputy Attorney General Benjamin Civiletti that the case was "closed without any action." Today, as Attorney General, Civiletti is deeply implicated in the "Billygate" coverup, and many observers are convinced Senator Bayh was selected to head the "investigation" because Civiletti had let him off the hook in 1978.

The Senator's stand on the Vietnam War illustrates his pragmatic approach to controversial issues. While Democrat Lyndon Johnson was in office, Bayh backed the Johnson war policies. After L.B.J. departed, and Republican Richard Nixon entered the White House, Senator Bayh did a purely partisan about-face and became an outspoken critic of the war. At the same time, he moved to make life easier for the Communists who were killing and maiming our fighting forces. For example, on October 22, 1969, during the week when the U.S. death toll in Southeast Asia surpassed

39,000, the Senator shamefully voted to liberalize trade with Communist countries by approving for sale to the Reds hundreds of items previously designated as "strategic." This despite the fact that the Nixon Administration had publicly acknowledged that well over 80 percent of the supplies going to the Communists in Vietnam were coming from the Soviet Union and its satellites — to whom U.S. strategic goods would now be shipped.

On October 30, 1969, the *Washington Post* reported: "The [Soviet] Communist Party newspaper *Pravda* today welcomed a U.S. Senate vote last week approving a bill that would cut from 1,300 to 200 the number of items considered strategic and prohibited from sale to Communist nations." Senator Bayh voted for that disgraceful measure which received *Pravda's* praise, contributing to the Communist war effort.

On January 12, 1976, *U.S. News & World Report* observed: "Recently, Bayh announced he has changed another position, and is now 'prepared to support unconditional amnesty' for draft evaders and war deserters." And so he was. On January 21, 1977, President Carter granted a "full, complete and unconditional pardon" to Vietnam-era draft dodgers and most other violators of the Selective Service Act. The move was widely (and rightly) interpreted as a slap in the face to those who served (and, in tens of thousands of cases, died serving) their country with honor. Four days later, the Senate considered a Resolution to

oppose the Presidential pardon program. The measure was tabled (killed) on a close 48 to 46 vote. Had Birch Bayh voted against the tabling motion (rather than for it), the move to table would have failed on a tie vote.

In fact, the entire voting record of Senator Birch Bayh is similarly remarkable. Consider:

Abortion. Senator Bayh has been a persistent advocate of federal abortion funding and has voted on dozens of occasions for the position endorsed by such pro-abortion lobbies as the National Abortion Rights Action League (N.A.R.A.L.). On April 28, 1976, for instance, Bayh voted to kill a motion intended to allow the Senate to consider a Constitutional Amendment to outlaw abortion. On June 29, 1977, the Senator voted to delete all prohibitions on the use of federal funds for abortions. And, on September 22, 1978, he voted to allow the use of Peace Corps funds to pay for abortions.

In addition, Senator Bayh has voted on many occasions against amendments intended to limit abortion funding to those instances where the mother's life is endangered, preferring instead less restrictive language which would also sanction tax-financed abortions in instances of rape or incest, when deemed "medically necessary" by two physicians, etc.

An exception such as "medically necessary" is so vague and open-ended as to allow abortion on demand. The problem with the rape or incest exceptions is that either can be claimed

when neither actually occurred. One solution would be to require prompt reporting of the offense to health and/or law enforcement officials. Yet, just such a "prompt report" proposal was defeated by the Senate on November 29, 1977. Senator Bayh was absent for the vote, but publicly announced his opposition to the measure.

Senator Bayh's abortion stance is especially interesting in view of his concern for animal life. On July 26, 1972, for example, he voted for a bill to preclude the killing of seals, sea lions, porpoises, dolphins, sea otters, manatees, walruses, and polar bears. And, on June 4, 1974, he backed a ban on the use of dogs in evaluating the disabling nature of biological or chemical warfare agents. Many find it difficult to understand a standard of morality which expresses concern for manatees and polar bears, while encouraging with federal funding the destruction of innocent human babies through abortion.

Friends And Enemies. Senator Bayh has also compiled a disturbingly consistent record of support for measures which build up our Marxist enemies while at the same time voting to undermine our anti-Communist allies. For instance:

November 26, 1963: Voted to kill an amendment to stop government agencies from guaranteeing private U.S. credit to Communist countries for any purchase.

August 10, 1967: Voted for an amendment intended to bar the Export-Import Bank from financing

purchases of goods by Communist nations (or by non-Communist nations inclined to pass the goods on to the Communists).

May 29, 1974: Voted to kill an amendment to deny Export-Import Bank loans or credits to any Communist country.

June 14, 1977: Voted to kill an amendment requiring U.S. representatives to international lending institutions (such as the World Bank) to vote against loans to nations violating human rights and to oppose by voice and vote loans to the brutal Marxist regimes presently occupying Cambodia, Cuba, Laos, and Vietnam.

June 16, 1977: Voted against an amendment to prohibit the use of funds appropriated by Congress for negotiations regarding aid or reparations payments to Vietnam.

January 24, 1980: Voted for the Resolution granting lucrative Most Favored Nation trading status to Red China.

January 29, 1980: Voted for a bill to provide \$75 million in foreign aid to the Marxist Sandinista regime which has captured Nicaragua. (On June 28th of this year, a last-ditch move was made to delete the \$75 million handout to Nicaragua. Bayh voted to kill it.)

In contrast to this sympathetic treatment of our enemies, consider the Senator's cavalier treatment of our anti-Communist friends:

December 20, 1969: Voted to eliminate \$50 million in military assistance to South Korea, and \$54.5 million

to Free China, from a foreign-aid bill.

July 28, 1971: Voted to suspend the sugar quota for South Africa, to protest that nation's internal policies.

October 1, 1974: Endorsed an amendment to bar military assistance to anti-Communist Chile. (He was, however, absent for the actual vote.)

March 15, 1977: Voted to repeal the Byrd Amendment which had allowed importation of chromium ore from Rhodesia in defiance of the unprecedented and unprincipled United Nations trade sanctions against that pro-Western nation. (One day earlier, Bayh had voted against a proposal also to bar importation of chromium ore from the Soviet Union.)

August 10, 1978: Voted to prohibit economic assistance to South Korea under the Food for Peace program, to protest the Korean Government's lack of cooperation regarding the "Korea-gate" affair. (You will recall that Senator Bayh was himself less than candid and cooperative about his own involvement in that scandal.)

All of this is not to say that Senator Bayh is necessarily pro-Communist. Conceivably, he may simply have hit upon the clever strategy of making the Reds complacent by undermining their opposition throughout the world and feeding them so richly at the expense of U.S. taxpayers that they eventually collapse of gluttony.

Internal Security. On three occasions between 1970 and 1972, Senator Bayh voted to abolish the federal Subversive Activities Control Board. Eventually, the Far Left drive to scrap

the S.A.C.B. succeeded, as did additional campaigns to destroy other important investigative entities such as the Senate Internal Security Subcommittee, the House Committee on Internal Security, and the Justice Department's Internal Security Division. As a result, counter-terrorist intelligence activity at the federal level has been all but destroyed.

In 1977, Congress approved an incredible proposal to require the Secretary of State *automatically* to recommend approval of applications for visas to members of Communist organizations seeking to visit the United States. On July 26, 1978, the Senate reconsidered by adopting an amendment which deleted the pro-Communist provision and returned to the Secretary of State some discretion as to which Red agents are to be permitted entry into the United States. Senator Bayh opposed the change.

Defense. On numerous occasions Senator Bayh has voted to abolish or seriously impede military systems sorely needed to maintain an adequate defense posture in the wake of an unprecedented Soviet military buildup. Some examples:

August 12, 1970: Voted for an amendment to prohibit the use of funds for deployment of the Safeguard anti-ballistic missile system (A.B.M.) at any site.

September 30, 1971: Voted to cut by more than half the funding for research and development of the prototype of the Army's XM-803 Main Battle Tank.

September 27, 1973: Voted to cut by nearly one billion dollars funds for development and procurement of the Trident submarine.

June 4, 1975: Voted to delete funds for research and development of the five-system counterforce program aimed at improving the accuracy of U.S. strategic missiles.

May 26, 1976: Voted to delete funds for procurement of 60 Minuteman III intercontinental ballistic missiles.

July 13, 1977: Voted to prohibit production of the neutron bomb.

February 1, 1978: Voted to scrap production of the B-1 bomber which was needed to replace our aging fleet of B-52s.

November 6, 1979: Voted to delete funds for a fourth nuclear-powered aircraft carrier. (On August 9, 1976, he had also voted to abolish funds for long lead-time procurement of a fifth nuclear-powered carrier.)

May 7, 1980: The Senate voted by more than two-to-one to table one of the notorious "transfer" amendments which would have stripped \$2 billion from the defense budget and transferred the funds to various socialist domestic programs. Senator Bayh voted with the anti-defense minority to keep the transfer amendment alive.

Senator Bayh's anti-defense inclinations have also surfaced in his votes on seemingly unrelated issues. On December 6, 1975, and again on July 27, 1978, Bayh voted to bail out New York City with federal loan guarantees amounting to billions of dollars. On December 21, 1979, he also

voted to bail out the failing Chrysler Corporation with a federal loan guarantee of \$1.5 billion. Yet, on August 2, 1971, Senator Bayh voted *against* a bill authorizing a federal guarantee of \$250 million to bail out the defense-oriented Lockheed Aircraft Corporation.

Union Dues. Bayh has delivered his *quid pro quo* to union bosses for backing he has received in his various Senatorial and Presidential campaigns. For example, on October 11, 1965 (and again on February 8th and 10th, 1966), Birch Bayh voted to stop a filibuster against, and bring to a Senate vote, a bill to repeal Section 14(b) — the right-to-work provision — of the Taft-Hartley Act.

On May 2, 1974, he voted to kill an amendment which sought to define as an unfair labor practice discrimination in labor union membership based on race, color, religion, sex, or national origin. Five days later, he also voted to kill an amendment to brand as an unfair labor practice discrimination by an employer against an employee who cited religious beliefs as the reason for refusal to join a labor union, even when the employee paid to a charity an amount equal to dues, or the union waived such payments.

On December 15, 1975, Senator Bayh voted for the notorious "common-situs picketing" bill to permit the picketing of everyone at a construction site, even when the dispute involves only one small contractor or subcontractor.

On August 3, 1977, Senator Bayh

voted to kill an amendment intended to prohibit the political use of labor-union funds collected under a compulsory union contract, thereby backing the "principle" of forcibly extracting money from workers' paychecks to support candidates with whom they may vigorously disagree.

And, on six separate occasions in June of 1978, the Senator voted to invoke cloture and bring to a vote a major labor-law bill which, had it not been turned back by a filibuster, would have greatly increased union-boss influence while subjecting employers who resist compulsory unionization to such severe and one-sided penalties that few would ever dare risk bucking a union boss.

One-Vote Victories For The Left. The difference which a lone Senator's vote can make is indicated by the surprising number of significant issues which have been resolved in recent years by a single vote. For example:

June 27, 1967: The Senate considered an amendment to hold an increase in the permanent National Debt limit to \$348 billion, rather than allow it to reach \$358 billion. It failed, 43 to 44, with Senator Bayh's "Nay" vote making the \$10 billion difference.

August 11, 1967: The Senate considered an amendment which would have given Congress veto power over a Presidential decision that a proposed Export-Import Bank transaction to finance goods bound for a Communist country was in the national interest and should be permitted. The pro-

posal to give Congress a handle on such Red trade failed on a tie vote of 34 to 34. Senator Bayh voted against it. Had he been absent, or voted the other way, it would have passed.

March 14, 1968: The Senate passed the inflation-promoting bill which eliminated an existing requirement that each Federal Reserve Bank maintain gold certificate reserves of not less than 25 percent of its circulating currency. The vote was 39 to 37. Had Senator Bayh voted against (rather than for) it, the measure would have failed on a tie vote.

March 1, 1972: The Senate considered an amendment to bar federal courts from ordering the forced busing of schoolchildren on the basis of race, color, religion, or national origin. It was defeated, 47 to 48, with Senator Birch Bayh voting to continue racial busing.

October 3, 1972: An amendment to exempt firms which employ four or fewer persons from inspections by the malodorous Occupational Safety and Health Administration (O.S.H.A.) failed on a 39 to 39 tie vote. Senator Bayh voted against it. Had he voted for it, or been absent, the proposal would have passed.

December 10, 1973: Another anti-busing amendment sought to authorize the Secretary of Health, Education and Welfare to encourage limitations on racist busing so students would walk to school where possible or be transported no further than to the appropriate schools nearest their homes. The amendment was tabled.

(killed), 46 to 45. Senator Bayh voted with the busers.

May 17, 1974: The Senate tabled (killed), by a 47 to 46 vote, an amendment which, among other things, would have precluded forced busing for racist purposes to any but the school closest or next closest to a student's home. Senator Bayh voted to keep the buses racing. Had he instead voted "Nay," or been absent, the tabling motion would have failed.

May 11, 1976: The Senate approved funding for the radical National Commission on the Observance of International Women's Year. Prior to the final vote, an attempt was made to delete the entire \$3 million amount earmarked to fuel the Commission's activities. Senator Bayh voted against that proposal. Then, an amendment was proposed to raise the Commission's funding to \$5 million. Senator Bayh voted for it, and it passed by a single vote (46 to 45), which means that his vote made the difference in giving the Commission an additional \$2 million of your tax dollars to fuel its pro-abortion, pro-Lesbian, anti-family crusade. (Again, had the Senator voted to the contrary, or even been absent, the additional ripoff would have failed on a tie vote.)

August 7, 1978: The Senate considered an amendment to reduce spending by \$810,205,000 in the Department of Housing and Urban Development and three independent agencies for Fiscal 1979. The proposal was rejected, 43 to 44, with Bayh voting to spend the extra \$810 million.

August 23, 1978: Again, forced busing of schoolchildren was the issue as the Senate pondered an amendment to limit court-ordered busing under certain circumstances. The amendment was tabled (killed), 49 to 47, but the tabling motion would have failed on a tie vote had Bayh voted "Nay" rather than for it.

March 26, 1979: The Senate tabled (killed) an amendment which would have prevented increases in the National Debt limit after Fiscal 1980 unless the federal Budget is balanced or any deficit is approved by a three-fifths roll call vote of Congress. The tabling motion was approved, 46 to 44, but would have failed on a tie vote had Bayh not voted to continue inflating our money.

Energy. Senator Bayh's record on the energy front is enough to give one the shivers. *U.S. News & World Report* for January 12, 1976, reminded readers that Birch Bayh "led a fight that delayed construction of the Alaskan pipeline for environmental reasons." As indeed he did. When 77 Senators voted to give the crucial project a green light on July 17, 1973, Bayh was among 20 who voted to keep it frozen.

Senator Bayh is also a vigorous opponent of the strip-mining procedure for extracting coal. On July 20, 1977, he voted for restrictive strip-mining legislation which, presented as merely a way to assure that strip-mined land would be restored as nearly as possible to its original condition, was actually a far-ranging land-use bill full of obstacles to needed coal production.

The Review Of The NEWS, September 17, 1980

Natural Gas: On October 4, 1977, the Senate adopted an amendment intended to stimulate natural-gas production by eliminating oppressive federal price controls on new gas found onshore (retroactive to the first of 1977) and cease such regulation of new offshore gas after five years. Senator Bayh voted against it.

Nuclear: On July 17, 1979, the Senator voted to impose a six-month moratorium on the construction of new nuclear-power plants, despite the convincing evidence that nuclear power is far and away our safest, most abundant, and least expensive large-scale energy source.

On August 2, 1977, Senator Bayh voted to establish the Department of Energy, a bureaucratic monstrosity of 23,000 employees spending \$12 billion annually to stifle energy production through paperwork requirements and costly edicts, but producing not so much as a drop of oil.

And, Senator Bayh has opposed many attempts to preserve energy for no apparent reason other than that they conflicted with goals of the labor bosses and social activists. On December 14, 1973, in the face of that year's energy concerns, he voted to kill an amendment which would have authorized trucks operating in interstate commerce to transport any property on return trips rather than squander oil by returning empty. And, on June 5, 1979, he voted to kill another amendment which would have prohibited the fuel-wasting forced busing of school-children for purposes of racial deseg-

regation during a national energy emergency declared by the President.

Consumer Protection Agency. Radicals reaping millions from the so-called "consumer movement" have labored for nearly two decades to establish a federal agency to propagate their one-sided views at taxpayers' expense. Initially, it was to be a "Consumer Protection Agency," then the "Agency for Consumer Advocacy," and eventually the "Office of Consumer Representation." The scheme involved representing federal consumerists against producers before courts and federal agencies. Among other things, it would do research, propose legislation to Congress, publish propaganda tracts, and meddle in state and local government affairs. In short, the majority of American consumers who favor less government control of (and meddling in) the economy would once again be compelled to finance the radicals attacking Free Enterprise. On at least nine occasions between 1970 and 1975, Senator Bayh cast votes favoring establishment of such a Naderite bureaucracy.

Equal Rights Amendment. Senator Bayh was a leader in the drive to gain congressional approval of the controversial Equal Rights Amendment. He voted for the E.R.A. on March 22, 1972, after opposing all attempts to modify its provisions to secure important protections for women. For example, on March 21, 1972, the Senate considered two amendments to provide that the E.R.A. would not invalidate any laws exempt-

Tired of "Time" and "Newsweek"?

Many thousands of Americans are tired of newsmagazines that constantly tear down America and push for even bigger government, ever more permissiveness, for busing and abortion and leniency toward criminals. If you are tired of these things too, and want the news straight — with no apology for patriotic pride in the real America — you will like *The Review Of The News*. Ours is an 80-page weekly newsmagazine with a large and growing national circulation. It is edited and written by outstanding Conservative journalists who, like you, think it's time the press changed sides. A one-year subscription (52 issues) is twenty dollars; eleven dollars for six months; and six dollars for three months.

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32040354272

ing women from compulsory military service or combat duty. Senator Bayh voted to leave women subject to combat and the draft under E.R.A.

And, when it became apparent that the increasingly unpopular E.R.A. would not be ratified within the seven-year period originally set by Congress, Senator Bayh supported the unprecedented and constitutionally questionable legislation (passed by the Senate on October 6, 1978) to extend the E.R.A. ratification deadline to June 30, 1982.

Gun Control. Senator Bayh has also been a proponent of gun control. On September 18, 1968, he voted for that year's Gun Control Act. On October 9, 1969, he voted to kill an amendment to repeal burdensome record-keeping requirements for rifle and shotgun ammunition sales. On August 8, 1972, he voted against another amendment to eliminate the 1968 Act's record-keeping requirements for .22-caliber rim-fire ammunition. And, on that same date, he voted to give the Secretary of the Treasury authority to promulgate, at his whim, new regulations concerning handguns.

On August 9, 1972, Senator Bayh voted for a bill to outlaw the sale and distribution of inexpensive, domestically produced handguns (commonly referred to as "Saturday Night Specials"). And, on July 27, 1978, he voted to restore funds (which had been deleted by the House) which the Bureau of Alcohol, Tobacco and Firearms had earmarked for the imposition of new gun regulations. (Fortunately, the

Senate upheld the House ban and deprived the B.A.T.F. of its gun-control slush fund.)

Panama Canal. It is perhaps enough simply to say that Senator Bayh voted for the Panama Canal "neutrality" and "transfer" treaties (on March 16th and April 18th, 1978, respectively), thereby surrendering the vital American waterway to the control of an unstable, Castroite dictatorship. And, on September 25, 1979, the Senator voted for legislation needed to implement the infamous treaties.

Pornography. On October 10, 1977, the Senate approved (73 to 13) an amendment to a child pornography bill to make the interstate or foreign distribution or sale of material showing children under 16 in sexual conduct a federal crime. Indiana Senator Birch Bayh was among the handful to vote to keep such monstrous child abuse legal.

And, on January 25, 1978, the Senate also adopted an amendment specifying that in federal prosecutions for the distribution of obscene materials, the concept of "community," under which a jury would determine whether such materials appeal to the prurient interest and were "patently offensive," would mean "the state or local community in which the obscene material is disseminated," and not the nation as a whole (as some Supreme Court decisions had allowed). This reasonable clarification merely sought to recognize that in matters of obscenity the community standards of Goshen, Indiana, for example, are likely

to differ significantly from those of, say, San Francisco. Senator Bayh voted against the amendment.

Food Stamps. The federal Food Stamp program, launched in 1961 as a relatively modest \$6 million pilot project intended to assist a few thousand truly needy citizens, has metastasized into a \$10 billion per year income-transfer program larded with abuse and waste. Senator Bayh has regularly opposed attempts to clean up the program by curbing improper expenditures. On April 6, 1976, for instance, he voted against an amendment to bar full-time federal, state, or local government employees from receiving Food Stamps. On at least five other occasions, he voted against amendments which would have precluded workers on strike during labor disputes from receiving Food Stamps. And, on May 24, 1977, he also opposed an amendment to bar college students from the Food Stamp trough.

Land Use. On June 21, 1973, Senator Bayh voted for a federal land-use bill which would have authorized federal grants to states to establish comprehensive land-control schemes. Needless to say, the federal government would have retained control over how the money could be spent, thereby dictating the direction of the various land manipulations.

On the day prior to the final vote, the Senate considered an extortionate amendment to the bill which attempted to require that a state which failed to develop a federally sanctioned land-use planning program

within five years would have its federal aid funds for highways, airports, and land-water conservation programs reduced until federal land-use requirements were met. The ploy was rejected — but Bayh voted for it.

O.S.H.A. Senator Bayh was absent for the November 11, 1970, vote in which the Senate moved to establish the Occupational Safety and Health Administration (O.S.H.A.), but has since done his share to support the despised agency's bureaucratic expansion and increased funding. And, he has opposed many worthwhile attempts to curb O.S.H.A.'s excesses.

On October 3, 1972, for example, he opposed amendments to exempt from O.S.H.A.'s edicts small firms employing 15 or fewer, seven or fewer, and even four or fewer persons. (At last, however, he voted that day to exempt firms employing three or fewer persons.)

On September 17, 1975, the Senator voted to kill an amendment to reduce from \$1,000 to \$50 the maximum penalty that O.S.H.A. inspectors could levy for non-serious health or safety violations. The next day, he expressed his opposition (although absent for the actual vote) to an amendment which would have transferred millions of dollars from the fearsome inspection and enforcement program to a program merely to consult with employers regarding health and safety problems.

On June 29, 1976, Bayh voted to kill an amendment to prohibit O.S.H.A. from issuing first-instance citations

for other than willful violations of O.S.H.A. regulations. And, on June 28 1977, he opposed an amendment which would have required O.S.H.A. to submit economic impact statements for the regulations it issues. Needless to say, the agency's main economic impact to date has been to impose many millions in additional costs on consumers and taxpayers — all to achieve a statistically insignificant impact on the safety record of American industry. And Senator Bayh approves.

Balancing The Budget. While voting time and again for huge federal deficits, Senator Bayh has, with one notable exception, opposed attempts to bring the federal Budget into balance. That single, incongruous exception occurred on July 31, 1978, when the Senate, with Bayh agreeing, voted to require a balanced Budget beginning in Fiscal 1981. Yet, when the chips were down on May 6th and May 8th of this year, the Senator voted against two attempts to balance the books for Fiscal 1981.

He also opposed modest moves to entice Congressmen to put the nation's fiscal house in order. On June 29, 1970, for example, he voted against an amendment to suspend a proposed congressional pay raise until the Budget was balanced. On March 21, 1975, he also voted against an amendment to reduce the salaries of Members of Congress and Cabinet officials by the same percentage by which federal expenditures exceeded federal revenues. And, on September 27, 1979, he voted to kill an amendment which would

have required a balanced Budget before any pay increases would be allowed for federal workers, and would have decreased the existing pay for such workers by the percentage that outlays exceeded revenues beginning in Fiscal 1981.

Senator Bayh has also voted year after year to increase the National Debt limit to ever higher levels. The latest such move occurred on June 26, 1980, when the limit was raised to \$925 billion. Your personal share of that figure exceeds \$4,100.

Feathering The Nest. On July 29, 1975, Senator Bayh voted for a bill which, among other things, provided for automatic annual cost-of-living pay increases for himself and his colleagues. Two years later he supported the huge 29 percent congressional pay hike which angered taxpayers who had to foot the bill. (The Senate had an opportunity to disapprove the pay increase on February 2, 1977, but Senator Bayh voted to let it go into effect.)

Plucking The Goose. The art of taxation has been described as plucking the goose in a way which collects the most feathers with the least squawk. One of the subtle methods used by the federal government to increase its tax take is that of allowing the inflation it creates to force taxpayers into ever higher tax brackets even when their actual purchasing power may not have increased in the slightest (and may even have decreased) as a result of the pay raises they receive. Yet, on at least a half-dozen occasions since his re-election in 1974,

Senator Bayh has voted against amendments which would have required the indexing of income-tax brackets to take this inflationary rip-off into account and abolish the cost-of-living penalty which taxpayers now suffer at the hands of the graduated tax structure.

The feds also benefit unfairly from the present withholding tax arrangement which purposely takes more from the average worker's paycheck than is actually owed for taxes. The government then uses the extra funds interest-free until the refund is made. Even then, the government benefits further as many gullible taxpayers sing its praises for sending them such a nice "bonus." On March 21, 1975, the Senate considered an amendment to authorize the Secretary of the Treasury to revise the federal income-tax withholding tables to reduce over-withholding from employee paychecks. Birch Bayh voted to kill it.

On that same date, Senator Bayh also voted to scuttle an amendment which would have raised the federal estate-tax exemption from \$60,000 to \$100,000. That same amendment would have allowed Hoosiers and other citizens who inherit farms or woodlands to pay estate taxes on the value of the property's *existing* use rather than its potential *future* value in alternative commercial uses. It was a move to keep family farms in family hands rather than compel their liquidation to pay exorbitant estate taxes. Bayh opposed it.

On August 6, 1976, Birch Bayh also

voted to kill an amendment which would have raised the personal income-tax exemption from \$750 to \$1,000. Later, on September 22, 1976, he opposed an amendment to have the government reimburse attorney's fees incurred by a citizen who, having been subjected to an I.R.S. audit, was found to owe no additional taxes.

On April 27, 1977, Bayh voted against an amendment to reduce the tax rates in brackets under \$20,000 by four to 14 percent. And, on that same date, the Senator opposed amendments which would have permanently cut tax rates in all brackets by 10 percent and provided a \$250 tax credit to any who maintain a home for elderly dependents (aged 65 and over).

* * *

THERE is more to report on the voting record of Senator Birch Bayh, but additional illustrations would tell us the same story about the Senator's misplaced faith in the ability of Big Government to solve our problems by taxing us to our knees.

Time magazine once observed: "Mesmerized by the spirited campaigner with his crooked smile and dimpled chin, people sometimes forget what Bayh has said or that he has not said much of anything." This year, the voters of Indiana are unlikely to forget what the Senator has said and done to promote the policies of socialism, insolvency, and surrender that now threaten us all. That is why Birch Evan Bayh is in such deep trouble as the 1980 campaign heads for the November 4th showdown. ■ ■



Ship Out Bayh Committee

"We've looked him over"

P.O. Box 11024 • Indianapolis, Indiana 46201

CHAIRMAN
Hon. Anthony L. Miles
State Representative
SECRETARY/TREASURER
Renee Jackson

Dear Fellow Victim of...Inflation...Soaring Taxes...
Rising Unemployment...Defense Crises...You Name It:

This article originally appeared in the September 17,
1980, issue of The Review Of The News and is reprinted
with the permission of the publisher.

The objective of the Ship Out Bayh Committee is simply
to get broad exposure of Senator Bayh's voting record
through extensive distribution of this reprint and
through paid newspaper advertising.

The time is short, and your help is vitally needed.
You may help in either or both of two ways:

1. In helping to distribute this reprint. It is
available to you in bulk quantities (more than ten)
at 16¢ each. (Ten or less at 20¢.) This breaks down
to \$16.00 per hundred; \$160.00 per thousand, etc., post-
paid.

2. And in helping support our newspaper ad efforts
through contributions. The ads will feature excerpts
from this reprint, again making Senator Bayh's voting
performance available to wide segments of Indiana
voters. Your contributions to the Ship Out Bayh
Committee will be used exclusively for newspaper
advertising and in defraying expenses for reprint
distribution.

Please forward your order for reprints to the committee
without delay. And, of course, your contribution will
also be received with appreciation.

The Ship Out Bayh Committee's address is P.O. Box 11024,
Indianapolis, Ind., 46201.

Thanks for your help.

Sincerely,

Anthony L. Miles

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To:

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BACK PAGE

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WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1376

Date Filmed 10/25/82 Camera No. ---

Cameraman J. A. Q.

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FEDERAL ELECTION COMMISSION

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

83040383055

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MR. 1396





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 25, 1983

Anthony L. Miles
Ship Out Bayh Committee
740 South Bancroft
Indianapolis, Indiana 46203

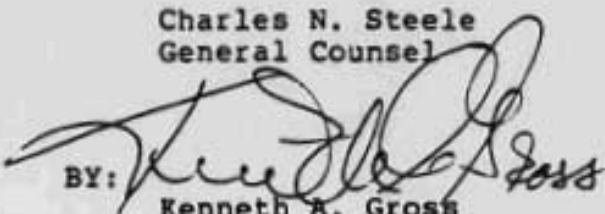
Re: MUR 1396

Dear Mr. Miles:

Per your request, enclosed please find your first check for \$250. We are sorry for the delay in sending this to you. However, our records are now clear and the matter has been resolved.

Sincerely,

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

83040693067

Indianapolis, Ind. *August 12 1936* No. *11*

The Indiana National Bank

• 20-5
740

PAY TO THE
ORDER OF

Two Hundred and Fifty Dollars \$ *250.00*

Returned Not Paid
Because ☒ *NSF*
Presented Twice ☒

DOLLARS

ACCT. NO. *15-606-228*

⑆07400005

Shirley L. Miles
22-1936
FEL MUR (1376)

Ship out Bayh Comm
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STANDARD FORM 5515 (Rev. 9-78)
PRESCRIBED BY DEPT. OF TREASURY
FORM 5-3000

DEBIT VOUCHER

DEPARTMENT OF THE TREASURY
BUREAU OF GOVERNMENT FINANCIAL OPERATIONS

VOUCHER NUMBER	DATE OF DEBIT TO U.S. TREASURY'S ACCOUNT M M D D Y-Y	3-DIGIT OR 4-DIGIT AGENCY LOCATION CODE (ALC)	AMOUNT
(1) 77361	(2) 11-23-82	(3) 95-35-0001	(4) 250.00
<input checked="" type="checkbox"/> UNCOLLECTIBLE ITEM <input type="checkbox"/> OTHER (Explain in Block 6)		(5) DEPOSITARY USE	
Federal Election Communication 1325 K Street, N.W. Washington, D. C. 20463		(7) NAME AND ADDRESS OF DEPOSITARY MGR. FISCAL AGENCY BALTIMORE BRANCH FEDERAL RESERVE BANK	
		(8) I CERTIFY THAT THE ABOVE VOUCHER HAS BEEN RETURNED TO THE DEPARTMENT OF THE TREASURY ON THE DATE SHOWN. UNCOLLECTIBLE ITEMS HAVE BEEN RETURNED TO THE DEPARTMENT OF THE TREASURY ON THE DATE SHOWN. AUTHORIZED SIGNATURE	
(6) DEPOSITORS TITLE, DEPARTMENT OR AGENCY AND ADDRESS DEPOSITARY FORWARD TO DEPOSITOR. DEPOSITOR SUBMIT THIS COPY WITH MONTHLY REPORT TO DEPARTMENT OF THE TREASURY		MEMORANDUM COPY	

NOV 23 1982

5515-102

83040207

Indianapolis, Ind. *August 12 1932* No. *87591 86996*

The Indiana National Bank

PAY TO THE ORDER OF *Mr. J. H. [illegible]*

Two Hundred and Fifty Dollars \$ *250.00*

ACCT. NO. *15-606-228*

Returned ☐ Not ☒ Paid ☒
Because ☐ NSF ☒ *By [illegible]*

Presented ☒ Twice ☐

Anthony [illegible]

10740000520V 22 1932

Ship out Bayh Comm
MUR (1396)

10740000520

0000000000

13 January 1983

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington D.C. 20463

Ref: MLR 1396

Dear Mr. Gross,

Your letter of December 13, 1982, stated that your office had received my letter of November 10, 1982, and the check described was not included. According to The Indiana National Bank in Indianapolis, cashier's check # 2765799 (the same cashier's check I indeed did include with my letter of November 10, 1982) has been negotiated. Enclosed you will find a copy of the negotiated article.

This would be the second check I have sent to the tEC attempting to finally resolve the matter.

The first \$ 250 check was issued from the Ship Out Bayh Account, numbered 11, and dated 12 August 1982. That check was held so long before negotiating that the bank account, when the check was finally negotiated, caused rejection of the check for non-sufficient funds because of bank service charges against the account.

When I forwarded the second check I had talked to M. Curry by telephone and she stated she would attempt to locate the original check and return it for my records. I have neither heard from nor seen the errant piece of paper.

I have written two \$ 250 checks in an attempt to resolve this matter, and I know now that the matter has been resolved.

If you have any questions, please call me at 317-357-5058, between the hours of 8 AM - 10 AM EST.

Sincerely,

Anthony L. Miles

Anthony L. Miles

Ship Out Bayh Committee

(dissolved)

ALM:ng

Cashier's Check

Indiana National

The Indiana National Bank
One Indiana Square
Indianapolis, Indiana 46206



5269

2765799

20-6
780

Date

November 8, 1982

Pay to the order of Out Bayh Committee

INDIANAPOLIS

CLEARING

Pay to the order of

United States Treasury

DEPARTMENT OF THE TREASURY

000270008

\$250.00*

THE INDIANA
NATIONAL BANK

250

Authorized Signature

Steven R. Richard

2765799

0740000521

62000 055

0000025000

A. L. Miles
740 S. Bancroft
Indianapolis, Indiana 46203



Kenneth A. Gross
Associate General Counsel
Federal Election Commission
Washington D.C. 20463

83 JAN 17
AID: 12

RECEIVED AT THE FEC

830403830741



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 13, 1982

Anthony L. Miles
Ship Out Bayh Committee
740 S. Bancroft
Indianapolis, Indiana 46203

Re: MUR 1396

Dear Mr. Miles:

We are in receipt of your letter dated November 10, 1982. In that letter you stated that a cashier's check for \$250 was enclosed. The \$250 was the agreed amount contained in the conciliation agreement in MUR 1396.

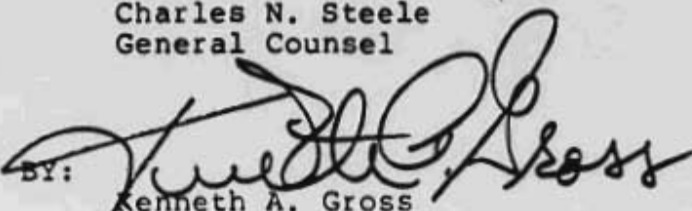
We must inform you that no check was found enclosed as stated in your letter. Would you please send a new check for \$250 so that this matter can be finally settled.

If you have any questions, please call Deborah Curry the attorney assigned to this matter at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY:


Kenneth A. Gross
Associate General Counsel

83040383073

203317

RECEIVED AT THE REG

Dec 8 1925

82 NOV 12 P12: 00

ANTHONY L. MILES
740 S. BANCROFT
INDIANAPOLIS, IN 46203STATE OF INDIANA
HOUSE OF REPRESENTATIVES

COMMITTEES:

APPOINTMENTS & CLAIMS
CHAIRMAN

HUMAN AFFAIRS

JUDICIARY
RANKING MEMBER

NATURAL RESOURCES

2 NOV 15 P12: 04

10 Nov 82 P12: 04

Dear Mrs. Curry,

I have enclosed the cashier's check in the amount of \$250.00 as the agreed amount in the conciliation agreement reference MUR 1396. Would you please, as discussed by telephone, locate the earlier check I submitted and return it to my address. We have closed the account after dealing with several errors caused by the bank.

I certainly appreciate your assistance.

Sincerely,

Ship Out Bayh Comm. Anthony L. Miles
740 S. Bancroft
Indpls, Ind. 46203

STATE OF INDIANA

REPRESENTATIVE

ANTHONY L. MILES

740 S. BANCROFT

INDIANAPOLIS, INDIANA 46203



RECEIVED

82 NOV 12 PM 12



Mrs. Deborah Curry
~~attorney~~ at Law
Federal Election Commission
Washington, D.C. 20463

8 3 9 4 0 4 8 3 0 7 7



FEDERAL ELECTION COMMISSION

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

83040383078

END OF ADDITIONAL MATERIAL FOR CLOSED MUR

1398

