

Southeastern Legal Foundation: Right-wing law firm funded by Gingrich's GOPAC allies

Gingrich was featured at 1995 fundraiser for Southeastern Legal Foundation. On April 11, 1995, Gingrich spoke to 1,000 people at a fund-raiser for the Southeastern Legal Foundation. [CongressDaily, 4/13/95; USA Today, 4/13/95]

GOPAC donor/conspiracy theorist Richard Scaife gave foundation at least \$300,000. The Southeastern Legal Foundation has received at least \$300,000 since 1988 from the Scaife Foundation, which is controlled by Richard Mellon Scaife – a \$60,000 GOPAC donor who has given millions of dollars to groups who promote conspiracy theories about the Clinton White House. [Scaife Foundation annual reports, 1988-1994]

Company run by Southeastern Legal Foundation officers has given GOPAC almost \$300,000. According to *The Right Guide 1993*, the Chairman Emeritus of the Southeastern Legal Foundation was William H. Flowers and its Secretary/Treasurer was Amos McMullian. McMullian is the CEO of Flowers Industries, the Thomasville, GA baking company founded by Flowers. Flowers Industries has given GOPAC \$297,592, as well as \$24,800 to Gingrich's campaigns and \$15,000 in Republican soft money. [Common Cause, 2/10/95; GOPAC 1st quarter, 1995; LA Times, 1/29/95]

Gingrich ally Barr headed foundation in 1990-1991. Current Republican Rep. Robert Barr was the president of the Southeastern Legal Foundation in 1990 and 1991. Barr lost a race for the Republican nomination for US Senate in 1992, but was elected to represent Georgia's 7th district in 1994. Barr had previously served as Cobb County Republican chairman and as a US Attorney under Presidents Reagan and Bush. In Congress, Gingrich ally Barr has been an especially vocal critic of President Clinton. [Atlanta Constitution, 7/7/92]

STMT 11 & 14 244

SARAH SCAIFE FOUNDATION INCORPORATED

Schedule of Grants Payable, Continued

	Payable, December 31, 1993	January 1 to December 31, 1994 Amount Paid	Payable, December 31, 1994
Safe Streets Alliance, Washington, D.C.			
General operating support	8	75,000	75,000
Shadow Financial Regulatory Committee, Chicago, Illinois			
General operating support	15,000		15,000
Smith College, Northampton, Massachusetts			
Center for the Study of Social and Political Change		75,000	75,000
Social Philosophy and Policy Foundation, Bowling Green, Ohio			
General operating support		250,000	250,000
Publication support		100,000	100,000
* Southeastern Legal Foundation, Atlanta, Georgia			
General operating support		50,000	50,000
Southwestern Missouri State University Foundation, Springfield, Missouri			
Center for Defense and Strategic Studies		91,000	91,000
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California			
Research support		120,000	50,000
Various programs support	200,000	350,000	350,000
Tufts University, Medford, Massachusetts			
The Fletcher School of Law and Diplomacy	120,000	120,000	120,000
University of California, Berkeley, Berkeley, California			
Institute for East Asian Studies		100,000	10,000
University of Chicago, Chicago, Illinois			

Schedule 12 of 12, continued

SARAH SCAIFE FOUNDATION INCORPORATED

Schedule of Grants Payable, Continued

	Payable, December 31, 1992	January 3 to December 31, 1993 Amended Paid	Payable December 31, 1993
Pepperdine University, Malibu, California			
Establish a Chair of Public Policy	\$ 250,000		250,000
The Philanthropy Roundtable, Indianapolis, Indiana			
General operating support		25,000	25,000
Political Economy Research Center, Bozeman, Montana			
General operating and internship program support	50,000	250,000	200,000
The Reason Foundation, Los Angeles, California			
General operating support		75,000	75,000
Shadow Financial Regulatory Committee, Chicago, Illinois			
General operating support	20,000		15,000
Smith College, Northampton, Massachusetts			
Center for the Study of Social and Political Change		75,000	75,000
Social Philosophy and Policy Foundation, Bowling Green, Ohio			
General operating support		250,000	250,000
Southeastern Legal Foundation, Atlanta, Georgia			
General operating support		50,000	50,000
Southeast Missouri State University Foundation, Springfield, Missouri			
Center for Defense and Strategic Studies		85,000	85,000
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California			
International Studies, Security Affairs, Domestic Studies and Political Science Programs support	300,000	250,000	250,000
Special Archive Project	100,000		100,000

Continued

Statement 29, Continued

SARAH SCAIFE FOUNDATION INCORPORATED

Statement of Grants, Continued

	Payable, December 31, 1991	January 1 to December 31, 1992 <u>Approved</u>	<u>Paid</u>	Payable, December 31, 1992
Social Philosophy and Policy Foundation, Bowling Green, Ohio				
General operating support	\$ -	250,000	250,000	-
* Southeastern Legal Foundation Inc., Atlanta, Georgia				
General operating support	-	50,000	50,000	-
Southwest Missouri State University Foundation, Springfield, Missouri				
Center for Defense and Strategic Studies support	-	85,000	85,000	-
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California				
International Studies and Security Affairs and Domestic Studies Program	20,000	350,000	310,000	240,000
Political Science Program	25,000	120,000	85,000	60,000
Special Archive Project	-	500,000	400,000	100,000
The Teller Foundation, San Diego, California				
General operating support	-	25,000	25,000	-
Tufts University, Medford, Massachusetts				
The Fletcher School of Law and Diplomacy	75,000	225,000	200,000	100,000
UCI Foundation, (University of California, Irvine) Irvine, California				
Graduate Fellowships in Public Choice Theory	-	50,000	50,000	-
UCLA Foundation, Los Angeles, California				
UCLA Graduate School of Management programs	50,000	-	50,000	-
United States Commission on Improving the Effectiveness of the United Nations, Washington, D.C.				
General operating support	-	50,000	-	50,000
University of California,				

STMT 11

SARAH SCAIFE FOUNDATION INCORPORATED

Statement of Grants, Continued

	Payable, December 31, 1990	January 1 to December 31, 1991 <u>Approved</u>	<u>Paid</u>	Payable, December 31, 1991
Social Philosophy and Policy Foundation, Bowling Green, Ohio				
General operating support	\$ -	250,000	250,000	-
Special project funds for conference, "Restoration of Ideological Balance, Diversity and Tolerance within the Academy"	-	60,000	60,000	-
* Southeastern Legal Foundation, Inc., Atlanta, Georgia				
General operating support	-	50,000	50,000	-
Southwest Missouri State University Foundation, Springfield, Missouri				
Program support for the Center for Defense and Strategic Studies	-	85,000	85,000	-
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California				
Political science program	50,000	-	50,000	-
Conflict Management Research	-	50,000	25,000	25,000
International Studies and Security Affairs and Domestic Studies Program	-	350,000	150,000	200,000
The Henry L. Stimson Center, Washington, D.C.				
Research Project on Proliferation of Military Technology	-	50,000	50,000	-
Tax Foundation, Washington, D.C.				
General operating support	-	25,000	25,000	-
Tufts University, The Fletcher School of Law and Diplomacy, Medford, Massachusetts				
International security affairs graduate program	-	225,000	150,000	75,000
USI Foundation, Irvine, California				
Graduate fellowships in public choice theory	30,000	-	30,000	-

STATEMENT 11

SARAH SCAIFE FOUNDATION INCORPORATED

Schedule of Grants Payable

	Payable, December 31, <u>1989</u>	January 1 to December 31, <u>1990</u> <u>Approved</u>	<u>Paid</u>	Payable, December 31 <u>1990</u>
National Flag Foundation, Pittsburgh, Pennsylvania General operating support	\$ -	5,000	5,000	-
National Strategy Information Center, Inc., New York, New York General operating support	-	300,000	300,000	-
New England Legal Foundation, Boston, Massachusetts General operating support	-	50,000	50,000	-
New York University, New York, New York Austrian Economics Program Publication support	-	100,000 11,000	100,000 11,000	- -
Pacific Research Institute for Public Policy, San Francisco, California General operating support	-	100,000	50,000	50,000
The Reason Foundation, Santa Monica, California General operating and special projects support	-	100,000	100,000	-
Shadow Financial Regulatory Committee, Chicago, Illinois General operating support	-	20,000	15,000	15,000
Shady Side Academy, Pittsburgh, Pennsylvania Faculty Merit Compensation Endowment Fund	120,000	-	60,000	60,000
Smith College, Northampton, Massachusetts Center for the Study of Social and Political Change	-	75,000	75,000	-
* Southeastern Legal Foundation, Inc., Atlanta, Georgia General operating support	-	50,000	50,000	-
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California Domestic Studies program	-	250,000	250,000	-

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Schedule 2. Continued

SARAH SCAIFF FOUNDATION INCORPORATED

Grants Payable

	Payable December 31, 1988	January 1 to December 31, 1989 Approved	Paid	Payable December 31, 1989
Smith College, Northampton, Massachusetts Center for the Study of Social and Political Change	\$ -	75,000	75,000	-
Social Philosophy and Policy Center Foundation, Bowling Green, Ohio General operating and program support	-	250,000	250,000	-
* Southeastern Legal Foundation, Inc., Atlanta, Georgia General operating support	-	25,000	25,000	-
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California National Security Affairs Program	-	100,000	100,000	-
Political Science program	-	75,000	25,000	50,000
Texas A&M University Development Foundation, College Station, Texas Karl Brunner Symposium	-	30,000	30,000	-
Tufts University, Medford, Massachusetts The Fletcher School of Law and Diplomacy	-	225,000	225,000	-
United States Global Strategy Council, Inc., Washington, D.C. General operating support	-	40,000	40,000	-
University of California, Berkeley, California Institute of East Asian Studies	-	60,000	60,000	-
University of Chicago, Chicago, Illinois Center for the Study of the Economy and the State	50,000	100,000	100,000	50,000
Law and economics program	-	95,000	95,000	-

(Continued)

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GRASS ROOTS FOUNDATION INCORPORATED

Grants Payable

	Payable December 31, 1991	December 31, 1991	December 31, 1991	December 31, 1991
* Southeastern Legal Foundation, Inc., Atlanta, Georgia				
General operating support	\$ -	25,000	25,000	-
Stanford University, Hoover Institution on War, Revolution and Peace, Stanford, California				
Domestic Studies Program	-	350,000	350,000	-
International Studies Program	-	115,000	115,000	-
National Security Affairs Program	-	100,000	100,000	-
Tufts University, The Fletcher School of Law and Diplomacy, Medford, Massachusetts				
International Security Affairs Graduate Program	125,000	125,000	125,000	-
The UCLA Foundation, Los Angeles, California				
UCLA Graduate School of Management Research Programs	-	65,000	65,000	-
United States Global Strategy Council, Inc., Washington, D.C.				
General operating support	-	60,000	60,000	-
University of California, Berkeley, California				
Institute of East Asian Studies	-	60,000	60,000	-
University of Chicago, Chicago, Illinois				
Center for the Study of the Economy and the State	-	100,000	100,000	-
Law and Economics Program	-	85,000	85,000	-
University of Rochester, Rochester, New York				
Bradley Policy Research Center support	-	50,000	50,000	-
International Seminar support	-	50,000	50,000	-
University of South Carolina Educational Foundation, Columbia, South Carolina				
Institute of International Studies				

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National Journal's CongressDaily
April 13, 1995

SECTION: TAXES

LENGTH: 98 words

HEADLINE: Gingrich Blasts Tax Compliance Procedures

BODY:

House Speaker Gingrich trashed new tax compliance procedures Tuesday night and proposed using his so-called Corrections Day to eliminate the IRS lottery to determine audits. "We hope to replace the income tax and get the IRS out of your life," Gingrich said at an Atlanta fund-raiser for the Southeastern Legal Foundation. He later added his remark was "hyperbole," but said, "We will shrink it significantly." Corrections Day was proposed earlier this year as a weekly opportunity to have House floor votes to stop bureaucracies from enforcing regulations in specific situations.

LANGUAGE: ENGLISH

LOAD-DATE: April 13, 1995

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USA TODAY

April 13, 1995, Thursday, FINAL EDITION

SECTION: NEWS; Pg. 7A

LENGTH: 829 words

HEADLINE: Georgians have Gingrich on their mind / Hero or enemy, top Republican's talk of the town

BYLINE: Richard Wolf

DATELINE: KENNESAW, Ga.

BODY:

Like a triumphant warrior, House Speaker Newt Gingrich has come home to the people who sent him to slay the federal government just 100 days ago.

Having left as conspirator, he returned as captain. Where once he preached revolution, he now leads it

But the folks back home have a message for the nation: You ain't seen nothing yet.

Love him or hate him, the speaker of the House is thought of as a neighbor to residents of Georgia's 6th congressional district in the posh Atlanta suburbs. So excuse them if they're not shocked by his sudden stardom.

Ever since the ex-history professor first ran for Congress in 1974, his populist conservatism has been part of the local lexicon. The political revolution Gingrich led last November and the legislative blitzkrieg he completed last week were hatched here.

"He's seen as a hero, as someone who's doing what they never thought could be done," says Atlanta's Emory University political scientist Merle Black. "He's one of these rare politicians who really thought the status quo could be changed."

And so Gingrich's return has been marked by packed houses, standing ovations and cries for more - at least from the Republicans and conservatives who make up the majority of his district. Liberal Democrats - "the other side," in Newt-speak - counter those cheers with jeers.

But on one point, there is agreement from friends and foes about the man who nearly lost his job here in 1990 and 1992: Despite his new duties, the former back-bencher really hasn't changed very much.

"This guy has been consistent since he was 15 years old," says Dick Williams, an Atlanta Journal columnist who's writing a book on Gingrich. "I think his language is a tad more moderate. I don't think for a minute his beliefs are."

Despite his fame - Gingrich now is accompanied by security officers, staff and reporters whenever he steps foot in public - the 51-year-old Pennsylvania native is still "Newt" back home. Unlike most predecessors, he does not use the

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title "Speaker" when signing autographs. And he still takes time for small talk.

The reaction to his first 100 days in power has been positive. While "the other side" opposes his initiatives, he gets high marks for his energy and leadership abilities.

At Town Center mall northwest of Atlanta, shoppers are impressed:

— Bob McCafferty of Woodstock, 72, a retired businessman who once considered Gingrich a "feisty loudmouth," says he and President Clinton are "the two best politicians I've seen since Roosevelt."

-- Molly McDonald, 24, a Kennesaw optician's assistant who's never been a big Gingrich fan, likes him better now. "I think he's trying to clean up Congress," she says.

But some folks wish he'd slow down - or even reverse course. "It seems like he's aiming to take everything away from the poor," says Daquen Owens of Marietta.

To be sure, Gingrich still has detractors who aren't impressed by the House's march through his Contract with America.

"It just confirms what I've always known, which is that he's a power-mad megalomaniac who's out to grab as much power and attention as possible," says Jonesboro lawyer David Worley, who nearly defeated Gingrich in 1990. "Getting people to vote for mom, the flag and apple pie does not make you another LBJ."

The lawyers and business people who turned out for Gingrich's speeches here in recent days have been treated to vintage Newt: attacks on Democrats, labor unions and liberal lobbyists; and conservative antidotes ranging from a smaller federal government to a balanced budget.

The tone has not changed - Gingrich lashes out at everything from the Internal Revenue Service to the American Association of Retired Persons, which stands in the way of his plan to transform Medicare. But gone is his reference to the "counterculture," subsumed into his tirade against the "welfare state."

"He's trying to appear more conciliatory," says Democratic consultant Beth Schapiro. "But it doesn't take long for your true colors to come out, and I think the nasty Newt's going to reappear sooner rather than later."

What remains are Gingrich's big ideas - including a "new partnership" between government and governed capable of rescuing not only "American civilization" and the "human race" but "the planet."

"I talk about a new partnership the same way in which in the 1930s the Democrats talked about the New Deal," Gingrich tells 1,000 conservative backers of the Southeastern Legal Foundation. "I believe in a free society; we're all partners. We all have to do our share."

LEVEL 1 - 162 OF 231 STORIES

Copyright 1991 PR Newswire Association, Inc.
PR Newswire

November 19, 1991, Tuesday

SECTION: Financial News

DISTRIBUTION: TO BUSINESS EDITOR

LENGTH: 467 words

HEADLINE: AMOS R. McMULLIAN OF FLOWERS INDUSTRIES ELECTED CHAIRMAN OF
SOUTHEASTERN LEGAL FOUNDATION

DATELINE: ATLANTA, Nov. 19

BODY:

Amos R. McMullian, chairman of the board and chief executive officer of Flowers Industries, Inc. (NYSE: FLO), has been elected chairman of the board of trustees of the Southeastern Legal Foundation, Inc. (SLF), a non-profit, conservative law center working to support the general interest, the rights of individuals and limited government.

McMullian succeeds William W. Sprague Jr., chairman and chief executive officer of Savannah Foods & Industries, Inc., as chairman of the Atlanta-based foundation. Sprague continues to serve on the board of trustees of SLF and as a member of the foundation's executive committee.

"The mission of SLF is to stand up against unwarranted intrusion by individuals, governments, and courts seeking to oppress individual and property rights," McMullian said. "Our aim is to expand the work of the Foundation in the fight against the intrusive excesses of government, to work for limited government and to support the general interest. To do this will require continued backing from our friends and sustained financial support."

Since 1981, McMullian has been chief executive officer of Flowers Industries, Inc., a Fortune 500, New York Stock Exchange-listed specialty foods company based in Thomasville, Ga. Flowers has 33 manufacturing facilities located in 15 states serving regional and national markets with a variety of branded food products.

McMullian began his career with Flowers in 1963. He was appointed president and chief operating officer in 1976, chief executive officer in 1981 and chairman of the board in 1985. In addition to his service with SLF, McMullian is a director of the National Association of Manufacturers and chairman of the Thomasville Team 2000. A native of Jackson County, Fla., McMullian served three years in the Marine Corps. After his military service, he attended Florida State University and received a B.S. degree in 1962. McMullian and his wife, Jackie, live in Thomasville.

The Southeastern Legal Foundation, founded in 1976 as part of a nationwide movement to bring balance to the judicial system, has represented a wide variety

1991 PR Newswire, November 19, 1991

of individuals and organizations without charge in cases involving the public interest.

Currently the Foundation is involved in a case in which a federal district court held unconstitutional the city of Jacksonville's (Fla.) Minority Business Ordinance. Oral argument on the city's appeal of the ruling was heard last week by the U.S. 11th Circuit Court of Appeals. SLF is also defending a retired Tennessee school teacher who has been sued by environmentalists seeking to prevent her from using the farm that her family has operated for the past 70 years. CONTACT: Stephen Parker of the Southeastern Legal Foundation, 404-458-8313

LANGUAGE: ENGLISH

LOAD-DATE: 111991 AT010

The Gingrich Money Grid

FOOD & ALCOHOL & TOBACCO

GOPAC Progress & Freedom Fndn Gingrich Camp. Cmte Republican Soft Money

Coca-Cola	<i>unknown</i>	SECRET	\$25,349	\$69,356
Flowers Industries	\$272,592		\$24,800	\$15,000
Jos E Seagrams & Sons	<i>unknown</i>	SECRET	\$1,000	\$25,000
Quaker Oats	\$5,000		\$1,000	\$26,750
RJR Nabisco	\$50,000		\$14,500	\$414,752
Mrs Marvin Delores Schwan, <i>Schwan Sales</i>	\$279,905		\$8,600	
Thornton Stearns, <i>Vacuum Barrier Corp</i>	\$50,000		\$3,000	

Copyright 1992 The Atlanta Constitution
The Atlanta Journal and Constitution
July 7, 1992

SECTION: STATE NEWS; Section D; Page 4

LENGTH: 908 words

HEADLINE: ELECTION '92 THE SENATE CANDIDATES Tough pitch by GOP's Bob Barr

BYLINE: By Mark Sherman STAFF WRITER

BODY:

Conservative platform: Former U.S. attorney talks about cutting taxes, spending.

The Republican Senate campaign is not being run in a courtroom, but don't tell former U.S. Attorney Bob Barr.

"The way you defeat Wyche Fowler is the way you defeat drug cartel members, corrupt politicians and white-collar criminals," Mr. Barr says often in his speeches. "I'm going to get in his face because that's the only way to defeat him."

This is tough talk from a man whose campaign slogan is "Tough Enough to Make a Difference." Mr. Barr is talking tough in this campaign about reducing taxes and spending, opposing socialized medicine and his opponents.

He is the only candidate, for example, suggesting elimination of the tax on capital gains. He is also the only one who opposes a balanced budget amendment to the Constitution in favor of a statutory cap on federal spending and an amendment that would require that surplus revenues be used to reduce the national debt.

The same brash confidence marked his tenure as the chief federal prosecutor in Atlanta. But unlike those days of constant media attention, Mr. Barr, a partner in a small Cobb law practice, is toiling in relative obscurity.

He has been unable to raise money and, once the lone candidate making a pitch to the party's right wing, he is now being pressed by another candidate, former Waycross Mayor John Knox, who is just as, if not more, conservative. Some Republicans believe his prosecution of former U.S. Rep. Pat Swindall, a fellow Republican, has turned off some voters as well.

Expects spot in runoff

Admittedly frustrated by the lack of attention, Mr. Barr, 43, nonetheless is certain that his fame has survived two years out of the limelight and will get him at least a runoff in the July 21 primary. "Not a day goes by when someone doesn't recognize me," he says.

The stocky lawyer from Cobb County burst onto the Atlanta scene in 1986 when President Reagan plucked him from a criminal defense practice and installed him as U.S. attorney for the Northern District of Georgia. He held the post for more

than three years until resigning in early 1990.

Mr. Barr's record includes successful prosecutions of members of the Medellin drug cartel, county commissioners and Swindall, who was convicted of lying to a federal grand jury.

"That said that whoever you are, you have to abide by the same standard everyone else does," says Mr. Barr.

Swindall, who is appealing his conviction, said his trial sent a different message.

"Why would a Republican do that to a Republican?" he said in an interview last week. "He had his sights on political office."

As a prosecutor, Mr. Barr was skillful in bringing media attention to his office, transforming an operation wary of publicity that could damage its cases into a virtual quote machine. Although Mr. Barr left the trial work to his subordinates, it was he who spoke for them.

His record also included highly publicized investigations of the Coca-Cola Co.'s business dealings in the Soviet Union, and whether then-Mayor Andrew Young had obstructed justice during a 1987 police investigation of former state Sen. Julian Bond.

In both instances, the probes were dropped without indictments, but critics maintain the publicity the principals received was, by itself, damaging.

"I've heard the criticism and I also heard a tremendous amount of praise for the way the office was run in an open manner, letting the citizens know what was going on," he says.

Robert Lawrence Barr Jr. was born in Iowa, but grew up traveling the globe as the son of a civil engineer.

He graduated from UCLA at the height of the Vietnam War and joined the Central Intelligence Agency as an analyst, working there through Watergate and under the leadership of George Bush.

Since moving to Atlanta from Washington in 1978, Mr. Barr has made no secret of his taste for politics. He worked for Mr. Bush's unsuccessful 1980 campaign for president. By 1985, he was Cobb Republican chairman.

When Mr. Barr decided to leave his post, it was widely assumed he would soon seek elective office. After a year as president of the conservative Southeastern Legal Foundation, Mr. Barr announced he would seek the Senate seat.

Relying on volunteers

Unable to afford professional political help, the campaign has relied on young volunteers to churn out news releases attacking Mr. Fowler and his Republican rivals.

Without TV, Mr. Barr's campaign has consisted mainly of speeches to civic and Republican groups and tiring drives across the state in search of votes.

Indefatigable though he may be, Mr. Barr has seen his share of frustration. Mr. Barr says he was offended, for instance, when the president - whom Mr. Barr greatly admired from their days at the CIA - endorsed former Peace Corps Director Paul Coverdell in the Senate race.

He has tried to make up for the lack of money by issuing a lengthy written platform, the only candidate who has done so. It spells out Mr. Barr's staunchly conservative positions on dozens of issues. The heading "Federal Funding of Obscene Art," for instance, tells a reader clearly that Mr. Barr is no fan of the National Endowment for the Arts.

With five candidates on the ballot and Mr. Barr listed first, his hopes rest with a fractured Republican vote that would propel him into a runoff.

"There are differences between us. I just hope the public takes some time to find out what they are," he says.

GRAPHIC: The Bob Barr file Age: 43 Home: Marietta Occupation: Lawyer Experience: Partner in Plichta & Associates, Cobb law firm, 1991-present; president, Southeastern Legal Foundation, 1990-91; U.S. attorney for the Northern District of Georgia, 1986-1990. Political: Ran for Georgia House of Representatives, 1984; Cobb County Republican chairman, 1985-1986. Personal: Married, two children. Campaign theme: "Tough Enough to Make a Difference." Quote: "This is my philosophy of public service: You take on the challenge, you let people know what you are doing, you let the world and the bad guys know where you stand; you fight them face to face, toe to toe, eye to eye; you fight hard and you win!" On the issues The economy: Reduce budget deficit through a statute capping increases in federal spending at 3 percent annually; pass constitutional amendment mandating that surplus revenue be used to reduce the national debt; eliminate the tax on capital gains and end the so-called luxury tax; enact the line-item veto. Health care: Favors income tax credits for lower-income taxpayers' insurance and health care costs; full deductibility of taxpayers' health insurance premiums; tax credits to small businesses offering health coverage; tax incentives to businesses offering health plans that encourage preventive care. Photo: Bob Barr

LANGUAGE: ENGLISH

LOAD-DATE: July 8, 1992

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PR Newswire

November 19, 1991, Tuesday

SECTION: Financial News

DISTRIBUTION: TO BUSINESS EDITOR

LENGTH: 467 words

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BODY:

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Currently the Foundation is involved in a case in which a federal district

LEVEL 1 - 1 OF 70 STORIES

Copyright 1996 The Atlanta Constitution
The Atlanta Journal and Constitution

May 30, 1996, Thursday, ALL EDITIONS

SECTION: EXTRA

LENGTH: 590 words

HEADLINE: Group drops challenge of county arts, human service grants

BYLINE: Carlos Campos; STAFF WRITER

BODY:

The Southeastern Legal Foundation has dropped its lawsuits challenging Fulton County's awarding of grants to arts and human service organizations.

Matt Glavin, president of the Southeastern Legal Foundation, said successful legislation sponsored in this year's General Assembly session by Rep. Nan Orrock (D-Atlanta) derailed the lawsuits.

"This is not unusual when we file lawsuits," Glavin said. "When we file lawsuits, it prompts legislative action, sometimes good, sometimes not so good."

Orrock openly acknowledged her role in scuttling the legal action.

"I'm proud to stand accused of derailing by the Southeastern Legal Foundation," Orrock said.

The conservative legal foundation, chaired by Sandy Springs lawyer Robert Proctor, filed five lawsuits in five days last August.

The foundation also sent out press releases each day, dubbing the event "taxpayers' revenge week."

Three of the suits challenged the county's annual issue of more than \$ 7 million in grants to private, nonprofit human service, arts and welfare groups.

But the lawsuits were quietly dropped, one by one, throughout the winter and early spring.

Last week, the county approved its arts and human service grants for the 1996-97 budget year. Arts and culture groups received \$ 2.3 million in grants, while human service groups got \$ 2.1 million.

Southeastern Legal Foundation officials argued the county grants amounted to "gratuities," or gifts prohibited by the state Constitution.

The foundation particularly questioned the constitutionality of a 1982 statute that allowed counties with populations of more than 550,000 a Fulton was the only one at the time to make such grants. Such population bills that apply to only one county are now illegal, Orrock said.

The Atlanta Journal, May 30, 1996

Although a Fulton Superior Court judge initially ruled in favor of the foundation on the constitutional question after a hearing, the Georgia Supreme Court later sent the case back for trial.

Orrock introduced legislation in this year's General Assembly session that lowered that population requirement to allow several other counties to make such contributions to nonprofit groups.

Orrock, whose east Atlanta district includes many senior citizens and artisans, said the money Fulton County gives to these groups is not a gift. It is payment for services rendered and an argument Fulton County Attorney Susan Forsling made before the Supreme Court.

"We did phoning around to the major urban areas in the state," Orrock said. "This is how they're providing services now. It's a common-sense approach. A lot of services, human needs and human services are provided without the county having to staff and set up and run an operation with public employees."

Proctor and Glavin, however, argued that individuals, not government, should choose the cultural and charitable organizations to which they wish to contribute.

Harriett Sanford, director of Fulton County's arts council, said she was pleased with the outcome of the cases.

"We're just happy that we can go back and serve the public and not spend time on legal matters," Sanford said.

Fulton Human Services Director Deborah Poole did not return calls to her office seeking comment.

Glavin said he doesn't regard dropping the lawsuits as a total loss.

"Every case we do we argue twice," Glavin said, "once in court and once in the court of public opinion. I think we instigated a public debate on that issue. Clearly this didn't turn out the way we would have preferred it to turn out."

LOAD-DATE: June 1, 1996

LEVEL 1 - 3 OF 70 STORIES

Copyright 1996 Times Publishing Company
St. Petersburg Times

May 17, 1996, Friday, 0 South Pinellas Edition

SECTION: CITY & STATE; Pg. 10B

DISTRIBUTION: CITY & STATE; METRO & STATE; TAMPA & STATE

LENGTH: 593 words

HEADLINE: Fight brews over campaign funding

BYLINE: PETER WALLSTEN

DATELINE: TALLAHASSEE

BODY:

High-level showdowns are brewing in the debate over whether the state should continue setting aside millions of dollars in public money for political campaigns.

On one side, there's Secretary of State Sandra Mortham, who dubs the program "welfare for politicians." She happily declared it dead when the Legislature decided this month not to renew the public financing trust fund.

Mortham's office is responsible for the program, but she plans to stop collecting money for it when the trust fund expires Nov. 4. The funds come from election filing fees and tax revenues.

Gov. Lawton Chiles, however, says he will sue Mortham if she follows through on that promise.

Chiles and others say the public financing law is the only protection against wealthy special interests' buying candidates - and elections. The end of the trust fund doesn't mean the end of the law, they say.

"It boils down to an issue of fairness to the public versus an overreaching advantage for extreme wealth," said Dexter Douglass, Chiles' general counsel. "And the governor obviously comes down on the side of protecting the people."

Thursday brought a new twist: The leader of an Atlanta group said he will sue Chiles if Chiles sues Mortham.

"We will attempt to have the entire public financing scheme ruled unconstitutional - because I think it's wrong," said Matt Glavin, president of the Southeastern Legal Foundation, a 20-year-old organization he calls the "conservative version of the ACLU."

The foundation, which neither Mortham nor Chiles' office had heard of until

St. Petersburg Times, May 17, 1996

Thursday, has a staff of three lawyers, an annual budget of \$ 1-million, and a network of 125 volunteer lawyers in nine Southeastern states.

"They're just another group," Douglass said. "If the governor and the state of Florida were worried about every group that wanted to sue us, I expect we wouldn't sleep much."

Even with the program intact, no candidate would be eligible to receive public financing until 1998, when the statewide races for governor and Cabinet posts occur. But money still would be collected from filing fees in local and district races.

Douglass said the governor could decide to call a special session to have lawmakers vote to renew the trust fund. If he doesn't, Chiles still expects Mortham's office to collect the money and put it in the state's general revenue pool.

The law allows candidates for statewide office to collect matching funds on contributions of \$ 250 or less. Candidates who take part must cap their spending at \$ 5-million in the governor's race and \$ 2-million in the Cabinet races. If a candidate who does not participate spends more than the cap, the state will pay enough for the opponent to keep up.

That provision allowed Chiles to compete with Republican challenger Jeb Bush in 1994. Bush raised nearly \$ 10-million in private contributions while Chiles, who agreed to the cap, raised just \$ 3.9-million. State funds made up the difference.

Mortham said that year, the program used about \$ 1-million from the trust fund and \$ 11-million from tax revenues.

"I think most citizens would agree those dollars would be better spent on senior citizens, crime prevention (and) education," Mortham said.

Supporters say the Chiles-Bush race shows why the program is needed.

"People have to ask themselves whom they would prefer to fund campaigns, the special interests or you, the public," said Sally Spener, executive director of Common Cause Florida.

GRAPHIC: BLACK AND WHITE PHOTO, (2); Sandra Mortham; Gov. Lawton Chiles

LANGUAGE: ENGLISH

LOAD-DATE: May 20, 1996

LEVEL 1 - 14 OF 231 STORIES

Copyright 1996 The Atlanta Constitution
The Atlanta Journal and Constitution

March 26, 1996, Tuesday, CONSTITUTION EDITION

SECTION: STATE NEWS

LENGTH: 282 words

HEADLINE: Legal group wants in redistricting suit;
Act attacked: Constitutionality of "pre-clearance" of voting law changes is questioned.

BYLINE: Ken Foskett; STAFF WRITER

BODY:

A conservative legal foundation filed suit Monday to join Georgia's redistricting battle, striking at the enforcement of the 1965 Voting Rights Act.

The Southeastern Legal Foundation asked a federal court in Atlanta to declare unconstitutional Section 5 of the Voting Rights Act, which empowers the U.S. Justice Department to "pre-clear" any election law changes in mostly Southern states.

The motion to intervene was filed in a suit brought by the Justice Department against the state of Georgia last week. The Justice Department's suit seeks to prevent the state from using new House and Senate reapportionment maps drawn last summer, which Justice has refused to pre-clear because the plans dismantle some majority black districts.

An expert on voting rights law said the courts and Congress have consistently affirmed the pre-clearance portion of the Voting Rights Act, which applies in whole or in part to 16 states, including most of the South.

"I think they are trying to make a political statement," said Laughlin McDonald, an American Civil Liberties Union lawyer.

The Voting Rights Act was adopted in 1965 and the Section 5 powers to review Souther election laws was extended by Congress in 1982. The section is scheduled to expire in 2007.

The foundation argued that the Justice Department has abused its powers by using them as "a tool for partisan gerrymandering and conscious racial discrimination against majorities and in favor of race-based 'proportional representation' theories."

For the foundation's claim to be heard, U.S. District Judge Julie Carnes would first have to let the foundation into the Justice Department's case. The case is pending.

LOAD-DATE: May 21, 1996

LEVEL 1 - 41 OF 231 STORIES

Copyright 1996 P.G. Publishing Co.
Pittsburgh Post-Gazette

February 11, 1996, Sunday, TWO STAR EDITION

SECTION: EDITORIAL, Pg. B3

LENGTH: 821 words

HEADLINE: The mother of all legal quandaries;
Conservatives are embracing judicial activism without much thought for the
alarming consequences

BYLINE: GEORGE F. WILL

DATELINE: ATLANTA

BODY:

Northeast of here, hard by the South Carolina border, in Toccoa, Ga., Waymon Earls, a tow truck driver, and his wife Sharon have started something that demonstrates the deep roots and strong sinews, but also some ambiguities, of today's conservatism. However, the Earls don't think they started the fight they are waging here with the help of the Southeastern Legal Foundation, a nonprofit public interest law firm spoiling for fights on behalf of conservative causes.

The Earls think, reasonably, that they are acting in self-defense. The aggressors who started the fight are the people in the school district who, without consulting the Earls, gave the Earls' daughters, ages 14 and 15, a bag of condoms, prescriptions for birth control pills, Pap smears and tests for AIDS.

Last June the Athens (Ga.) Banner-Herald quoted the Toccoa district school superintendent: "Schools are now taking over responsibilities that aren't being covered in the home. When parents won't do it, we have to." Won't do what -- give their teen-agers condoms? The Earls are seeking monetary damages for what they say were violations of school rules, state law and the state constitution.

Furthermore, they allege violations of their rights under the U.S. Constitution, including their First Amendment right to the free exercise of religion (which they say encompasses child rearing) and recognized 14th Amendment "due process" rights to parental sovereignty. The Earls say they are just trying to get policy to conform to precedents.

They cite a line of cases beginning with two from the 1920s. In one the Supreme Court overturned a Nebraska law (passed as a result of World War I hysteria) prohibiting foreign language instruction to school children. The court said the prohibition impermissibly infringed parental child-rearing rights. In the other case, the court overturned an Oregon law requiring parents to send children to public schools. The court said the law unreasonably interfered with the liberty of parents "to direct the upbringing and education of children under their control."

Pittsburgh Post-Gazette, February 11, 1996

These cases were examples of "substantive due process," which those conservatives who stress judicial restraint have generally considered a contradiction in terms. Such conservatives oppose wringing policy substance, even conservative substance, from a clause they say has merely procedural meaning. And a lawyer for the Southeastern Legal Foundation cheerfully says, "We are out to make bad law in order to provoke legislatures to repeal bad laws."

The foundation believes that for too long liberals have been defining the substance of substantive due process, so conservatives should get into the game. The foundation has been in the game for 20 years. Similar organizations practicing conservative judicial activism -- yes, many conservatives do not consider that an oxymoron -- have proliferated since the early 1970s, when the first of them was formed with the help of a California lawyer named Ed Meese.

One can sympathize entirely with the Earls and applaud the social policies organizations like the foundation advocate while regretting the zest with which some conservatives are succumbing to the temptation to seek judicial relief from offensive policies. That often means judicial relief from the rigors of politics.

Consider the rapidly spreading movement to pass "parental rights amendments" to state constitutions. The most common formulation is: "The right of parents to direct the upbringing and education of their children shall not be infringed." Those 17 words are rich in potential for breeding litigation about matters that should be settled by legislation, or by processes of political persuasion.

Both politics and social accommodation are discouraged by casting issues in the brook-no-compromise language of rights. Is the parental right to "direct" the "upbringing and education" of children infringed by school curricula or texts or dress codes that parents disapprove? Do we want to turn every parent's grievance into grounds for suing?

Rep. Steve Largent, a freshman Republican from Oklahoma, has 125 co-sponsors for his "Parental Rights and Responsibilities Act," which says, among much else, that "no federal, state or local government ... shall interfere with or usurp the right of a parent to direct the upbringing of the child of the parent." At first blush, that may seem unexceptional. And it is reasonable to execrate the many governmental provocations, from condom distributions to propagandizing curricula, that have moved Largent and other good people, including the Earls, to seek to codify parental rights.

However, there is a competing consideration: It is injurious to democracy to write into law language certain to breed litigation that will draw courts even deeper into the unjudicial business of reviewing and rearranging the details of social life.

NOTES:

George F. Will is a syndicated columnist for The Washington Post.

LOAD-DATE: February 12, 1996

LEVEL 1 - 49 OF 231 STORIES

Copyright 1996 The Atlanta Constitution
The Atlanta Journal and Constitution

February 2, 1996, Friday, ALL EDITIONS

SECTION: LOCAL NEWS

LENGTH: 423 words

HEADLINE: MULTIMILLIONAIRE CANDIDATE;
150 pay \$ 1,000 to hear new front-runner Forbes;
A poll puts the flat-tax advocate 9 points ahead of Bob Dole in New;
Hampshire.

BYLINE: Mark Sherman; STAFF WRITER

BODY:

A wide-ranging and curious crowd of well-heeled Atlantans greeted surging GOP candidate Steve Forbes on Thursday in Buckhead, where the multimillionaire candidate declared himself in the presidential race "for the duration."

On the same day he was declared the front-runner in New Hampshire, Forbes interrupted his campaign schedule in Iowa to fly to Atlanta for a chicken dinner at the Hotel Nikko, where more than 150 people paid \$ 1,000 each to hear his anti-Washington message and support for a flat tax.

"We have to change the culture in Washington," he said.

The magazine publisher has already spent more than \$ 15 million from his personal fortune of \$ 400 million. As part of his effort to build a national campaign and deflect charges that he is trying to buy the nomination, Forbes has begun raising money around the country.

"Citizens want to participate with their own resources to get the message of growth and opportunity out to the American people," Forbes told reporters.

Forbes visited Atlanta on the same day a Globe and WBZ-TV poll awarded him front-runner status in New Hampshire. The survey showed him leading his closest rival, Senate Majority Leader Bob Dole, by 9 percentage points. (The poll had a margin of error of plus or minus 5 percentage points.)

"My opponents have discovered that I'm on the radar screen in a very big way," Forbes said.

Republicans will hold caucuses in Iowa on Feb. 12, and a primary in New Hampshire on Feb. 20. Georgia's primary is March 5.

Greeting Forbes was a crowd that included such supporters as Matt Glavin, president of the Southeastern Legal Foundation; Wesley Cantrell, CEO of Lanier Worldwide; Jim Richards, president of Southwire Co.; and former state Rep. Kil Townsend of Atlanta, a Republican.

The Atlanta Journal, February 2, 1996

Among the merely curious was Jack Gibbs, executive director of the Christian Coalition in Georgia. "He obviously has a message that's resonating with a lot of people," said Gibbs, noting that his own organization does not endorse candidates.

Others at the dinner were lobbyists Rusty Kidd, retired Wachovia executive John Stevens, and Paul Womack, a retired executive at First Financial Management Corp.

Forbes also spent time defending two aides, R.E. Carter Wrenn and Tom Ellis, who have been associated with racially charged political ads and mailings in past campaigns in North Carolina.

"We've got a good team. We're going to keep the team," Forbes said. He said he would accept in his campaign "everyone who subscribes to my agenda."

LOAD-DATE: February 4, 1996

LEVEL 1 - 121 OF 231 STORIES

Copyright 1994 The Atlanta Constitution
The Atlanta Journal and Constitution

September 10, 1994

SECTION: STATE NEWS; Section C; Page 13

LENGTH: 571 words

HEADLINE: School board to vote on book removals Oconee panel also will decide future guidelines

BYLINE: By Rebecca McCarthy STAFF WRITER

BODY:

Watkinsville - At the Monday night meeting of the Oconee County Board of Education the first chapter should close on removing nine V.C. Andrews novels from the high school library and a new one may open on which books in the future will be banned.

Parents Geoff and Connie Rushing in May challenged books by Andrews, a prolific juvenile horror writer whose books talk explicitly about such issues as abuse, incest and rape. The 21-member school system media committee last month endorsed removing eight of the nine, recommending that "Garden of Shadows" stay in circulation. The board is expected to vote on the committee's recommendations Monday.

Superintendent Debra Harden has suggested "Garden of Shadows" be placed in a restricted area of the library and that students be required to show written parental permission before checking it out - a recommendation the Rushings have appealed to the board. They want the book removed altogether.

The board also is expected to consider an Aug. 1 motion by school board member Kay Shepard that instructs Harden and her staff to develop procedures for screening all incoming and existing materials "to prevent offensive, vulgar, and educationally unsuitable materials from being part of the libraries/media center or curriculum." The motion adds that materials won't be "arbitrarily" removed.

The Aug. 1 motion followed a controversial order passed by the board on July 11 that provided for the evaluation and removal of books in the library and classroom found to be "sexually explicit and/or pornographic." It was later rescinded amid protests and threats of lawsuits.

"We're very concerned about this second motion and see little difference in the language," said Bill Yarbrough, co-chair of Resolving Educational Adversity Diplomatically (READ) Oconee County, a citizens' group opposing censorship that has been monitoring the board since July. "I don't agree with pulling books off the shelves even if they are challenged. They can be put in a restricted area."

The new motion was drafted by the Rushings' attorney, Josh Kenyon of the conservative Southeastern Legal Foundation, which describes itself as dedicated to the "preservation of the free enterprise system and individual liberties."

1994 The Atlanta Journal and Constitution, September 10, 1994

Kenyon said that two Oconee school board members asked for his assistance and that he consulted lawyers with the conservative Charlottesville, Va.-based Rutherford Institute, which has an office in Atlanta. He said he was "trying to get language that was approved by the Supreme Court" in a case involving parents who asked a school board in New York state to remove a list of school library books.

But there may still be problems with the Aug. 1 motion, said William Lee, a University of Georgia journalism professor. The second part of the motion intrigues him, he said, "because they're not saying they won't be removing books; they're saying it won't be done arbitrarily. But assessments by non-experts are arbitrary."

According to Lee, the 1982 Supreme Court decision says that books can be removed from school libraries for lack of educational suitability and for vulgarity. There is a distinction between those two criteria and suppressing ideas because they are offensive, he said.

"What's critical is the motivation of the decision-maker," Lee said. "The heart of the [Supreme Court] case is you can't suppress ideas just because you don't like them."

GRAPHIC: Map: Map shows the location of Oconee County.

LANGUAGE: ENGLISH

LOAD-DATE: September 14, 1994

54TH STORY of Level 1 printed in FULL format.

Copyright 1994 American Political Network, Inc.
The Hotline

June 9, 1994

SECTION: GOVERNORS '94

LENGTH: 520 words

HEADLINE: GEORGIA: WILL CONTROVERSY FOLLOW THE "JESSE HELMS CROWD?"

BODY:

Businessman Guy Millner (R) is expected to unveil a new TV ad this week that "sharply criticizes" Gov. Zell Miller (D). The ad "should come as no surprise to Miller. For months he has been bracing for an assault because he knows who's behind it -- former Jesse Helms political consultant Alex Castellanos." Months ago, Miller told Dem activists that this election "is going to be the ugliest, nastiest, meanest, most brutal race this state has ever seen." He warned that "the Jesse Helms crowd" will be involved, referring to Castellanos, who is Millner's media consultant, and Jefferson Marketing Inc., which is working for ex-state Rep. Paul Heard (R). Both Castellanos and Jefferson "have drawn fire for their work with Helms." In Helms' '90 race against Charlotte Mayor Harvey Gantt, who is black, Castellanos produced an ad that showed white hands crumbling a rejection letter, with the VO blaming "quotas" for the scenario. GOPers "offer no apologies" for the hires. Millner manager David Shafer: "We intend to talk about Zell Miller's record, and that won't always be pleasant." Miller manager Jim Andrews "said consultants should not be an issue" in the race but Jefferson's actions for Helms "stepped over the line. It went beyond strategy." Heard manager Matt Glavin: "We chose them because they are experts at guerilla warfare" (Walston, ATLANTA CONSTITUTION, 6/7).

PILING ON MILLER: In a 60-second spot that began airing 6/8 in selected markets, Millner attacks Miller's record on crime. Partial text: "Zell Miller is releasing through his pardon and parole board, violent criminals only serving one-third of their time. In fact, we have an average of 200 criminals a week being released into our streets and into our neighborhoods. Tell me why we are letting a violent criminal out early when we've had empty prisons that we built with our bond money that we didn't have open?" (Millner release, 6/8). Heard 6/8 unveiled a mobile billboard "that shows the amount of violent criminals released" under Miller. A Heard release said the sign will travel with Heard and "will change daily based up the rate of early release of violent criminals" 6/8). Also: State Rep. Charles "Judy" Poag, ex-Waycross Mayor John Knox (R) and USAF Col Nimrod McNair (R). Primary 7/19.

LANGUAGE: ENGLISH

56TH STORY of Level 1 printed in FULL format.

Copyright 1994 The Atlanta Constitution
The Atlanta Journal and Constitution

June 8, 1994

SECTION: STATE NEWS; Section D; Page 4

LENGTH: 575 words

HEADLINE: Election '94 Ex-Helms advisers to take on governor

BYLINE: By Charles Walston STAFF WRITER

BODY:

Republican gubernatorial candidate Guy Millner is expected to unveil a new TV commercial this week that sharply criticizes Democratic incumbent Gov. Zell Miller.

The ad should come as no surprise to Miller. For months he has been bracing for an assault because he knows who's behind it - former Jesse Helms political consultant Alex Castellanos.

Several months ago, Miller told Democratic activists that this year's election "is going to be the ugliest, nastiest, meanest, most brutal race this state has ever seen."

Miller warned Georgia Democrats that "the Jesse Helms crowd" will be involved, referring to veterans of Helms' vicious Senate campaigns in North Carolina: Castellanos, who is the media consultant for Millner, and Jefferson Marketing Inc. of Raleigh, which is working for GOP candidate Paul Heard.

The Republicans offer no apologies for their aggressive battle plan. "We intend to talk about Zell Miller's record, and that won't always be pleasant," said David Shafer, Millner's campaign manager.

Media consultants are important to modern campaign strategy, helping to set the tone for TV, radio and direct-mail advertising. Both Castellanos and Jefferson Marketing have drawn fire for their work with Helms.

In Helms' 1990 race against Charlotte Mayor Harvey Gantt, who is black, Castellanos produced a commercial that showed a pair of white hands crumpling a job rejection letter, with narration that blamed the scenario on "quotas." Some Gantt supporters said the ad was an attempt to stir racial resentment, but Castellanos defended it.

"What we said in that ad was that nobody should get a job or be denied a job because of the color of their skin, and I believe that," Castellanos said last week.

'Experts at guerrilla warfare'

Castellanos' association with Helms began in the 1970s when he worked for the

1994 The Atlanta Journal and Constitution, June 8, 1994

Congressional Club, a conservative political action committee controlled by Helms and his supporters. In the mid '70s, Castellanos started Jefferson Marketing as a direct-mail company, but he left after a couple of years.

According to Castellanos, the Congressional Club was a "client" of Jefferson Marketing. But in 1985, the Federal Elections Commission sued Jefferson Marketing, alleging that the Congressional Club actually controlled Jefferson Marketing and that Jefferson Marketing had made illegal campaign contributions to candidates Helms supported. A year later, Jefferson Marketing officials agreed to separate ownership of the company from Helms' PAC and to pay a \$ 10,000 fine.

In 1992, the U.S. Justice Department filed a lawsuit claiming the North Carolina GOP tried to discourage blacks from voting in Helms' 1990 race by sending out 125,000 postcards that made false statements about voter eligibility. The state party and Jefferson Marketing promised not to engage in any future efforts to suppress voter turnout.

Jim Andrews, Miller's campaign manager, said consultants should not be an issue in a political race. He is a colleague of James Carville, who ran President Clinton's campaign in 1992. But Andrews said Jefferson Marketing's actions for Helms "stepped over the line. It went beyond strategy."

Mark Stephens, the Jefferson Marketing producer working with Heard's campaign, did not return telephone calls. But Matt Glavin, Heard's campaign manager, defended the decision to hire the company.

"We chose them because they are experts at guerrilla warfare," Glavin said. ||

LANGUAGE: ENGLISH

LOAD-DATE: June 11, 1994

64TH STORY of Level 1 printed in FULL format.

Copyright 1992 News World Communications, Inc.
The Washington Times

November 1, 1992, Sunday, Final Edition

SECTION: Part A; NATION; CAMPAIGN '92; NEWS ANALYSIS; Pg. A6

LENGTH: 1658 words

HEADLINE: Four more years? Few see significant changes

BYLINE: Ralph Z. Hallow; THE WASHINGTON TIMES

BODY:

Speculating about the nature of a second George Bush term once seemed like a possibility too remote to contemplate and too dull to even discuss.

President Bush has narrowed the race to a statistical dead heat in several polls and removed the remote aspect, but the dullness of limited expectations lingers.

"One of the most important things in a second Bush term is what won't be done," former Reagan adviser Martin Anderson says when pressed to name a significant, exciting accomplishment he expects from four more years.

Mr. Anderson is a Bush supporter whose greatest gratification is a belief not that the president has acquired vision, but rather that he has learned his lesson about relying on tax increases to reduce the deficit.

Like a migraine, the dullness factor nags the president's more conservative critics, who, in their lingering fixation on Ronald Reagan, long for the visionary government-slayer Mr. Bush never was cut out to be.

Nor is he the frenetic conservative activist who deeply believes government has the answers, so long as they bear the tags "entrepreneurial," "empowerment" or "pro-growth."

"I saw nothing during the campaign to suggest Bush has a coherent pro-growth message that includes shrinking the government," says former Reagan budget official Lawrence Kudlow. "He occasionally talked about freezing spending, tax incentives, privatization, limiting unnecessary law suits and empowerment in education, housing and health care, but not in a single coherent statement a la Reagan."

Even the president's fired-up delivery of a "Here's what I'll do" speech in Detroit back in September, when he sounded a bit like his spirited government-can-make-it-happen housing secretary, Jack Kemp, left some influential Republicans skeptical.

"I see very little hope we'll get much different in second term," says

The Washington Times, November 1, 1992

William Myers, president of the South Carolina Policy Council, one of 26 conservative think tanks around the country. "You have to look at what he's done, like championing the civil rights bill, the Americans With Disabilities Act and the Clean Air Act."

But to the extent these measures endorsed an activist government role, they also were not high on the president's list of priorities. Rather, they were political moves designed to satisfy interest groups that someone told the president he needed to placate.

The problem is that Mr. Bush is a conservative not of his time, a man skeptical that the federal government can do much that isn't more harmful than good, except in foreign policy and trade. So he has no vision on the domestic front because he doesn't see the use for one, and he hasn't met one he thinks will work.

"Modern conservative activists don't think that way," says Matt Glavin, president of the Georgia Public Policy Council. "But Bush wasn't enough of a traditional, nonactivist conservative to resist pressure to spend and regulate more than any other Republican president I can remember."

Many Republicans who served in previous administrations privately acknowledge that it's hard to think of something that stands out as a passionate belief that Mr. Bush would go to the mat for in a second term, with the exception of free trade.

And several conservative leaders attending a summit meeting of the political right here last week speculated that a Bush victory Tuesday would be by such a narrow plurality as to deny any claim to a mandate.

This, they lamented, would leave to the tender mercies of a Democratic Congress his sporadic outlines for reductions in tax rates and federal spending growth and for what conservatives are pleased to call his "nonsocialist" approaches to expanding health care nationally.

These conservative leaders, part of any Republican candidate's electoral base, do want his re-election, but less for what they think he may do than for what they fear a Clinton-Democratic Congress combination will do.

Establishment Republicans profess a slightly different view of a second Bush term. Donald T. Regan, former Treasury secretary and White House chief of staff in President Reagan's two terms, thinks Mr. Bush will have something that is almo

LEVEL 1 - 136 OF 231 STORIES

Copyright 1993 The Atlanta Constitution
The Atlanta Journal and Constitution

August 13, 1993

SECTION: LOCAL NEWS; Section D; Page 7

LENGTH: 347 words

HEADLINE: Two groups suing city over domestic partnership laws

BYLINE: By Holly Morris STAFF WRITER

BODY:

The city of Atlanta's two new domestic partnership ordinances faced their first legal challenge Thursday as attorneys for a pair of conservative groups argued that they violate the state constitution and the Home Rule Act.

Attorneys for the Southeastern Legal Foundation and Family Concerns, a fundamentalist Christian group, also asked Fulton County Superior Court Judge Joel Fryer to grant a temporary restraining order.

The order would have stopped the city from registering domestic partners and from proceeding with plans to extend city benefits to registered domestic partners of city employees beginning in January.

During a two-hour hearing, Family Concerns attorney David Myers argued that the two ordinances, along with a 1986 amendment to the city's Bill of Rights forbidding discrimination based on sexual orientation, all violate the Home Rule Act provision that cities may not take actions "affecting private or civil law governing private or civil relationships."

The plaintiffs, none of whom attended the hearing, include state Rep. Billy McKinney (D-Atlanta) and City Councilmen D.L. "Buddy" Fowlkes and Jared Samples. They sued the seven council members and council President Marvin Arrington, who voted to extend benefits to domestic partners.

Judge Fryer scolded the plaintiffs for misusing the emergency provisions of a temporary restraining order.

"This doesn't look like an emergency. What am I going to restrain?" he asked Mr. Myers. "To restrain someone from saying, 'I am Sam's domestic partner; I want to be treated the same as any other person'? Ludicrous!"

Because the aim of the suit was clearly to get the legal issues heard by the Georgia Supreme Court as quickly as possible, Judge Fryer recommended that the attorneys ask for a stipulated order as the basis for appeal to the higher court.

At the same time, the judge confessed that he was intrigued by the issues of the case, and if the two sides could not agree on another approach, he would allow them to file briefs - one each - on the temporary restraining order in two

1993 The Atlanta Journal and Constitution, August 13, 1993

weeks.

LANGUAGE: ENGLISH

LOAD-DATE: August 14, 1993

LEVEL 1 - 205 OF 231 STORIES

Copyright (c) American Bar Association, 1984.
ABA Journal

May, 1984

70 May ABA J. 71

LENGTH: 3199 words

SECTION: Feature; Profile

TITLE: The Ralph Naders of the Right

AUTHOR: Nancy Blodgett

Nancy Blodgett is a free-lance writer based in Chicago and has written for numerous legal periodicals.

TEXT:

THERE was a time when liberal organizations could claim a monopoly on "public interest" cases. But those days are over.

The advent of more than a dozen conservative, pro-business legal foundations has expanded the definition of public interest. What's more, these rightist groups frequently joust with their ideological adversaries and are gaining quickly on them in funding and influence.

These "Ralph Naders of the Right" seem to be doing an increasingly effective job of pressing for their causes and presenting them to the courts. Of course, this has led to a war of words between them and the liberals. For example, Dan Popeo, director of the aggressively conservative Washington Legal Foundation, dirides the American Civil Liberties Union as the "American Criminal Lovers Union." Burt Neuborne, legal director of the ACLU, responds, "As long as they keep beating their chest and acting like Tarzan, no one will take them seriously."

The granddaddy of them all

The foundation that started all the controversy is the Pacific Legal Foundation. Based in Sacramento, Calif., its mission is to defend the free enterprise system, preserve individual property rights and reduce the power of both the government and the liberals. Pacific first opened its doors in 1973 with a staff of three lawyers, all of whom had previously worked in Ronald Reagan's administration when he was governor of California. Pacific president Ronald Zumbrun was a deputy director of legal affairs for California's welfare department, and Raymond Momboisse served as a California deputy attorney general. Together they successfully defended court challenges to Reagan's controversial welfare cutback program.

Since then Pacific has opened offices in Washington, D.C., Anchorage, Seattle and Santa Monica, employing a total of 20 lawyers. Its budget has grown from \$250,000 in 1973 to more than \$2.5 million in 1983. It now has more than 18,000

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contributors, including foundations, corporations, private business and individuals. Some of the contributors have been the Lilly Endowment, William Randolph Hearst Foundation, John M. Olin Foundation, M.J. Murdock Charitable Trust, Southern Pacific Co. and the Sperry Corp.

In the name of the public interest, Pacific has worked to stop the Naderbacked project to require airbags in automobiles, has stymied environmentalist attempts to block construction of the Trident nuclear submarine, supported Allan Bakke in his Supreme Court case challenging minority quotas, stopped government inspectors from searching worksites without warrants, filed suit in support of California's Proposition 13 and sued the State Bar of California for using members' dues for political purposes.

California coastal fray

Pacific entered one of its most important legal frays in 1982. Pacific filed suit against the California Coast Commission, which required homeowners to dedicate part of their beachfront property for public access as a condition for a permit to make any improvement on beachfront property. Pacific argued that the requirement was unconstitutional, and the foundation represented two homeowners in another lawsuit on whether they needed to dedicate their land to repair a storm-damaged seawall.

The cases went to the California Supreme Court. By then the commission had voluntarily withdrawn its appeal against the homeowners. The high court, however, ruled that Pacific's constitutional challenge was unripe for decision. *Pacific v. California Coast Commission*, 655 P.2d 309 (1982).

Because of the lack of a broad ruling by California's high court, "We have a number of cases pending where people are suing the California Coastal Commission," Pacific staff attorney Tim Bittle said. "The people feel their property is being taken by the government without just compensation." Pacific's 1983 annual report called these property owners "victims of extortion."

The use of these provocative expressions in annual reports, amicus curiae briefs and courtroom arguments has prompted liberal public interest law figures to characterize Pacific and some of the other foundations as being "too ideological" in arguing cases. "One of the problems with Pacific is that they are so ideological that they are limited by their preconceptions when arguing a case," said Joan Claybrook, president of the Ralph Nader-affiliated Public Citizen Litigation Group.

Five that followed

The example set by the contentious Pacific Legal Foundation has been followed by five other conservative groups that are affiliated. They are Mountain States Legal Foundation in Denver; Southeastern Legal Foundation in Atlanta; Gulf and Great Plains Legal Foundation of America in Kansas City, Mo.; Mid-Atlantic Legal Foundation in Philadelphia and Mid-America Legal Foundation in Chicago. (See sidebar.)

These groups were launched with the help of the National Legal Center for the Public Interest. Established in 1975 in Washington, D.C., the center's principal activity has become coordinating annual meetings among the affiliated

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foundations at which foundation directors get together and "steal each others' clients." joked Southeastern Legal Foundation staff attorney Robert Baker.

Assessments about the impact of these various foundations are mixed. Karen O'Conner, a political science professor at Emory University in Atlanta, noted that by 1980 various conservative foundations had tripled their amicus participation in Supreme Court cases from 1969. An article in the Christian Science Monitor once said of the leader, Pacific, "this busy and growing group of establishment-oriented lawyers has won a substantial number of victories."

The liberals, not surprisingly, say their adversaries are not making a difference. "Those foundations don't even register on my seismic scale," said Barry Goldstein, staff attorney for the NAACP Legal Defense and Educational Fund Inc.

Consumer advocate Ralph Nader says the conservative groups are "agents of corporations, and not public interest law firms. These guys are on a company mission and they do work that companies cannot do because of public relations considerations. They marvelously waste their corporate contributors' money and show very little productivity."

Mountain States clashes

Since its establishment in 1977 Mountain States has been involved in numerous disputes with the Sierra Club and other conservationist groups over the proper use of natural resources. Mountain States' first president became the environmentalists' public enemy No. 1: James Watt, former secretary of the interior.

In one clash of wills -- Sierra Club v. Watt, No. 83-035, filed Jan. 13, 1983, in federal court in the Eastern District of California -- Mountain States, as a defendant intervenor, argued that treating the federally owned surface of disputed "split-estate" lands as protected wilderness deprives individual landowners of their rights to the minerals beneath. The case is still pending.

In Mountain States v. Andrus, 499 F.Supp. 383 (1980), it successfully argued that the U.S. Forest Service had withheld land improperly from development by not acting on applications for oil and gas exploration leases. The Wyoming federal district court ultimately held that the Forest Service either had to withdraw the land or institute action on lease applications. "A few" leases were then granted, according to Mountain States senior staff attorney Connie Brooks.

Mountain States has taken on more than the Sierra Club and other environmentalist organizations. It challenged the windfall profits tax as an "irrational and discriminatory tax that impedes United States energy independence and seizes the private property of a politically unpopular minority," according to its 1977-82 summary of legal activity. Mountain States, which represented the states of Texas and Louisiana, lost the case when the Supreme Court upheld the tax. United States v. Ptasynski, 103 S.Ct. 2239 (1983).

The Powell memo

"It's hard for them to claim that their cases have had much effect on things

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on the ground," commented Bill Curtiss, who is staff attorney for the Sierra Club Legal Defense Fund. "With the conservative Foundations, it's more a question of raising the issues."

Working to "raise the issues" and present the perspective of business to the courts is something once encouraged by Lewis F. Powell Jr. before he became a Supreme Court Justice. In a "confidential memorandum" to a U.S. Chamber of Commerce chairman in 1971, Powell wrote, "Business and the enterprise system are in deep trouble. It's time for American business . . . to apply their great talents vigorously to the preservation of the system itself. . . . The judiciary may be the most important instrument for social, economic and political change."

If an increase in caseload and contributions is an indication of success, the foundations are doing well in answering Powell's call to action. When Mountain States was launched in 1977, for example, it had one lawyer, James Watt, and a \$380,000 budget. It now has 11 attorneys and a \$1.26 million budget for the 1982-83 fiscal year. Its contributors have included the Scaife Family Charitable Trusts, the Adolph Coors Foundation, M.J. Murdock Charitable Trust and the Donald W. Reynolds Foundation. Several oil company foundations, including Phillips, Amoco, Cities Services and Marathon, also have contributed.

Liberal legal foundations generally do not have so well-heeled contributors, although they have attracted more total funding. The oldest and largest legal fund, the NAACP Legal Defense and Education Fund Inc., had a 1983 annual budget of \$6.5 million, according to its director, Jack Greenberg. This compares to a 1983-84 budget of more than \$2.5 million for Pacific, the oldest and largest of the conservative foundations. The Natural Resources Defense Council, a liberal environmentalist organization, had a budget of more than \$5 million for 1983, according to Karen Holmes, the group's development officer. The ACLU's annual budget for 1983 was estimated at \$12.5 million, according to George Forman, the ACLU Comptroller.

Political clout

The liberal public interest firms may have more money, but "the conservatives have more influence because the people sympathetic to them are in power," said John Mancini, director of the Washington-based Foundation for Public Affairs, which is publishing its fourth volume of a book that examines 250 public interest groups in the country, both liberal, centrist and conservative.

The Reagan administration has moved certain foundation leaders into places of great influence. A founder of the Pacific Legal Foundation is presidential adviser Edwin Meese III. Mountain States' first president, James Watt, became secretary of the interior, while his successor, Roger Marzulla, became special litigation counsel to the Land and Natural Resources Division of the Department of Justice. And a former member of the Mountain States board of litigation, rex E. Lee, is the U.S. solicitor general.

Serving on the Mountain States board of litigation with Lee was Thomas H. Gonser, executive director and chief operating officer of the American Bar Association. Persons who serve on Mountain States' board of litigation decide what cases the foundation should pursue.

Gulf and Great Plains

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The Gulf and Great Plains Legal Foundation also works to support the free enterprise system and oppose government "intervention." It focuses more than the others on defending individual and civil rights and even has been on the same side as the ACLU in some cases, according to its general counsel, Dan Peterson.

Gulf and Great Plains' most important case to date is Country Hills Christian Church v. Unified School District No. 512, 560 F. Supp. 1207 (1983), which it won in the Kansas federal district court in March 1983. The issue was whether the Country Hills church should be allowed to rent space in a school building owned by the Shawnee Mission district. The school rented space to community groups during the evenings and on the weekends, but it refused to allow religious meetings at the school.

Gulf and Great Plains contended that the denial of school space to a group on the grounds of their religious affiliation was a violation of the First Amendment right to freedom of speech. The church group has since held an Easter service at the school, according to Peterson.

More direct involvement

Like several of the other foundations, Gulf and Great Plains is moving away from amicus curiae briefs and toward direct involvement as counsel to parties. "We feel that for long-term impact, we want to take on lawsuits that are doing something that isn't already being done," Peterson said. "We set a precedent in the Shawnee Mission case. We delineated a church's free speech rights from a state's rights."

By becoming directly involved in litigation, the conservative foundations may be able to blunt criticism that they are making no real impact on society. For example, Michael J. Horowitz, a public interest law expert and counsel to Office of Management and Budget Director David Stockman, prepared an analysis several years ago of the conservative legal foundations for one of their larger contributors, the Scaife Foundation. He wrote, "a high ratio of amicus participation on the part of a conservative public interest law firm raises a fair presumption that the firm is engaged in pufferies intended for naive audiences of donors, and not doing meaningful work."

One widely publicized example of more direct involvement by one of the new-breed public interest legal foundations is Westmoreland v. CBS, No. 82 Civ. 7913, filed Sept. 13, 1982, in federal district court in Manhattan. The Washington-based Capital Legal Foundation is representing Gen. William Westmoreland in his \$120 million libel suit against CBS for its portrayal of him as a "conspirator" in its television documentary, "The Uncounted Enemy: A Vietnam Deception." The program alleged that General Westmoreland deliberately underestimated enemy troop strength during the Vietnam War.

Capital, established in 1977, also has brought a lawsuit against the U.S. Department of Agriculture challenging the marketing order system it maintains in the citrus fruit industry. Jim Moody, a Capital staff attorney, said the present system is like a "federally sponsored OPEC for citrus." Moody said the California-Arizona lemon industry is run by a USDA committee that has limited domestic fresh citrus sales for 1983-84 to only 14 million cartons from an estimated total crop of nearly 60 million. This means "growers must dispose of

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the remaining three-fourths of their crop at huge losses," according to Moody. Capital has an action pending in federal district court in Washington, D.C., challenging the system on both administrative and constitutional grounds.

Protecting the little guy

Both Moody and Capital's president Dan Burt stress that their foundation is a different breed from the rest. "We're more libertarian and less ideological" than the other conservative foundations, Moody said. "We put emphasis on protecting the little guy, rather than the big guy. Other conservative foundations work for the little guy, unless the big guy happens to be their friend."

Capital may be different ideologically, but it shares the conservative foundations' disdain for their frequent adversary, Ralph Nader. "Nader has grown old and stale and no longer serves the public interest," Moody charged. A few years ago, Burt wrote a book about Nader and the groups affiliated with him, Abuse of Trust. Moody claims the book shows that Nader's groups "are a secretly funded, octopus-like Washington preserve, a lot like the groups Nader criticizes."

Another organization unafraid to use strong words for its opponents is the Washington Legal Foundation. In its 1983 annual report it referred to the United Presbyterian Church and the National Council of Churches as "radical groups." The foundation is opposing the church groups, which have filed a lawsuit challenging President Reagan's Executive Order 12333, which grants the U.S. attorney general broad authority in investigations concerning foreign powers. The Washington Legal Foundation is representing Sen. Jeremiah Denton, R-Ala., and several members of the House of Representatives in support of the security-related executive order.

The Washington Legal Foundation, established in 1976 and now boasting 85,000 members nationwide, is the only conservative firm actively engaged in lawsuits involving national security and defense. It represented Sen. Barry Goldwater, R-Ariz., who challenged former president Jimmy Carter's termination of a U.S. defense treaty with Taiwan and also helped sue Carter in an attempt to prevent implementation of the Panama Canal Treaty.

It went head-to-head recently with the liberal Center for Constitutional Rights. The New York-based center filed a suit on behalf of 12 members of Congress against President Reagan, the State Department and the Central Intelligence Agency. The suit charges, among other things, that U.S. support for the counterrevolutionaries fighting the Sandinista government in Nicaragua was a violation of the Boland amendment to a House appropriations bill. The Washington Legal Foundation has sided with the government and says that the "radical" Center for Constitutional Rights, by its position in the case, is "attempting to halt U.S. aid aimed at blocking Soviet-Cuban expansionism in Central America."

Words as weapons

The use of provocative language may not be the most effective way to win courtroom battles. But the war between the liberal and conservative public interest groups -- over which will have more impact on the judiciary -- may prove to be a long one, with amicus briefs, lawsuits and harsh words serving as

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both sides' trusted weapons.

Who's Who

Here is a partial listing of the conservative litigation foundations. Not included are legal centers that litigate on behalf of one particular organization, such as the National Chamber Litigation Center, affiliated with the U.S. Chamber of Commerce, or others that focus primarily on a single issue, such as the labor-oriented Center on National Labor Policy Inc. or the media-oriented American Legal Foundation.

Pacific Legal Foundation, headquartered at 455 Capitol Mall, Suite 600, Sacramento, Calif. 95814, telephone 916/444-0154. Its president and legal director is Ronald A. Zumbrun.

Mountain States Legal Foundation, established in 1977, is located at 1200 Lincoln St., Suite 600, Denver, Colo. 80203, telephone 303/861-0244. Its president and chief legal officer is Fred D. Fagg III.

Gulf and Great Plains Legal Foundation, established in 1976, is at 1000 Brookfield Building, 101 W. 11th St., Kansas City, Mo. 64105, telephone 816/474-6600. Its president is Wilkes C. Robinson and its general counsel is Dan M. Peterson.

New England Legal Foundation, established in 1977, is at 55 Union St., Boston, Mass. 02108, telephone 617/367-0174. Its president is Joseph D. Alviani and its legal director is Wayne S. Henderson.

Southeastern Legal Foundation Inc., started in 1976, is at 2900 Chamblee-tucker Road, Building Four, Atlanta, Ga. 30341, telephone 404/458-8313. Its president is Ben B. Blackburn.

Mid-Atlantic Legal Foundation, set up in 1977, is at 400 Market St., Third Floor, Philadelphia, Pa. 19106, telephone 215/238-1367. Its president is Myrna P. Field.

Mid-America Legal Foundation, incorporated in 1975, is at 20 N. Wacker Drive, Suite 842, Chicago, Ill. 60606, telephone 312/263-5163. Its president is John M. Cannon.

Capital Legal Foundation, set up in 1977, is at 700 E. St., S.E., Washington, D.C. 20003, telephone 202/546-5533. Its president is Dan M. Burt.

Washington Legal Foundation, started in 1976, is at 1705 N St., N.W., Washington, D.C. 20036, telephone 202/857-0240. Its general counsel is Daniel J. Popeo.

LANGUAGE: ENGLISH

GRAPHIC: Picture 1, The conservative foundations have been called "Ralph Naders of the Right." But consumer advocate Nader contends that these groups are "agents of corporations and not public interest law firms" who "marvelously waste their corporate contributors' money and show very little productivity.", Photo by Roddey E. Mims/Time Magazine; Picture 2, Dan Popeo, director of the

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aggressively conservative Washington Legal Foundation, derides the American Civil Liberties Union as the "American Criminal Lovers Union.", Photo by Joan Marcus; Picture 3, Joan Claybrook, president of the Ralph Nadar-affiliated Public Citizen Litigation Group, criticizes Pacific as being "so ideological that they are limited in their preconceptions in arguing a case."; Picture 4, NAACP Legal Defense and Educational Fund attorney Barry Goldstein says the conservative groups "don't even register on my seismic scale.", Photography by Joan Marcus; Picture 5, James Watt, former secretary of the interior and environmentalists' public enemy No. 1, was Mountain States' first president. Photo by Susan McElhinney/Time Magazine; Picture 6, Gulf and Great Plains' general counsel Dan Peterson, above, notes that in focusing on defending individual and civil rights, Gulf has been on the same side as the ACLU. Photo by Joan Marcus; Picture 7, Capital Legal Foundation staff attorney Jim Moody and president Dan Burt, opposite, stress that their foundation is "more libertarian and less ideological," and emphasizes "protecting the little guy.", Photo by Joan Marcus

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HEADLINE: With Their Man in the White House, Conservative Legal Groups are Hurting

BYLINE: BY JEFF DIONNE ROBERT

HIGHLIGHT:

Most of their causes are Ronald Reagan's causes, and that has hampered their ability to raise funds while helping the liberal groups' fund-raising efforts.

BODY:

In 1979, the future was as bright for "public interest" legal foundations with conservative political orientations as it was bleak for liberal ones. As people became wary of the expanding role of the federal government, blaming inflation on the deficits it caused, the mood of the country swung toward the positions advocated by the conservative groups -- limited government regulation and accelerated economic growth.

On the one hand, the liberal groups were losing financial support from many sources. The Ford Foundation, for example, was in the process of terminating its unrestricted grants to the liberal legal organizations, for many their main means of support. On the other hand, donations to the conservative firms, mostly by businesses, corporations and conservative foundations, was increasing.

The liberal organizations' financial situation worsened in 1981 when President Reagan's budget cuts denied them most of the government grants that were an integral part of their budgets. Meanwhile, the conservative organizations, which take pride in the fact that they neither solicit nor accept government funds, were again unaffected. (See NJ, 12/8/79, p. 2052.)

But that may be the only Reagan Administration policy that has hurt the liberal groups financially. For the most part, Administration policies have given liberal causes new energy, which liberal legal foundations are converting into revenue through direct mail fund-raising appeals. The same policies are having an opposite affect on the conservative firms, many of which are experiencing declines in financing. Some put at least part of the blame on the recent economic hard times. Nevertheless, during the same period, the liberal groups increased their revenues.

Of the liberal organizations, the environmentalists have had the most success in using Administration initiatives to raise money. That could be because they have had the most ammunition with which to arm their appeals. The Administration's stances on such issues as oil and coal leasing, federal land use and pollution control -- and the administrators appointed to carry out

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policies -- have been so adverse to the environmental organizations' ideology that their constituency has needed little or no prodding to contribute.

One such organization is the Sierra Club Legal Defense Fund. The San Francisco-based litigation arm of the Sierra Club had often taken departing Interior Secretary James G. Watt to court to halt what it argues are significant departures from historical land use practices.

Revenues for the group's defense fund increased from \$1.6 million in 1981 to \$1.8 million in 1982. Fredric P. Sutherland, executive director of the fund, expects the figure to climb to \$2.1 million by year's end.

"Clearly, the impact of Reagan and Watt has greatly improved our ability to raise funds," Sutherland said. (For a report on Watt, see this issue, p. 2306.)

Another environmental group attributing renewed public support to the Administration's environmental policies is the Natural Resources Defense Council Inc. Individuals contribute nearly half of the organization's budget, and membership is up from 32,000 in 1980 to 43,000 in August 1983. Karen Holmes, the group's development officer, noted that both the number of donors and the amounts given have increased; consequently, the organization's budget increased from \$3.8 million in 1980 to \$5.2 million in 1981 and \$6.2 million in 1982.

Many of the liberal advocacy groups have effectively used direct mail to solicit contributions. Common Cause, which litigates as well as lobbies for increased government accountability, has stepped up its direct-mail appeal from five million pieces in 1980 to seven million in 1982. The group's membership and income have increased from 206,500 members and \$4.7 million in 1980 to 260,000 members and \$6.9 million projected for 1983.

Public Citizen Litigation Group, an offshoot of a Ralph Nader organization, also targets Administration initiatives in its direct-mail appeals, and direct-mail receipts for 1983 are estimated at \$900,000, up \$270,000 from last year.

"A lot of [liberal] organizations have gotten a lot more money because people want them to fight Reagan," said Joan T. Claybrook, the parent group's president.

UPSTAGED BY REAGANISM

While the liberal firms have been able to generate revenue by using the President and Watt as lightning rods, the conservative firms are finding that many of their functions, and therefore their power to raise money, is being usurped by the Administration.

"I understand their frustration," said Alan B. Morrison, director of Public Citizen Litigation Group. "Our support was down during the Carter Administration." Morrison added: "Why should anyone give to [the conservative organizations]? The Administration is doing everything for them."

The conservative groups are relative newcomers to the field of public interest law. The first, the California-based Pacific Legal Foundation, was established in 1973 by a group of lawyers previously employed by California

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during Reagan's eight years as governor. Formed to counter the growing influence of the liberal groups in the courts, the conservative firms describe themselves as free-market advocates that litigate to halt overreaching government regulation that needlessly costs business and, ultimately, the consumer.

The conservative camp expanded in 1975 when the National Legal Center for the Public Interest was founded in Washington. The center was instrumental in forming six regional firms for which it provided seed money and technical support and acted as an information clearinghouse. Because it is a nonlitigating firm, the national group's role in regional activities has since diminished; principally, it convenes annual meetings and provides information on legislation affecting the judiciary.

Of the six independent affiliates, all modeled after the Pacific foundation, five are still associated with the umbrella group. Mountain States Legal Foundation in Denver; Southeastern Legal Foundation in Atlanta; Gulf and Great Plains Legal Foundation of America in Kansas City; Mid Atlantic Legal Foundation in Philadelphia; and Mid America Legal Foundation in Chicago. The sixth, Washington-based Capital Legal Foundation, severed its ties with the national group over ideological and fund-raising disputes.

Like their liberal counterparts, the conservative groups are nonprofit, tax-exempt organizations that accept no money for services. The bulk of their caseloads consists of lawsuits against regulatory agencies and liberal organizations, but they also tackle social issues -- abortion rights, school prayer, busing -- and all have ideological and monetary ties with the business community. Their boards of trustees contain an array of high-ranking corporate executives from such companies as the Adolph Coors Co., American Telephone & Telegraph Co., Dow Chemical Co., Monsanto Co., Exxon Corp. and Fluor Corp.

Most of the \$200,000 used to set up the National Legal Center came from Fluor and the Scaife Family Trust; during its first six years in operation, contributors have included Scaife, \$565,000; Adolph Coors Foundation, \$177,500; Monsanto Fund, \$42,500; Exxon, \$40,000; U.S. Steel Corp., \$27,500; Ford Motor Co., \$28,000; and Phillips Petroleum Co., \$24,000.

Financed by sources largely inaccessible to the liberal organizations, the conservative firms did not feel the financial pinch of the late 1970s. But recently, their narrow revenue bases have proved to be a liability.

Ernest B. Hueter, the National Legal Center's president, said that donations to his organization decreased "a maximum of 25 per cent" during fiscal 1982. Less money is available now than before because the recession has taken its toll on businesses and foundations, whose income is earned on corporate investments, he said. The situation is typical of many conservative firms, but some attribute their fiscal problems to political rather than economic causes.

When the Pacific foundation issued its annual report in March, it marked the 10th anniversary of the conservative public interest law movement; it also marked the end of the first year during which donations to the foundation, whose 1981 budget was \$2.8 million, decreased.

During fiscal 1982, donations dropped about 9 per cent, to \$2.55 million, while expenses rose 15 per cent, to \$2.65 million, leaving a \$100,000 deficit. Donations to the Southeastern foundation for the first quarter of fiscal 1983

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are off 15 per cent, and Mid America experienced a 2 per cent decline during 1982. Other conservative firms, including the Mountain States, Mid Atlantic and Gulf and Great Plains foundations, while not experiencing decreases, said they have had a tougher time raising money recently.

Members of the conservative firms disagree on the cause of their financial problems. While nearly all said the Administration has adversely affected their ability to raise money, some blamed the sluggish economy for their problems.

Ronald A. Zumbrun, president of the Pacific foundation, speculated that donations to the organization are down because his constituency has become complacent in the belief that the Administration is adequately protecting their interests.

"Since Reagan's election, public apathy by those who feel they have done their job at the voting booth has caused a relaxation of financial support," he said.

Benjamin B. Blackburn, president of the Southeastern foundation, agreed. He said fund raising was easier under the Carter Administration because many Carter appointees, particularly those from liberal public interest law firms, threatened the interests of the conservative foundations' constituency. Consequently, they gave more money to offset the actions of the Carter administrators, among whom were assistant attorney general Drew Days III, a former attorney for the NAACP Legal Defense Fund Inc., and White House domestic policy staff member Joseph N. Onek, who served as former director of the Center for Law and Social Policy.

Like President Carter, Reagan appointed prominent members of public interest law firms to key administrative positions. James R. Richards, inspector general at the Energy Department, for example, was formerly vice president of the National Legal Center. Presidential adviser Edwin Meese III was a founder of the Pacific foundation. Watt was the first president of the Mountain States foundation, and his successor in that post, Roger Marzulla, is special litigation counsel for the Justice Department's Land and Natural Resources Division. Rex Lee, formerly a member of the Mountain States foundation's litigation board, is solicitor general.

"My constituency doesn't feel the same threat from the regulatory agencies as they did three years ago," said Blackburn. "They're just not as unhappy as they were before."

Beverly Kinard, vice president for administration at the Mountain States foundation, conceded that it is harder to solicit donations under an Administration that is viewed as pro-business, but she also speculated that the economy has hurt businesses' ability to contribute. John M. Cannon, president of the Mid America foundation, and Myrna P. Field, president of the Mid Atlantic group, agreed.

Said Field: "Businesses just aren't doing well enough to contribute this year or have had to cut their contributions."

SEEKING A BROADER BASE

A few conservative law firms, concerned about their narrow revenue base, have

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been cultivating broader-based support through direct-mail solicitation of individuals and are doing quite well financially despite the economic and political climate.

As early as 1978, Washington Legal Foundation conceived and operated pendently of the National Legal Center, plowed more than half its \$400,000 budget into fund-raising activities. By 1981, its budget had grown to \$1.5 million. The organization still spends about \$300,000 annually on direct mailing and other fund-raising activities, but in recent years it has changed some of its methods and softened its New Right image.

In 1980, the foundation aligned itself closely with the New Right. John T. (Terry) Dolan, chairman of the National Conservative Political Action Committee, was the group's national chairman, and it spent much time and resources on the school prayer issue. Although the organization had an effective apparatus for direct mailing, it primarily used mailing lists compiled by conservative direct-mail specialist Richard A. Viguerie and billed itself in newsletters as "America's Christian/Conservative Voice in the Courts."

By 1982, the law firm had discontinued the Viguerie lists, subscribing to a number of different ones. Dolan is no longer associated with it, and its publications, expanded to include a series of monographs, bill the firm as "working to restore the balance" in the judicial system.

"That's history," said president Daniel J. Popeo of the organization's Christian-Conservative orientation. "We don't take that kind of case anymore; we've moved into a totally different realm."

Among the new priorities is a grassroots oriented court watch program that advocates victims' rights and enlists the public's help to monitor local courts and report judges, prosecutors or parole boards it feels are too lenient in sentencing criminals. The starter package, "Court Watch Manual: A Citizen's Guide to Judicial Accountability," contains sample letters requesting investigation of a particular court official by the appropriate state judicial review commission and a sample "victim impact statement" listing the physical, psychological and monetary damages to a violent-crime victim "to assist the court in its efforts to weigh all factors prior to imposing sentence."

The program has been very successful in attracting new members and supporters, Popeo said. He added: "Other firms are not as flexible as we are because their support is not as broad-based. Our support is solid and our future has never been brighter."

The foundation now claims 80,000 members and 120,000 supporters nationwide, and unlike other conservative firms, its budget has continued to rise by 7-10 per cent since 1980. In fact, the organization is doing so well that it has created an affiliate, the American Legal Foundation, to concentrate on media issues in the courts.

Another conservative firm to change direction is the Capital Legal Foundation. Once an affiliate of the National Legal Center, the Capital foundation is now moving toward what its president, Dan M. Burt, likes to call "the radical middle" of the political spectrum. Burt considers his firm a "libertarian public policy law firm" and has angered many of his colleagues at other conservative firms by criticizing their efficiency and what he

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characterizes as their knee jerk reaction in case selection. Burt refuses to represent a client who can afford to obtain legal counsel elsewhere and denounces friend-of-the-court briefs, a practice common among other firms, as a waste of time. As a result, he says, he has been ostracized from the conservative public interest law movement.

"They don't talk to me," he said. "They used to invite me to their conferences, but not anymore."

Burt's firm takes on a wider range of cases than most conservative firms. While maintaining "strong support for a free, capitalist economy . . . and for much of the industry in this country," it champions the interests of smaller businesses, which it contends are hurt most by regulation. Burt attributes the increased support for his organization to this strategy.

"We're satisfying the need to have the voice of the little guy heard in the regulatory process," he said. "Industry has the ability to take care of itself."

The foundation's budget, while not as impressive as that of the Washington Legal Foundation, has risen from \$850,000 in 1981 to more than \$1 million in 1982, and Burt expects it to reach \$1.5 million by year's end as revenues from individuals increase. Contributions from the business community, while up in absolute terms, decreased as a percentage of total revenues from about a third to about a fifth. Still, the bulk of contributions is from three or four large conservative foundations.

In supporting smaller business concerns, the firm has found it necessary to step on the toes of some major contributors and, at times, the Administration. One such case involved the marketing order system for oranges, which indirectly sets the price of the fruit by limiting the number that may be sold each year. Burt contends that the system restricts market entry and competition by independent producers and inflates the price paid by consumers. Last December, the firm took on the large citrus cooperatives and prepared to file suit in U.S. District Court for the District of Columbia on behalf of a small fruit-packing company to have the quantity controls declared unconstitutional.

Also in 1982, the foundation filed suit to halt the Administration's bailout of U.S. bank creditors after Poland effectively defaulted on its loans to them.

The Polish bank suit directly affected one foundation supporter, Chase Manhattan Bank N.A. and, Burt said, the bank politely told him that the lawsuit could affect its contribution. But while the case was on appeal -- after the district court denied the law firm's request for an injunction -- the bank doubled its donation.

According to Burt, "Some of the people at Chase said, 'Why should we fund something that's going to bite us?' But Chase took the position that they like us and our work. They deserve some credit."

The firm lost the appeal and has since declined to pursue the case further, but Burt says the effort achieved one of its goals: to give congressional opponents of the bailout time to mobilize legislative opposition. They also failed.

The National Journal, November 5, 1983

The marketing order case is a different matter. Burt says that the orange growers' cooperatives, most notably Sunkist Growers Inc., have attempted to stop the impending suit by pressuring foundation contributors to withdraw their support. But Burt, hoping the rest of his supporters will follow Chase's example, said he will not yield; the firm filed suit on Oct. 19 in U.S. District Court for the District of Columbia.

"If you make everybody happy all the time," he said, "it's because you're not doing anything."

GRAPHIC: Picture 1, Alan B. Morrison, head of a liberal public interest group: "Why should anyone give to (the conservative organizations)? The Administration is doing everything for them." Richard A. Bloom; Picture 2, Dan M. Burt, head of conservative public interest group: "We're satisfying the need to have the voice of the little guy heard in the regulatory process." Richard A. Bloom

LANGUAGE: ENGLISH

*File
Book -
Aldrich Book*

Statement by Dee Dee Myers
June 29, 1996

Gary Alrich's book, "Unlimited Access," is so replete with factual errors that nothing in it can be taken seriously. In the brief passage about me, much of what he says is demonstrably false.

Mr. Aldrich alleges that Craig Livingstone asked me how I would respond to press questions about my security clearance at a senior staff meeting attended by the President. No such meeting ever occurred. Craig Livingstone was not a member of the senior staff and to my knowledge never attended a senior staff meeting. I don't remember ever seeing Craig at any meeting where the President was present. And he certainly never asked me anything about my security clearance in front of the President.

Mr. Aldrich also writes that when the failure of some members of the White House staff, including myself, to receive the necessary clearances was first reported by the Washington Post, I answered questions about my own situation and offered assurances that "'positive steps were being taken' to clear up the problem." He then states that the press never followed up to see what steps were actually being taken. But even a cursory review of contemporaneous briefing transcripts and newspaper stories proves this is false.

Finally, Mr. Aldrich's account is so sloppy that he boots even the most insignificant facts. He alleges I grew up in the San Fernando Valley next door to an FBI agent. Wrong on both counts.

If Mr. Aldrich can't even be counted on to get the easy stuff right, why should anyone believe a word he has to say about anything else?

END

Statement of Janet V. Green
June 29, 1996

At the beginning of the Clinton Administration I reviewed the operations of four offices, including the Visitors Office. The notion that I reported any of my observations or recommendations to Mrs. Clinton is absurd. During my entire tenure in the White House I never had a face-to-face meeting on any issue with the President or Mrs. Clinton.

Furthermore, I never suggested to anyone that the annual Easter Egg Roll should be discontinued or that the President and Mrs. Clinton would not want to do it. I have been a long-time resident of Washington D.C. and was familiar with the Easter Egg Roll as a cherished tradition of the White House. Mr. Aldrich's account is a complete fabrication.

Statement of William H. Kennedy

Gary Aldrich's account of a conversation with me about Craig Livingstone's suitability for the job of Director of Personnel Security is pure fiction. I never told Aldrich that Mrs. Clinton wanted Mr. Livingstone in that post. I have never had any discussion with Mrs. Clinton about Craig Livingstone. No one else ever told me that Mrs. Clinton had any interest whatsoever in Mr. Livingstone or his position.

June 29, 1996



COELHO ASSOCIATES, LLC

STATEMENT BY

THE HONORABLE
TONY COELHO

JUNE 28, 1996

I have just had an opportunity to review the four pages of Gary Aldrich's new book Unlimited Access which deal with me and my appointment to the Commission on the Roles and Capabilities of the U.S. Intelligence Community in late 1994. While I cannot speak to the allegations Aldrich makes elsewhere in his book about other individuals, I can state unequivocally that the section about me is absolutely and demonstrably slanderous and contains numerous actionable falsehoods. I am currently reviewing legal options with my attorneys, and I fully intend to pursue legal action against Aldrich and his publisher.

To cite just one of the most egregious examples, Aldrich claims that I take "a daily dose of a downer called . . . Quaalude. This drug, known to most boomers as 'ludes,' has the effect of producing a feeling of 'inner peace,' while removing *all* normal inhibitions. It's the drug of choice for seducers or those who want to be seduced." In fact, I have *never* taken Quaaludes or any other illegal drugs in my life. I *do* take a daily dose of Phenobarbital, which my doctor has prescribed to control my epilepsy. To add insult to injury, Aldrich later refers to my "alleged" medical reasons" for taking this medication.

It seems to me that Gary Aldrich's abuse of confidential F.B.I. files for his own personal financial gain in the form of this book is the *real* file scandal in Washington today. In the short section that deals with me, Aldrich uses lies, innuendoes and other falsehoods to prop up his otherwise insupportable conclusions.

If the section of Aldrich's book about me is any indication of the book as a whole, then Unlimited Access is complete garbage and is not worth the paper it is printed on.

#

Tony Coelho is Chairman and C.E.O. of Coelho Associates, L.L.C., a New York investment consulting and brokerage firm. He is also Chairman and C.E.O. of ETC w/tcl, the Washington, D.C. education, training and communications subsidiary of Tele-Communications, Inc. Mr. Coelho is a former Democratic Congressman from California and Majority Whip of the U.S. House of Representatives.

June 28, 1996

STATEMENT BY LLOYD N. CUTLER

My alleged brokering of an alleged 1992 "deal" between Governor Clinton and Mrs. Clinton never happened, in 1992 or at any other time. I have never discussed the subject of any such deal or allocation of function with either of the Clintons. Until the post-November transition period, I had known the Clintons only casually. If Mr. Aldrich had a source, it was certainly not a reliable one.

STATEMENT OF BOB LEHRMAN
JUNE 28, 1996

My novel, Juggling, was not a how-to book for teens on sex, and I never told Gary Aldrich that it was. If anything, it was a how-not-to book on teen sex -- a cautionary tale. The book was widely praised and won several awards, including the American Library Association's coveted Best Book Award in 1982 for excellence in young adult fiction.

There are two other inaccuracies in Aldrich's account. He says that I left Bentsen's office after writing the book. In fact, I wrote the book seven years before going to work for Senator Bentsen. He also says the book caused a "firestorm" in Texas. As far as I know, there was no reaction at all in Texas. I wish there had been; maybe I'd have sold more copies before the book went out of print years ago.

I am particularly offended by his distorted description of Doing Time, which was also an award winning book. If he really can't imagine anyone in law enforcement agreeing with my conclusions, he need look no further than the jacket of the book -- which prominently displays the endorsements of David Fogel, former Commisisoner of Corrections of the State of Minnesota and Executive Director of the Illinois Law Enforcement Commission and Jerome Miller, former Commissioner of Youth Services for Pennsylvania and then Massachusetts.

Statement of Janet V. Green
June 29, 1996

At the beginning of the Clinton Administration I reviewed the operations of four offices, including the Visitors Office. The notion that I reported any of my observations or recommendations to Mrs. Clinton is absurd. During my entire tenure in the White House I never had a face-to-face meeting on any issue with the President or Mrs. Clinton.

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STATEMENT OF ANN S. STOCK
WHITE HOUSE SOCIAL SECRETARY
JUNE 28, 1996

Each year since President Clinton's inauguration, the White House has invited artists from around the nation to participate in decorating the White House Christmas trees by sending handmade ornaments to the White House. One of my responsibilities is to personally screen each of the thousands of ornaments received to determine whether it is suitable for display on the White House trees. I screen the ornaments not once, but twice. In 1994, I identified and removed two ornaments inappropriate for the White House trees in the first screening process in October. Thus, I ensured that no offensive ornaments were laid out for decorating teams to put on the trees at the beginning of December. It is simply not true that the numerous offensive ornaments mentioned in Mr. Aldrich's book were ever received by the White House, apart from the two that I removed in the screening process in October, and certainly never were or ever would be considered for hanging on the White House trees.



THE
KAMBER
GROUP

Free
Aldrich
Book

August 5, 1996

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Dear Friend:

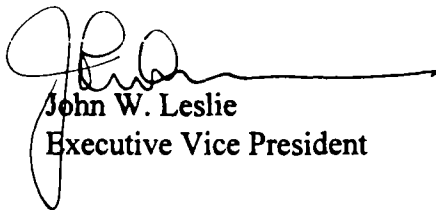
I thought you would be interested in the attached op-ed piece by Victor Kamber, commenting on Gary Aldrich's book, "Unlimited Access," which appeared in the July 22 edition of the Wilkes-Barre, PA's *The Citizen Voice*.

In his op-ed, Kamber chastises Regnery Publishing, Inc., which published Kamber's first book, "Giving up on Democracy: Why Term Limits Are Bad for America," for becoming involved with Aldrich's book which Kamber calls "pulp fiction masquerading as fact." Pointing out the absurdity of the unsubstantiated rumors and speculations on which Aldrich bases his book, Kamber asks rhetorically, "Why let facts get in the way of a good political smear?"

It is interesting to note that in listing "Unlimited Access" on its Best Sellers List last Sunday, *The New York Times* said that some bookstores reported receiving bulk orders for the book. Doesn't it make you wonder who would want to give this book wide circulation?

I hope you enjoy Mr. Kamber's op-ed piece. It is obvious he doesn't care much for Mr. Aldrich or for his writings.

Sincerely,


John W. Leslie
Executive Vice President

THE CITIZENS' VOICE

Wilkes-Barre, PA

July 22, 1996

Guest Writer

Pulp fiction masqueurading as fact

By VICTOR KAMBER

Special To The Citizens' Voice

When I was walking down the street this morning, some guy stopped me and told me that he saw Bob Dole beamed down from a spaceship last night by a group of aliens with marching orders to take over the United States and make it the first extra-terrestrial colony of the planet Zoetron.

Hey, I know! I'll write a book about it! I can get it published by Regnery (after all they published my first book) and I can go on the David Brinkley Show!

That, in a nutshell, is what Gary Aldrich's book, "Unlimited Access," is all about: combining fifth-hand gossip from incredible or fictitious sources with strident political bias into a tract that, as White House aide George Stephanopoulos put it, "reads like a Penhouse Forum letter" and "couldn't get past the fact checker at the National Enquirer."

The only difference between my proposal and Aldrich's book is that he has the veneer of an FBI badge to hide behind.

So when Aldrich writes, "I saw jeans, T-shirts, and sweatshirts; men with earrings and pony-tails; and every manner of footwear except normal dress shoes," that must mean something is seriously wrong at the Clinton White House. He's a FBI agent and he must know these things.

When he writes, "One young lady was dressed entirely in black - black pants, black T-shirt, black shoes, even black lipstick. She was the only one I saw wearing business shoes. But they were men's shoes - big, black wingtips," that must mean she's some type of security threat. He's an FBI agent and he must know these things.

When he says the Secret Service could be sufficiently corrupted to sneak the president of the United States out of the White House to a hotel for nighttime trysts, well, he's an FBI agent and he must know these things. (Aldrich's disingenuous "Author's Note" at the end of the book, writing that he didn't mean to "impugn" the Secret Service, adds insult and injury to this honorable institution.)

Add to this FBI veneer the full financial resources of the ultra-right wing extremist interlocking network of foundations, corporations, publishers and publicists at Aldrich's disposal - and a media that's only liberal in its love of tabloid-style sensationalism - and you get all the slander that's fit to air on national television.

Here, I should stop for a moment and inform the reader of my own relationships. My first book, "Giving Up on Democracy: Why Term Limits Are Bad for America," was published last year by Regnery Publishing, Inc., publisher of Aldrich's book. To my knowledge, I am the first liberal author this outfit has published. My second book, "Are You a Conservative or a Liberal," co-authored with conservative consultant Brad O'Leary, is being promoted, in part, by this publicist,

Craig Shirley, who is also promoting "Unlimited Access." While I strongly disagree with their political views, I have found Shirley and the people at Regnery to be professional, and quite decent on a personal basis, which only deepens my disappointment at their involvement in this pulp fiction masqueurading as fact.

It appears that Aldrich conducted his research not from his White House posting, but from a compilation of every crazy rumor that ever appeared on the plethora of right-wing extremist "home pages" on the Internet. As conservative columnist George Will said on the David Brinkley show, Aldrich "has clearly gone into print with information, the sourcing of which would not pass muster in any particular journalistic organization I know of."

The most sensationalistic allegation - that of Clinton sneaking off for evening rendezvous - has already been torn to shreds. The source - right-wing writer and

mud-thrower

David Brock (who, of course, wouldn't have been in a position to know) - said he told Aldrich it was just "wild speculation," which Aldrich then repeated as if it was a documented fact. As Brock told Larry

"Every
crazy
rumor
that
app-
eared."

King, "What needs to happen is ... to do the honorable thing and acknowledge that this was a mistake ... (and) retract it."

But Aldrich would never do that. His fictional, prurient and sensationalistic writing, his timing, and his choice of publishers, publicists and legal bankers (the Newt Gingrich-connected Southeastern Legal Foundation) all make clear his partisan purposes. Why let the facts get in the way of a good political smear?

Moreover, FBI agents who worked with Aldrich say that he is extremely conservative and has a "phenomenal bias" against the Clintons. One said, "He was almost personally offended that the Clintons had won," after the 1992 election, "and made no secret of that."

Aldrich is an insult to a law enforcement organization populated with men and women of unimpeachable integrity and character. He sullies the people with his book. And he damages the reputations of any and all new organizations that choose to air his slander.

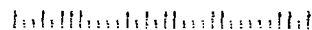
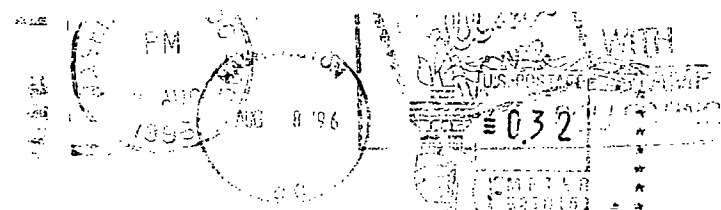
Either the media and our society start reasonable standards of discourse or we'll be hearing about Bob Dole and space aliens this fall. I'll make sure of it.

Victor Kamber is co-host of the NBC Radio debate program, "The O'Leary-Kamber Report"; president of The Kamber Group, a Washington-based public relations firm; and author of several books on political issues.



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Clinger, White House Battle Over File Allegations

FBI Agent's Report of Ex-Security Chief's Ties to First Lady Draw Administration Denials

By George Lardner Jr.
Washington Post Staff Writer

An FBI agent reported being told in 1993 by White House counsel Bernard Nussbaum that first lady Hillary Rodham Clinton recommended Craig Livingstone for his job as White House security chief, a post Livingstone quit last month under fire for collecting FBI reports on hundreds of Republicans.

The disclosure of the report, made on the House floor yesterday by House Government Reform and Oversight Committee Chairman William F. Clinger Jr. (R-Pa.), touched off a rancorous partisan tiff featuring

protests of outrage from Democrats and charges of perjury by Republicans.

The agent's account, extracted from the FBI's files last week, conflicted with sworn testimony by Nussbaum, public comments by Hillary Clinton and recent statements by the agent himself. The agent told committee staff in June that former associate White House counsel William H. Kennedy III told him Livingstone owed his job to Hillary Clinton.

The White House reacted last night to Clinger's disclosure with a stream of denials. Nussbaum said he was "mystified and outraged that

someone would attribute to me something I never said."

According to Clinger, who made his remarks under the protection of the speech-and-debate clause, FBI agent Dennis Sculimbrenne interviewed Nussbaum in early March 1993 in the course of a background investigation of Livingstone, whose unit was under the counsel's office.

In his report of that interview, Sculimbrenne stated: "Mr. Nussbaum advised that he has known the appointee Craig Livingstone for the period of time that he has been employed in the new administration. Mr. Livingstone had come highly recommended to him by Hillary Clinton,

who has known his mother for a longer period of time."

That report, Clinger said, "calls into question" Nussbaum's testimony at a June 26 committee hearing. At the hearing, Kennedy, when asked if Hillary Clinton wanted Livingstone at the White House, said:

"I can state that I have never discussed Mr. Livingstone with Mrs. Clinton in any way, shape or form."

Nussbaum immediately added: "Nor did I."

In another exchange, Clinger asked Nussbaum: "Do you know who hired Craig Livingstone?" Nussbaum replied: "I do not know who brought Mr. Livingstone into the White House." The FBI alerted the White House to what was in its file on Livingstone the day before Clinger's chief counsel inspected it on July 16. Clinger said he found the "heads-up" from the bureau disturbing.

FBI general counsel Howard M. Shapiro said, "It was determined that the bureau had a responsibility to advise affected parties." As a result, he said, the Justice Department and then the White House were told of Sculimbrenne's report on July 15.

Clinger also complained of an FBI visit to Sculimbrenne's house in Haymarket at 10 a.m. the next day to interview him about his taking of the Nussbaum statement.

"The FBI agents conducting the interview told Mr. Sculimbrenne that the White House was unhappy and concerned about this particular interview," Clinger asserted. He questioned the propriety of the visit, especially in light of Attorney General Janet Reno's determination last month that it would pose a conflict of interest for the FBI, rather than independent counsel Kenneth W. Starr, to investigate the files controversy.

"Who directed these agents?" Was the independent counsel informed? Clinger asked, adding that he was referring the matter both to Starr and to the U.S. Attorney's Office here.

FBI spokesman Bill Carter said last night that the bureau would not comment on who dispatched the agents or on "any interaction" with Starr's office. He said the agents were told to talk to Sculimbrenne, who is on administrative leave, "for internal reasons."

"Apparently serious questions had arisen about the accuracy of reporting by agents assigned to the White House and we knew this was an issue that the White House had publicly complained about," Carter said. Sculimbrenne was asked in the Senate interview last month: "Do you remember any conversations where you were told that Mr. Livingstone got the job because he was connected with Mrs. Clinton?"

"Yes, Kennedy told me that," the agent replied. He recalled the then-associate counsel as saying "he was stuck with Livingstone," despite problems in Livingstone's background, because of his connections with the first lady. Sculimbrenne also said that "Craig did tell me that his mother knew Hillary Clinton . . . but Craig told me several things that were not true."

Kennedy denied making such statements to anyone. And in a statement released by the White House last night, Livingstone's mother, Gloria, said she did not know Hillary Clinton, never met her and never spoke with her. Gloria Livingstone said she was in the same room with Hillary Clinton once, "when I had the privilege of helping to decorate the White House Christmas tree. At one point, Mrs. Clinton entered the room and thanked us as a group for our efforts."

The first lady told reporters last month that she had nothing to do with Livingstone's hiring. She also said there was "no connection" between her and Livingstone's mother.

White House spokesman Mark Fabiani assailed Clinger's "astounding speech," and said it "represents the first and only disclosure of confidential FBI background information" in the controversy that erupted last month. "What is worse," Fabiani said, is that the information "is clearly false" and comes from "a questionable source."

A spokesman for Clinger suggested said that Sculimbrenne's contemporaneous notes of the 1993 interview were more reliable than his recollections three years later. The FBI agent was seriously injured in 1994 when he was hit in the head by a helicopter blade.

Clinger said he inspected the FBI background file on Livingstone at the suggestion of FBI Director Louis J. Freeh who objected to the Clinger staff's efforts to take depositions from line agents about specific investigations. Freeh suggested Clinger "pursue the underlying documentation."

Clinger's floor speech brought angry denunciations from Rep. Henry A. Waxman (D-Calif.) who called it an attempt "to smear the first lady, Bernard Nussbaum . . . and the Democratic administration."

Staff writer Susan Schmidt and staff researcher Nathan Abse contributed to this report.

THE WASHINGTON POST

FRIDAY, JULY 26, 1996

House Republicans Question Clinton Ties to 'Mob-Dominated' Labor Union

By Frank Swoboda
Washington Post Staff Writer

Republican members of the House subcommittee on crime yesterday questioned the political and social ties between the president and first lady Hillary Clinton and the president of a labor union that had been identified by the FBI as an organization that was being influenced by organized crime.

At a hearing yesterday, the acting head of the Justice Department's criminal division, John C. Keeney, denied that the Clinton White House exerted any influence over the government's 1995 decision to try to clean up the 400,000-member Laborers International Union of North America without placing the union into federal trusteeship as it had the Teamsters in 1989.

"I state flatly that neither the White House nor anyone associated with the White House has exerted any influence whatsoever over our decisions and actions in this case," Keeney testified.

Keeney led a parade of Justice officials before the subcommittee, which is looking into the settlement agreement the department reached with the Laborers in February 1995.

LIUNA was one of four unions targeted by the FBI as being influenced by organized crime. The others were the Teamsters, the Hotel Employees and Restaurant Employees (HERE) and the International Longshoremen's Association. Both the Teamsters and HERE have since entered into agreements with the Justice Department to clean up corruption.

Subcommittee Chairman Bill McCollum (R-Fla.), in his opening remarks, acknowledged there were "political overtones" to the hearings. LIUNA President Arthur Coia, McCollum said, "is a major Democrat figure and enjoys a close relationship with the president." McCollum said the hearings would discuss the appropriateness of Coia's relationship with the White House in light of the Justice Department's actions involving the union president.

Coia was not invited to testify before the subcommittee, union officials said.

The subcommittee produced documents showing that LIUNA contributed \$1.1 million to Democratic candidates in the 1994 elections and that Coia gave Clinton a golf club as a pre-

sent during a 1994 meeting in the Oval Office, the same year that Hillary Clinton addressed the union's convention.

The subcommittee released a Justice Department memo, written in January 1994, in which Paul Coffey, chief of the organized crime and racketeering section, noted to Keeney that Hillary Clinton was planning a satellite address to a Laborers union conference in Florida in February 1994. That was the same month the Justice Department planned to file a civil racketeering suit against the union, alleging that it "has been dominated by [the mob] for at least two decades." In the memo Coffey said Mrs. Clinton's staff had been alerted that some of the conference participants "will be defendants in the upcoming suit."

Democrats charged the Republicans are using these hearings in an orchestrated effort to embarrass Clinton and discredit organized labor. They claim the subcommittee didn't show any interest in the hearings until after the AFL-CIO announced it had raised \$35 million to try to win back Democratic control of Congress by launching an advertising and "issues education" blitz.

The AFL-CIO points to an April 23, 1996 memorandum sent to the heads of all House committees and subcommittees by the House Republican leadership asking for any evidence or anecdotes that would show the influence or corruption of "Washington Union Labor Bosses" and examples of "dishonesty or ethical lapses in the Clinton administration." The memo was written

on behalf of the House Republican leadership by Reps. Robert S. Walker (R-Pa.) and Jim Nussle (R-Iowa).

Democratic committee members have produced a 1987 letter to then-Attorney General Edwin Meese, signed by 245 members of the House, including Rep. Newt Gingrich (R-Ga.), protesting the use of federal racketeering laws to prosecute the same four unions targeted by the FBI. The letter also warned against appointing a trustee to administer any of the unions.

FOR MORE INFORMATION

To check how labor and business campaign contributions have flowed to the two major parties, click on the above symbol on the front page of The Post's site on the World Wide Web at <http://www.washingtonpost.com>

Bill Backs Performance As Key Layoff Criterion House Panel Makes Seniority Less Important

By Stephen Barr
Washington Post Staff Writer

Job performance ratings would count more than seniority when it comes to federal layoffs, under legislation approved by a House committee yesterday.

According to the bill, a federal employee who has received "outstanding" performance ratings would have an advantage over colleagues with lower ratings but similar lengths of service. The "outstanding" employee also would have an advantage over longer-term but less-effective workers who have been protected by seniority.

The bill was approved on a voice vote by the House Government Reform and Oversight Committee after a round of last-minute negotiations. "It's sort of like giving birth to a porcupine," House civil service subcommittee Chairman John L. Mica (R-Fla.) quipped after the vote.

Federal employee groups have objected to giving more weight to performance, arguing that the current rating systems are flawed and not uniform throughout the government. Mica has left the bill open to negotiation to get it through the House and Senate before the session ends in October.

Shortly after the committee convened yesterday, Mica huddled with Rep. James P. Moran Jr. (D-Va.) on the Democratic side of the hearing room, then lobbyists for the National Treasury Employees Union approached Moran. Del. Eleanor Holmes Norton (D-D.C.), meanwhile, talked to Mica on the GOP side of the room.

To resolve concerns raised by Rep. Carrie P. Meek (D-Fla.) and others that the House was moving too fast on revising personnel procedures that would affect up to 2 million federal workers, Mica agreed to accept amendments.

One amendment, offered by Moran, would require the General Accounting Office to analyze the performance-rating statistics at agencies over the last 15 years and correlate the ratings with promotions, awards, bonuses, disciplinary actions, unfair labor practice complaints and other factors.

Another, offered by Rep. Constance A. Morella (R-Md.), would

give the Office of Personnel Management the authority to ensure that employees at risk for layoffs are "treated equitably" when an agency uses more than one evaluation method. Some agencies, for example, use a "pass-fail" system, while others rank employees by five categories, ranging from "outstanding" to "unacceptable."

Although the proposed changes involve some of the more arcane parts of federal personnel law, they directly influence an employee's standing when an agency must determine how many workers to turn out on the street. The current system includes job performance as one of its retention criteria, but favors employees with the longest lengths of service and military veterans who are disabled or served in combat. Mica said the bill "represents widespread dissatisfaction with civil service procedures" and Moran said the bill was "not just window dressing. It will be of some real consequence."

To test innovations in personnel management, the bill would expand the use of "demonstration projects" in the government. The bill would allow the projects to operate for five years, with a two-year extension if OPM wanted to make the changes permanent.

Past demonstration projects allowed agencies to simplify job classifications, link pay to performance, give bonuses to more productive workers, pay higher starting salaries, pay recruitment bonuses and give sabbaticals to scientists.

The bill also would provide "soft landing" protections for laid-off workers, such as extended health insurance coverage, and would give workers new opportunities to invest in stocks through the Thrift Savings Plan, a retirement and investment program similar to 401(k) plans in the private sector.

The Government Reform Committee also approved, on voice vote, a bill that would require the White House to comply with 11 civil rights and labor laws dealing with workplace treatment of employees. Last year, Congress approved legislation bringing congressional offices under the laws.

THE WASHINGTON POST
FRIDAY, JULY 26, 1996