



FEDERAL ELECTION COMMISSION

1225 K STREET, N.W.
WASHINGTON, D.C. 20546

THIS IS THE BEGINNING OF "UR # 372





FEDERAL ELECTION COMMISSION

1155 K STREET, N.W.
WASHINGTON, D.C. 20463

February 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372 (76)

Dear Mr. Whittlesey:

Enclosed is a copy of the conciliation agreement
in the above-referenced matter signed by all parties.
This copy is for your records.

Thank you for your cooperation in this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure



PS Form 3811, April 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. SENDER (Complete item) Add your address in the RETURN TO space on reverse	
1.1. Show to whom the article is sent Show to whom the article is sent	
1.2. Show to whom the article is sent RESTRICTED DELIVERY Show to whom the article is sent	
1.3. Show to whom the article is sent RESTRICTED DELIVERY Show to whom the article is sent (CONSULT POSTMASTER IF NECESSARY)	
2. ARTICLE ADDRESSED TO	
3. ARTICLE DESCRIPTION REGISTERED NO. CERTIFIED NO. INSURED NO.	
(Always obtain signature of addressee or agent)	
I have received the article described above SIGNATURE Addressed by Authorized agent	
4. DATE OF DELIVERY	POSTMARK
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6. UNABLE TO DELIVER BECAUSE	
CLERK'S INITIALS	



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

February 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372 (76)

Dear Mr. Conyers:

The Commission has reached agreement with the respondent, the Harris for President Committee, as to the resolution of the issues in the above case which was initiated by your complaint dated February 24, 1977.

On February 22, 1978, the Commission ratified a Conciliation Agreement signed by an officer of the Committee. A copy of the Agreement is enclosed for your information. Unless violated, the Agreement is a bar to further action by the Commission in this matter.

If you have any questions, please contact Judy Browning, the attorney assigned to this case (202/525-4175).

Sincerely,

William C. Oldaker
General Counsel

Enclosure



PS Form 3825, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete item. Add postage address in the RETURN TO space on reverse.		
1. POSTAGE PAID (If paid by sender, check box) <input type="checkbox"/>		
Show to whom and date delivered <input type="checkbox"/>		
Show to whom, date, and address delivered <input checked="" type="checkbox"/>		
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(CONSULT POSTMASTER FOR FEES)		
2. ARTICLE ADDRESSED TO 		
3. ARTICLE DESCRIPTION		
REGISTERED NO.	CERTIFIED NO. 438274	INSURED NO.
(Always obtain signature of addressee or agent)		
I have received the article described above		
SIGNATURE	Addressee	Authorized agent
Cindy Rosenstein		
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6. UNABLE TO DELIVER BECAUSE		CLERK'S INITIALS

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1975 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

F. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: 2/18/78

FEDERAL ELECTION COMMISSION

By: *William C. Oldaker*
WILLIAM C. OLDAKER
General Counsel

Date: January 31, 1978

HARRIS FOR PRESIDENT COMMITTEE

By: *Jim Highower*
its *Treasurer*

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
))
Harris for President)
Committee)

MUR 172 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 22, 1978, the Commission accented the recommendation of the General Counsel that the Commission ratify the Conciliation Agreement in that the Agreement includes an admission by the Respondent that a reporting violation occurred and a provision wherein the Respondent agrees to amend its reports to disclose all of the expenditures in question.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1100 STREET, N.W.
WASHINGTON, D.C. 20543

February 22, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: CHARLOTTE W. EMMONS *mwe*
SUBJECT: Memo and Conciliation Agreement - MUR 372 (76)

The above-mentioned document was circulated to the Commissioners on February 17, 1978.

No objections were received in the Office of Commission Secretary to the recommendation that the Commission ratify the Conciliation Agreement attached to the Memorandum from the General Counsel dated February 16, 1978.

February 16, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372

Please have the attached Memo and Conciliation agreement on MUR 372 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

78041016011



FEDERAL ELECTION COMMISSION

1120 K STREET N.W.
WASHINGTON, D.C. 20543

February 16, 1978

MEMORANDUM TO: The Commission
FROM: William C. Oldaker *William C. Oldaker*
SUBJECT: MUR 372(76) Conciliation Agreement

Attached to this memorandum is a copy of MUR 372's Conciliation Agreement for ratification by the Commission. The Agreement was approved by the Commission on December 15, 1977 (a slight revision was approved on January 6, 1978), and was signed by Respondent's Treasurer on January 31, 1978.

The Agreement includes an admission by Respondent that a reporting violation occurred and a provision wherein Respondent agrees to amend its reports to disclose all of the expenditures in question.

I recommend that the Commission ratify the attached Conciliation Agreement.



BEFORE THE FEDERAL ELECTION COMMISSION

December 7, 1977

In the Matter of)
) MUR 372(76)
Harris for President)
Committee)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the Federal Election Commission having found reasonable cause to believe that the Harris for President Committee violated 2 U.S.C. §434(b),

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter "the Commission") and the Harris for President Committee (hereinafter "the Committee"), having duly entered into conciliation pursuant to 2 U.S.C. §437c(a)(1), do hereby agree as follows:

I. The Commission has jurisdiction over the Committee and the subject matter of this proceeding.

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

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1976 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

III. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers.

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: _____

FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: January 31, 1978

HARRIS FOR PRESIDENT COMMITTEE

By: Jim Hightower
its Treasurer

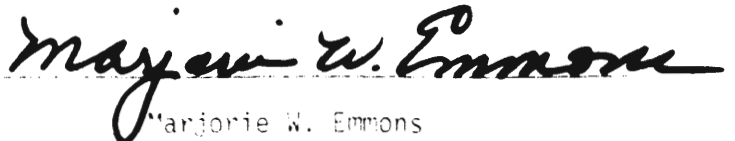
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Harris for President)
Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 7, 1978, the Commission accepted without objection the Interim Status Report dated January 31, 1978.



Marjorie W. Emmons
Secretary to the Commission



FEDERAL ELECTION COMMISSION

1100 STREET, N.W.
WASHINGTON, D.C. 20543

February 7, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *MWE*
SUBJECT: "UR 372 (76) - Status Report dated January 31, 1978

The above-mentioned document was circulated to the Commissioners on February 3, 1978 at 10:00.

There were no objections to the Status Report.

ATTACHMENT:
Certification



February 2, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372

Please have the attached Status Report on MUR 372 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

737411013

100 26-6,2,

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

202 785 4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TW 921 812 9285

HENRY B. TALIARI, PRESIDENT
WILLIAM J. CANNAMONE
ROBERT J. WOOD
RICHMOND F. ALLAN
DENNIS J. WHITALESEY
PATRICIA M. BASS
MARTHA P. PATTERSON
PAUL C. WARD

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N. Y. 10004
WHITEHALL 3-3800
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W. 1, ENGLAND
CABLES: CALAMIT, LONDON

February 7, 1978

F. CLYDE HARRIS
OF COUNSEL

Judith Browning, Esquire
Office of the General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463


Re: MUR 372 (76)

Dear Judy:

In accordance with our telephone conversation of February 6, 1978, enclosed is the original Conciliation Agreement in the above-referenced matter. It has been signed on behalf of the Harris for President Committee by the Committee's Treasurer, Jim Hightower.

We would appreciate receiving a file-stamped copy of the Agreement after it has been executed on behalf of the Federal Election Commission. If you have any further questions or problems with this matter, do not hesitate to let us know.

Sincerely yours,


Dennis J. Whitalesey

DJW:sjl
Enclosure
cc: (without enclosure)
Honorable Fred R. Harris
Harris for President Committee

LASEY, LANE & MITTENDORF

ATTORNEYS

1110 K STREET, N.W.

WASHINGTON, D.C.

John A. Brown, Esquire
Office of the General Counsel
Federal Election Commission
1110 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

1120 K STREET, N.W.
WASHINGTON, D.C. 20543

January 6, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue N.W.
Washington, D.C. 20006

Re: MUR 372(76)

Dear Mr. Whittlesey:

Enclosed is a revised page four of the proposed conciliation agreement, as requested by you in a telephone conversation with Judy Browning of our staff. She has indicated to me that you believe your client will sign the agreement with the new language in paragraph K.

Please have an authorized person sign and return the agreement to the Commission's Office of General Counsel. After the agreement has been formally approved by the Commission and signed by the General Counsel, a copy will be sent to you.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure



agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: _____

FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: _____

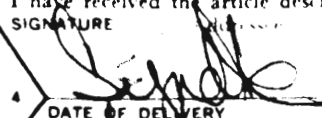
HARRIS FOR PRESIDENT COMMITTEE

By: _____
its _____

MUR 372 BROWMAN

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1 through 5 Add your address in the RETURN TO space on reverse		
The following service is requested (check one)		
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(CONSULT POSTMASTER FOR FEES)		
2 ARTICLE ADDRESSED TO: Mr. Dennis Whittsey 815 Conn. Ave NW WASH DC 20006		
3 ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
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(Always obtain signature of addressee or agent)		
I have received the article described above.		
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4 DATE OF DELIVERY	POSTMARK	
11/11/78		
5 ADDRESS (Complete only if requested)		
6. UNABLE TO DELIVER BECAUSE		CLERK'S INITIALS



FEDERAL ELECTION COMMISSION

1100 S. ST. N.W.
WASHINGTON, D.C. 20542

January 6, 1978

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. SIMMONS

maw E

SUBJECT: MER 372 (76) - Proposed Changes in Conciliation Agreement

The above-mentioned document was circulated to the Commissioners on January 4, 1978.

As of 2:00, this date, no objections to the proposed changes have been received in the Office of Commission Secretary.



FEDERAL ELECTION COMMISSION

1325 K STREET, N.W.
WASHINGTON, D.C. 20543

MEMORANDUM TO : The Commission
FROM : William C. Oldaker *WCO*
SUBJECT : Conciliation Agreement for
MUR 372(76)

On December 15, 1977, the Commission approved a proposed conciliation agreement in which respondent Harris for President Committee ("the Committee") admitted to a violation of 2 U.S.C. §434(b) and agreed to amend its reports to show it had made certain expenditures.

A copy of the agreement was sent to the counsel for the Committee, who has asked that a slight revision be made in the language of paragraph X, page 4. The proposed change is as follows:

from : X. Nothing herein shall be construed as an admission that the Committee, Fred Harris, or any of their agents, are responsible to any creditor for expenditures made by Mr. Conyers.

to : X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.



Counsel for the Committee has assured me that if this change is made the Committee will sign the agreement. We believe that the change does not affect the provisions of the agreement that are of most importance here, and we recommend that this revision be approved.



FEDERAL ELECTION COMMISSION

1100 K STREET, N.W.
WASHINGTON, D.C. 20543

December 20, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372(76)

Dear Mr. Whittlesey:

In accordance with the provisions of 2 U.S.C. §437g (a)(5)(A), I am enclosing a proposed conciliation agreement which was approved by the Commission on December 15, 1977.

If this agreement is satisfactory to your client, the Harris for President Committee, please have an authorized person sign and return it to the Commission's Office of General Counsel. After the agreement has been signed by the General Counsel, a copy will be sent to you.

If you have any questions, please call the attorney assigned to this matter, Judy Browning, at 523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



MUR 372

Brooming

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1 SENDER Complete items:
Add your address in the "RETURN TO" space on reverse

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 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
 Show to whom and date delivered
 RESTRICTED DELIVERY
 Show to whom, date, and address of delivery
 (CONSULT POSTMASTER FOR FEES)

2 ARTICLE ADDRESSED TO:
 Mr. Dennis Whittlesey
 Casey Lane
 515 CEDAR AVE. NW
 WASHINGTON DC 20006

3 ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 993866

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized Agent
 [Signature] DEUS [Signature]

4 DATE OF DELIVERY POSTMARK
 12-21-77

5 ADDRESS (Complete only if requested)

6 UNABLE TO DELIVER BECAUSE CLERK'S INITIALS

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1975 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

F. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that the Committee, Fred Harris, or any of their agents, are responsible to any creditor for expenditures made by Mr. Conyers.

Date: _____

FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: _____

HARRIS FOR PRESIDENT COMMITTEE

By: _____
its _____

BEFORE THE FEDERAL ELECTION COMMISSION

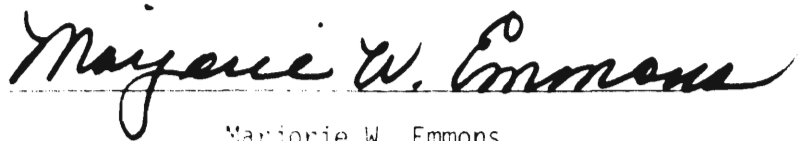
In the Matter of)
)
Harris for President)
Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 15, 1977, the Commission determined by a vote of 4-0 to approve the conciliation agreement submitted by the General Counsel in the above-captioned matter.

Voting for this determination were Commissioners Aikens, Harris, Springer, and Thomson. Commissioners Staebler and Tiernan were not present at the time of the vote.



Marjorie W. Emmons
Secretary to the Commission

The Committee has stated that no bills were ever submitted by Conyers for the amounts allegedly spent; that on occasion Conyers suggested that he would raise the funds to cover certain costs; that some campaign events for which the expenditures were made were not held on behalf of Mr. Harris' candidacy but instead were either publicity events for complainant or events held on behalf of presidential candidates in addition to Mr. Harris; and that Conyers was expressly told there was no money to pay for some activities he proposed. Affidavits submitted by six of the Committee's officers maintain that Conyers was repeatedly denied requests for advances in contemplation of incurring certain expenditures during the New Hampshire and Massachusetts primaries, and that the Committee's dismal financial condition was frequently discussed with Conyers or his staff. These arguments are apparently offered by the Committee to prove that the expenditures by Conyers were "independent."

On the other hand, it is undisputed by the parties involved that on a number of occasions Harris, Conyers, and/or their staffs communicated and cooperated regarding the Harris campaign. The contacts included: a December 1975 meeting of Harris and Conyers where Conyers' role

in the Harris campaign was discussed; a February 1976 meeting that Conyers had with Harris' national campaign coordinator at which it was decided that Conyers' services could be better used in Massachusetts; and a February 20, 1976, meeting at which Harris' national field coordinator and Massachusetts State coordinator met with Conyers and attempted to make campaign plans for Conyers. This, in view of the facts here, precludes the expenditures from being characterized as "independent" within 2 U.S.C. §431(p), although we recognize that there appears to be a legitimate dispute between Conyers and the Committee as to who is responsible for certain payments to creditors.

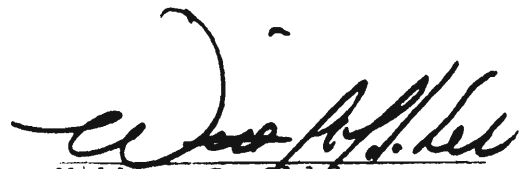
We have attempted to conciliate this matter with the Committee, and after a lengthy negotiating process, the Committee has agreed in principle to sign the attached conciliation agreement. The agreement includes an admission by the Committee that a reporting violation occurred and a provision wherein the Committee agrees to amend the reports to show \$16,171.32 in expenditures. There is also a provision stating that there is a dispute between

Conyers and the Committee concerning the exact amount spent¹ and on whose behalf some of the activities for which expenditures were made were carried out; and a provision allowing the Committee to indicate on its amended reports that the Commission's finding is not conclusive on the question of who must pay creditors for the expenses. In view of the facts here, including the Committee's insistence that it is not responsible to creditors for some or all of the expenditures and did not receive bills from Conyers for the expenditures, the proposed agreement does not require payment of a civil penalty.

Recommendation

Approve the attached conciliation agreement and proceed to get the Harris for President Committee to sign it.

12/8/77
Date


William C. Oldaker
General Counsel

¹No bills have been submitted by Conyers to the Committee, and while the total amount of the expenditures in question is alleged in the complaint to be \$16,171.32 the itemized list submitted by Conyers adds up to \$16,278.88, and an October 1976 claim to the Committee was for the amount of \$18,297.34.

100-2055

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20006

TELEPHONE 785-4949
CABLE ADDRESS CALAMIT WASHINGTON
TWENTY EIGHT SEAS

HENRY B. TALLENTS, JR.
WILLIAM J. MITCHELL, JR.
ROBERT J. WALKER
ROBERT N. F. ALLEN
DENNIS J. WHITTOSEY
PATRICIA M. BAKER
MARTHA R. PATTERSON
RALPH WARD

November 15, 1977

NEW YORK OFFICE
76 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
ARLES CALAMIT, NEW YORK

EUROPEAN OFFICE
10 GROSVENOR STREET
LONDON W1X 9DA
01 499 312
ARLES CALAMIT, LONDON

ROBERT BARRON
JAMES HENSEL

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

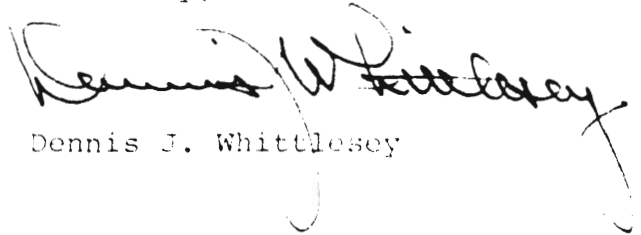
Re: MUR 372(76)

Dear Judy:

This confirms our telephone conversation of November 14, 1977, concerning prospective conciliation of the above-referenced dispute. Specifically, you proposed certain modifications to the most recent draft, and we accept them.

Enclosed is a copy of the draft, as modified, which is acceptable to Fred Harris and the Harris for President Committee. If the Commission approves it, we will promptly have it executed and meet the conditions imposed thereby.

Sincerely,



Dennis J. Whittlesey

DJW:ks
Enclosure
cc: Honorable Fred R. Harris
Harris for President Committee

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the FEC having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a

Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1976, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.
- E. Campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred. ~~However, none of the activities which are the subject of the instant complaint were included in the conversations or contacts referred to paragraph III. D. above.~~

GENERAL CONDITIONS

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

- F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be subject to the reporting requirements pursuant to 2 U.S.C. §434(b).
- B. That any failure of the Harris for President Committee to report to the FEC expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the FEC to have been "authorized" by respondent. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list these expenditures, it may also indicate that they are in dispute.

CASEY LANE B MITTENDORF

John L. Browning, Inquire
Federal Election Commission
1325 F Street, N. W.
Washington, D. C. 20413



FEDERAL ELECTION COMMISSION

1275 K STREET, N.W.
WASHINGTON, D.C. 20463

October 26, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

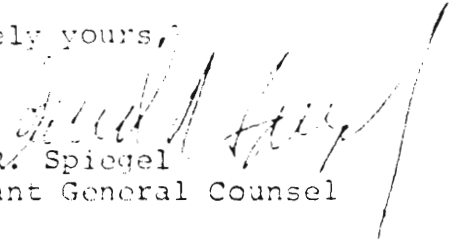
Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MIR 372 (76)

Dear Dennis:

Pursuant to a telephone conversation which you had with Judy Browning on Friday, October 21, 1977, I am sending to you copies of affidavits submitted by Congressman Conyers on May 23, 1976.

Sincerely yours,


David R. Spiegel
Assistant General Counsel

Enclosures



372 JB

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered. 15¢
 - Show to whom, date, & address of delivery. 35¢
 - RESTRICTED DELIVERY.
Show to whom and date delivered. 65¢
 - RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: D. Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Ave., N.W.
Washington, D.C. 20006

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	155223	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY	POSTMARK
NOV 22 1976	

5. ADDRESS (Complete only if requested)

372 JB

6. UNABLE TO DELIVER BECAUSE	CLERK'S INITIALS

October 28, 1977

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 Team # 1

Please have the attached Interim Status Report on MUR 372 distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of November 2, 1977.

Thank you.

23040061040

October 25, 1977

BEFORE THE FEDERAL ELECTION COMMISSION

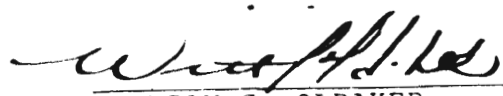
In the Matter of)	
)	MUR 372 (76)
Harris for President)	
Committee)	

Interim Status Report

This case involves respondent's failure to report certain expenditures allegedly made by complainant John Conyers on behalf of Fred Harris' presidential campaign. On August 18, 1977, the Commission found reasonable cause to believe that a violation of 2 U.S.C. §434(b) had occurred.

Conciliation efforts have progressed to the stage where respondent seems close to signing an agreement which calls for amending its reports to reflect the expenditures in question so long as actual bills are submitted by complainant for costs incurred while campaigning for Mr. Harris.

10/27/77
DATE


WILLIAM C. OLDAKER
General Counsel

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

202 785 4940

CABLE ADDRESS: CALAMT, WASHINGTON

TELETYPE: 847 8088

October 17, 1977

HENRY B. TALARFERRO, JR.
WILLIAM J. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BARR
MARTHA R. PATTERSON

R. CLYDE HARRISON
OF COUNSEL

NEW YORK OFFICE
11 BROADWAY
NEW YORK, N.Y. 10004
WHITFIELD 3-8100
CABLE: CALAMT, NEW YORK
EUROPEAN OFFICE
56 GRESHAM STREET
LONDON, W. 1, ENGLAND
WHIT 494 300
CABLE: CALAMT, LONDON

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 372(76)

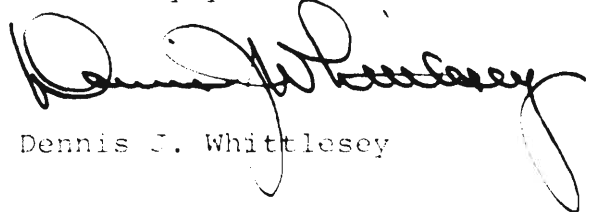
Dear Judy:

Enclosed is a slightly revised draft of the proposed Conciliation Agreement for filing in the above-referenced matter. This is only tentatively acceptable to us, since Fred Harris has not yet approved it; however, I am confident that his changes will be minimal, if there are any at all.

After you have reviewed this draft, we would be interested in knowing your reaction to our changes. As I have stated in several conversations, we feel that the FEC (and, presumably, staff) is wrong in its finding. The definition, both statutory and by regulation, of "independent expenditure" could not be more on point. In fact, the Commission's position seems to have virtually eliminated independent expenditures from the law; I do not believe that federal courts would, or could, agree.

In any event, you have our latest submission for consideration.

Sincerely yours,



Dennis J. Whittlesey

DJW:ga
Enclosure

cc: (with enclosure)
Honorable Fred R. Harris
Harris for President Committee

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 372 (76)
Harris for President Committee)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the FEC having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a

Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1975, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.
- E. Campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred. However, none of the activities which are the subject of the instant complaint were included in the conversations or contacts referred to paragraph III. D. above.

- F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be subject to the reporting requirements pursuant to 2 U.S.C. §434(b).
- B. That any failure of the Harris for President Committee to report to the FEC expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the FEC to have been "authorized" by respondent. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list these expenditures, it may also indicate that they are in dispute.

GENERAL CONDITIONS

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

CASEY, LANE & MITTENDORF

SUITE 802

88 CONNECTICUT AVENUE, N.W.

WASHINGTON, D.C. 20006

11 OCT 18 AM 10:29

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

October 7, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
315 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372 (76)

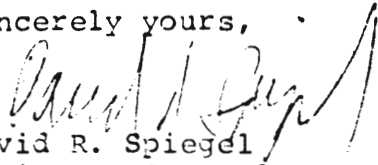
Dear Dennis:

Enclosed is a proposed conciliation agreement which, in our opinion, reflects some of the concerns articulated by you during our September 12, 1977, meeting and in the draft agreement sent to us by you on September 19, 1977.

We intend that this proposed agreement serve as a working draft, and we cannot assure you that the Commission will approve it.

Please contact us within ten (10) days of your receipt of this letter. If you have any questions, please call Judy Browning, the attorney assigned to this case (523-4073).

Sincerely yours,


David R. Spiegel
Assistant General Counsel



MUR 372 JB

PS Form 3811, Mar. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered..... 15¢
 - Show to whom, date, & address of delivery.. 35¢
 - RESTRICTED DELIVERY:
Show to whom and date delivered..... 65¢
 - RESTRICTED DELIVERY:
Show to whom, date, and address of delivery 85¢

2. **ARTICLE ADDRESSED TO:** D. Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Ave., N.W.
Washington, D.C. 20006

3. **ARTICLE DESCRIPTION:**

REGISTERED NO.	CERTIFIED MAIL	INSURED NO.
	052771	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

[Handwritten Signature]

4. DATE OF DELIVERY	POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred

\$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1975, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.
- E. Some of these contemplated campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.
- F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That all expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., were, in fact, authorized campaign expenditures, subject to the reporting requirements pursuant to 2 U.S.C. §434(b). Such expenditures include only those

costs for which Mr. Conyers or his agents were not specifically advised that the Committee would not pay.

- B. That failure to include the expenditures made by Congressman Conyers on behalf of the Harris for President Committee constitutes a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing \$16,171.32 as authorized expenditures. However, the amount of such expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the reports of the Committee will list these amounts it may also indicate that they are in dispute.

GENERAL CONDITIONS

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

- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

WITNESS the hands and seals of the parties hereto this
day of _____, 1977.

THE FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

HARRIS FOR PRESIDENT COMMITTEE

By: _____

See # 1532

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

SEP 19 1977

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON

HAND DELIVERED

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

R. CLYDE MARGROVE
OF COUNSEL

September 19, 1977

Ms. Judith Browning
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Judy:

Pursuant to our telephone conversation of Sep-
tember 16, enclosed is the proposed Conciliation Agreement.

Sincerely yours,

Dennis J. Whittlesey

Dennis J. Whittlesey

/res

Enclosure

III. That the pertinent facts in this matter are as follows:

- A. The respondent, Harris for President Committee, is the principal campaign committee for Fred Harris, a 1976 Democratic Presidential candidate.
- B. The complainant is John Conyers, Jr., a Congressman from the First District of Michigan, who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.
- C. Mr. Conyers and members of his staff traveled to Boston, Massachusetts, on or about February 19, 1976, and in the ensuing 13 days allegedly expended funds or incurred debts on behalf of the Harris Committee in the amount of \$16,171.32.
- D. The Committee did not direct, authorize or even suggest that any expenditures be made on its behalf, or on behalf of the Harris candidacy, and had no prior knowledge of nor was it party to the formulation of the activities that resulted in the alleged expenditures. To the contrary, Mr. Conyers was repeatedly advised by agents of the Committee that no funds were available and there

73041161057

was no chance that funds would become available for the activities he advocated. If any expenditures were made by Mr. Conyers, they were made without cooperation or consultation with Harris or the Committee or their agents, and were not made in concert with, or at the request or suggestion of, Harris or the Committee or their agents.

- 7 3 1 4 1 1 6 6 0 6 1
- E. On or about October 5, 1976, the Committee received a memorandum from Conyers' Congressional staff which outlined a list of expenditures totaling \$18,297.34 and which requested that said expenditures be listed on the Committee's Debt Schedule.
 - F. The committee refused to list the alleged expenditures of \$18,297.34 on its Debt Schedule
 - G. On or about December 15, 1976, Mr. Conyers sent a letter to the Commission outlining a list of expenditures. Such alleged expenditures totaled \$16,276.88 but an incorrect totalization reflected expenditures of \$16,171.32.
 - H. The Committee had never been presented with the December 15 list of expenditures until

it received a copy of Mr. Conyers' letter of that date to the Commission. The Committee has never received from Mr. Conyers copies of any bills or statements evidencing the alleged expenditures.

- I. On February 24, 1977, Mr. Conyers filed the instant complaint with the Commission.
- J. Subsequent to filing the instant complaint, Mr. Conyers and/or his agents mailed copies of the complaint to at least one of his creditors without receiving written consent of Harris or the Committee to do so, in violation of 2 U.S.C. §437g(a)(3)(B) and punishable under 2 U.S.C. §437g(c).

WHEREFORE, the respondent agrees:

- A. That all expenses deemed by the Federal Election Commission to be reportable by respondent pursuant to 2 U.S.C. 434(b) will be reported by respondent in an amended report filed within 30 days of its receipt of the FEC's determination.
- B. That failure to report the expenditures allegedly made by Congressman Conyers on behalf of the Harris for President Committee did not and does

7 3 7 4 7 7 ; 0 6 7

not constitute a violation of 2 U.S.C. §434(b).

- C. That it specifically is agreed that nothing herein shall be construed as evidence that any debt or expenditure of Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

GENERAL CONDITIONS:

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning motion may review compliance with this agreement. If the Commission believes this agreement or any requirement hereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this signed agreement is effective as of the date of its approval by the Commission.
- C. It is agreed that respondent shall have no more than 30 days from the date on which this agreement becomes effective to comply with its requirements and to so notify the Commission.

7 3 0 4 0 0 ; 0 7)

D. This agreement shall in no manner be construed as an admission by respondent that any provisions of Federal election law or Commission regulations have been violated.

13774000007

CASEY, LANE & MITENDORF
815 Connecticut Ave. N.W.
Washington, D.C. 20003

7 3 0 4 0 0 3 4 0 7 ?

0001 A3-59

Ms. Judith Browning
Federal Election Commission
1325 K Street, NW
Washington, DC 20463



FEDERAL ELECTION COMMISSION

1225 K STREET, N.W.
WASHINGTON, D.C. 20463

August 23, 1977

Dennis J. Whittlesay, Esq.
c/o Casey, Lane and Mittendorf
315 Connecticut Ave., N.W.
Washington, D.C. 20006

Re: MJR 372 (76)

Dear Mr. Whittlesay:

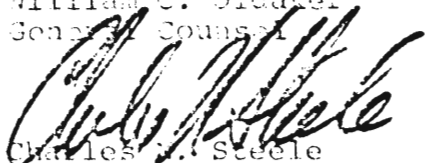
This is to inform you that with respect to the above-referenced notice the Commission has found reasonable cause to believe that the Harris for President Committee has violated 2 U.S.C. §434(b) by failing to report \$16,171.32 in campaign related costs incurred by Congressman John Conyers. These costs should have been reported as expenditures by the Harris Campaign.

Pursuant to 2 U.S.C. §437g(a)(5) the Commission shall make every endeavor for a period of not less than 30 days to correct this violation and enter into a conciliation agreement. If the Commission is unable to correct such violation it may after a further determination institute a civil action for relief.

Please contact us after receipt of this notice.

Sincerely yours,

William C. Oldaker
General Counsel


Charles W. Steele
Associate General Counsel



MWR 372 Brewing

PS Form 3811, Mar. 1976

SENDER Complete items 1, 2, and 4. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- Show to whom and date delivered..... 15¢
- Show to whom, date, & address of delivery.. 35¢
- RESTRICTED DELIVERY:
Show to whom and date delivered 65¢
- RESTRICTED DELIVERY:
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Dennis J. [unclear] 109
40 [unclear] Lane, [unclear]
315 [unclear] Ave. [unclear] DC

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	745900	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

4. DATE OF DELIVERY
AUG 24 1976

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

August 11, 1977

MEMORANDUM TO: Marjorie Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 (76)

Please have the attached General Counsel's Report on MUR 372 (76) distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of August 18, 1977.

Thank you.

78040033076

In the Matter of)
)
)
Harris for President)
Committee)

MUR 372(76)

General Counsel's Report

I. Allegations

This matter involves the question of whether respondent Harris for President Committee ("the Committee") failed to report certain expenditures in violation of 2 U.S.C. §434b(9), (10), (11), and (12). The complaint was brought by Congressman John Conyers, alleging that while campaigning in the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee, which the Committee never reported.

The Harris Committee disputes the allegation, contending that Mr. Conyers exceeded his authorization as a campaigner for Harris by incurring the debts in question. The Committee submits that Mr. Conyers was not authorized to make any expenditures for which the Committee would be responsible and maintains that the \$16,171.32 were independent expenditures under 2 U.S.C. §431(p). If the expenditures are found to be independent, complainant Conyers will have committed a reporting violation under 2 U.S.C. §434(e).

On the other hand, as we suggest further on in this report, it is possible that the expenses incurred by Conyers were neither authorized Committee expenditures nor independent expenditures made by Conyers, but were contributions-in-kind impliedly accepted by respondent Harris Committee. If the expenditures were contributions-in-kind, the Committee will have committed a reporting violation. 2 U.S.C. §434(b)(2) and (3). In addition, Mr. Conyers will have violated 2 U.S.C. §441a(a)(1)(A) as defined by §441a(a)(7)(B)(i) for making in-kind contributions in excess of the Act's limitations.

II. Commission Action

On April 7, 1977, the Commission found reason to believe that Mr. Conyers disbursements were either unreported expenditures on behalf of the Committee (a violation of 2 U.S.C. §434(b)(9), (10), (11), and (12)) or unreported in-kind-contributions in excess of the Act's limitations which were impliedly accepted by the Committee (a violation of 2 U.S.C. §434(b)(2) and (3) and §441(a)(1)(A)). On May 23, 1977, additional information, including an itemized list of the expenditures in question and affidavits from two of Conyers' staff members were sent to the Commission.

On July 15, 1977, after numerous postponements and delays, the Harris Committee submitted its response to the complaint. The response included documentation (correspondence

and affidavits of six key members of Harris' campaign staff) relating to the degree of involvement of Congressman Conyers in the Harris campaign.

III. Evidence

In December, 1975, according to information submitted by the Committee's counsel, Congressman Conyers was asked to assist the Harris campaign after it was learned that Mr. Conyers had been making public statements of support for Fred Harris. An affidavit submitted by a staff person from Conyers' staff states that at a December meeting attended by Harris, a question came up as to the financial resources of the Harris campaign with regard to Conyers' involvement, and Mrs. Harris responded, "Don't worry about that. We have more than enough money to cover your expenses." Subsequently, during the months of February and March, 1976, according to information provided by Mr. Conyers, the Committee had numerous contacts with him regarding his role in the campaign in New England, resulting in Conyers making expenditures listed in Attachment A. Conyers notes that the Committee handled arrangements and scheduling for Conyers and his volunteers, maintained daily contact for strategy and scheduling, and rented a headquarters in Boston for use by Mr. Conyers and his volunteers.

Respondent, on the other hand, contends that the expenditures in question were independent in that the activities and expenditures of Conyers were without the cooperation or consultation of Harris or his authorized committee, and were not in contact with, or at the request or suggestion of, Harris or his authorized committee. According to the July 15, 1977, Harris Committee response, all reimbursements for expenditures made by public officials campaigning for Mr. Harris were to be approved in advance by the national campaign organization, and Mr. Conyers did not get the requisite approval. The information submitted by respondent does, however, confirm the existence of many contacts and attempts at coordination between the Committee personnel and Conyers during the time of the New Hampshire and Massachusetts primaries. These contacts include the December, 1975, meeting, where the parties agreed that Conyers would campaign for Harris in New England, as well as a meeting Conyers had with Harris' national campaign coordinator in February, 1976, upon Conyers' arrival in New Hampshire, at which it was decided that his services could better be used in Massachusetts. On February 20, 1976, Harris' national field coordinator and his Massachusetts state coordinator met with Conyers to try to set up campaign plans with Conyers. Around February 25, 1976, Harris' national campaign coordinator again met with Conyers and agreed to pay for telephone lines in a Boston storefront headquarters

Conyers had rented for the campaign. Finally, in March 1976, Conyers and Harris met in Chicago to discuss the Harris campaign.

The essence of respondent's argument seems to be that, while the Committee did attempt to use Conyers' campaign services, Conyers exceeded any minimal authority he may have had to expend committee funds, and that Conyers was made aware of the committee's resistance and inability to finance his activities.

IV. Legal Analysis

Although this matter has been cast by complainant and respondent as one involving the federal election campaign laws, the underlying controversy is a dispute between Congressman John Conyers and the Harris for President Committee as to who should pay certain debts incurred by Conyers while he was campaigning in New Hampshire and Massachusetts. A resolution of this matter is dependent upon the nature of the fiduciary relationship by which the committee confided to Conyers the business to be transacted in the committee's name or on its account, and this relationship is grounded in the commercial or contractual dealings between the two parties. Such a dispute is not within the jurisdiction of the Commission.

A secondary question over which the Commission does have jurisdiction is whether respondent's reports must be

amended with respect to the \$16,171.32. If the amounts in controversy are independent expenditures, Mr. Conyers would have a reporting obligation (2 U.S.C. §434(e)) while the Harris Committee would have none. However, if the amounts in controversy are either authorized Committee expenditures or contributions-in-kind, they would have to be reported by the Harris Committee (2 U.S.C. §434(b)(9), (10), (11), and (12)). If the amounts are contributions-in-kind, Conyers would be in violation of the Act's contribution limits (2 U.S.C. §441a(a)(1)(A)) for that amount of his expenditures over \$1,000 that fall outside the voluntary activity and travel exceptions in 2 U.S.C. §§431(e)(5)(A) and (D).

While the Committee submitted evidence that tended to refute Conyers' allegations that respondent had authorized him to make all of the expenditures in question, the Committee did, nonetheless, exhibit a willingness to assist and cooperate with the Conyers' effort when requested to, although that cooperation was rarely financial. Since both Conyers and the Committee have admitted to numerous contacts and communications involving the New England primary campaign, it is our opinion that the expenditures in question would not meet the Act's definition of "independent expenditures." 2 U.S.C. §431(p). Regulation 109.1(b)(4)(i) states that

an expenditure is presumed not to be an independent expenditure when it is based on information about the candidate's plans, projects, or needs provided by the candidate or his agents.

If the expenditures in question are not "independent expenditures," then they are either expenditures authorized by the Committee or contributions-in-kind from Conyers, depending upon the outcome of the disputed claim mentioned above. In either case, a reporting violation by the Committee is indicated. The reporting provisions of the Act require that reports filed with the Commission include "...the amount and nature of debts and obligations owed by or to the Committee." 2 U.S.C. §434(b)(12). According to the Commission's regulations this includes any promises to make expenditures. §104.2(b)(11). The Act defines expenditures to include "...a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure." 2U.S.C. §431(f)(2). Thus, the fact that some of the vendors who extended credit to Conyers have not yet been paid does not mean that those debts would not have to be reported by the Committee.

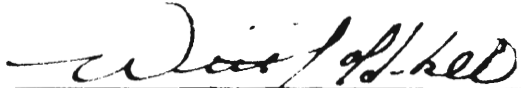
V. Recommendation

Find reasonable cause to believe that respondent has violated §434(b). However, the issue of whether the items in

question were authorized expenditures or contributions-in-kind appears to be a matter that should be resolved by private litigation rather than by the Commission. Accordingly, our conciliation of this matter would take into consideration the fact that the precise reporting form of the disputed costs (as opposed to the need to report the amounts) would be subject to further private litigation.

8/11/77

Date



General Counsel

Attachment

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Poll watchers, refreshments
and other election day misc.
- 3/2/76)

\$180.00

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Sound equipment, dry cleaning,
reception refreshments -
2/23/76 to 3/3/76)

\$557.39 plus 1 1/2 %
monthly interest to
date of settlement

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Air fare, Hotel Room, misc.
expenses - 2/19/76 to 3/3/76)

\$580.10

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Lennox Hotel, Boston -
Bill for Conyers and 5
volunteers - 2/19/76 to 3/5/76)

\$473.31 including
\$50.72 in interest
as of 12/15/76 plus
any additional interest
to date of settlement

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Meals for volunteers
in Boston - 2/22/76 to
2/24/76)

\$80.84 including
\$8.64 in interest as
of 12/15/76 plus
any additional inter-
est to date of settle-
ment

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Hertz Auto Rental - 2/20/76
to 3/3/76)

\$361.08 including
\$38.72 in interest
as of 12/15/76 plus
any additional inter-
est to date of settle-
ment

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Dunfey's Parker House Hotel,
Boston, - Hotel bill for 3
volunteers - 2/23/76 to 3/4/76)

\$657.79 including
\$70.48 in interest
as of 12/15/76 plus
any additional inter-
est to settlement date

BANK AMERICARD
P.O. Box 1450
Lansing, Mich. 48984
(air fare, train fare, and car rental
2/19/76 - 3/3/76)

\$710.36 including \$92.58
in interest as of 12/15
/76 & any additional
int. to date of settle-
ment

EXPENSES OR EXPENDITURES MADE ON BEHALF OF THE
HARRIS FOR PRESIDENT COMMITTEE

	AMOUNT
LINCOLN- DOUGLASS, TRAVEL, INC. 1150-17th St., N.W., Suite 305 Washington, D.C. 20036 (Air fare between D.C. and Boston for Congressman Conyers and 5 volun- teers, and between Detroit and Boston for 11 volunteers - 2/19/76 to 3/5/76)-----	\$2,881.58 plus 1 1/2% monthly interest through date of settlement
DUNFEY'S HOTELS & MOTOR INNS Hampton, New Hampshire 03842 (Hotel bill for Conyers and 13 volunteers at Parker House, Boston - 2/23/76 to 3/4/76)-----	\$2,261.25 plus any inter- est through date of settlement
DUNFEY'S HOTELS & MOTOR INNS Hampton, New Hampshire 03842 (Reception at Parker House, Boston - 2/25/76)-----	\$1,039 plus any interest through date of settlement
NEW ENGLAND TELEPHONE P.O. Box 2243 Boston, Mass. 02107 (Business phone installation/ service charge - 2/27/76)-----	\$72.02
WESTERN UNION TELEGRAPH COMPANY 7916 Westpark Drive McLean, Va. 22101 (Telegram invitations - 2/24/76 and 2/27/76)-----	\$4,967.34
C&P TELEPHONE COMPANY 930 H St., N.W. Washington, D.C. 20001 (Long distance calls from 2/19/76 - 3/4/76)-----	\$650.00
FAY FOTO SERVICES, INC. 781 South Street Boston, Mass. 02111 (Photographic services 2/25/76)-----	\$90.00
JOHN CONYERS, JR. 2144 Rayburn H.O.B. Washington, D.C. 20515 (Springfield, Mass. Reception- Refreshments ----- (2/28/76)	\$138.72

VOLUNTEER OUT-OF-POCKET
EXPENSES**

% John Conyers, Jr.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Misc. meals, transportation,
and supplies, etc. - 2/19/76
to 3/5/76)

----- \$576.10

TOTAL AMOUNT DUE

\$16,171.32 plus
any interest due
through date of
settlement

2004000030
**NOTE: Payment for the following items has been advanced
by the Friends of Congressman John Conyers Committee
to the volunteers making the expenditures so they
would not continue to suffer the financial conse-
quences of the delay in reimbursement. The Friends
of Congressman John Conyers Committee will continue
to press these claims on behalf of these individuals.

163/ Exhibit F.

164/ Exhibit G.

165/ Exhibit H.

166/ Ibid

167/ Exhibit J.

7 JUN 19 83 35

7 8 1 4 0 0 1 0 1 1

Garr



FEDERAL ELECTION COMMISSION

1125 K STREET, N.W.
WASHINGTON, D.C. 20543

MEMORANDUM TO: Marjorie Emmons July 15, 1977
FROM: William C. Oldaker *Bill*
SUBJECT: MUR 372(76)

On July 15, 1977, an Interim Status Report and Subpoena for MUR 372 (76) were sent to you by Elissa Garr to be placed on the July 20, 1977, agenda.

Subsequently, the documents which we intended to subpoena were delivered to the Commission. Therefore, please remove the Interim Status Report and Subpoena from the next agenda.

7804075300



July 15, 1977

MEMORANDUM TO: Marjorie Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 (76)

Please have the attached Interim Status Report on
MUR 372 (76) distributed to the Commission and placed
on the Agenda for the Commission meeting of July 20, 1977.

78040033091

MEMORANDUM TO: Commission

July 14, 1977

FROM: William C. Oldaker

SUBJECT: MUR 372(76)

Bill

INTERIM STATUS REPORT

This matter involves the question of whether the Harris for President Committee failed to report certain expenditures in violation of 2 U.S.C. §434. The complaint was brought by Congressman John Conyers, alleging that in the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee, which the Committee never reported.

The Commission, on April 7, 1977, found reason to believe that Congressman Conyer's disbursements were either unreported expenditures on behalf of the Harris Committee or unreported in-kind contributions in excess of the Act's limitations.

A letter was sent to the Committee on May 18, 1977, requesting certain information. The Committee has repeatedly delayed and postponed submission of the requested materials. Therefore, we recommend sending the attached subpoena to the Harris for President Committee.



FEDERAL ELECTION COMMISSION

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

UNITED STATES OF AMERICA

FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Harris for President Committee
815 Connecticut Avenue N.W.
Washington, D.C. 20006

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby required to deliver for inspection and copying the following documents to authorized representatives of the Federal Election Commission on the day of July, 1977, at p.m. of that day.

(a) Correspondence, memoranda, and any other documentation providing information of the relationship of the Harris for President Committee to Congressman John Conyers with particular regard to the New Hampshire and Massachusetts presidential primaries;

(b) Correspondence, memoranda, checks, receipts, and any other documentation relating to the amount and nature of the disbursements incurred by Mr. Conyers on behalf of the Harris presidential campaign, with particular regard to the New Hampshire and Massachusetts presidential primaries.



UNITED STATES OF AMERICA
Before the
FEDERAL ELECTION COMMISSION

In re)
HARRIS FOR PRESIDENT) Docket No. MUR 372
COMMITTEE)

RESPONSE OF HARRIS FOR PRESIDENT
COMMITTEE TO COMPLAINT FILED BY
CONGRESSMAN JOHN CONYERS, JR.

INTRODUCTION

This Response is filed on behalf of the Harris for President Committee (hereinafter referred to as "Respondent" or as "National Committee") in answer to a formal complaint filed with the Federal Election Commission ("FEC") on or about February 28, 1977. The complainant is Congressman John Conyers, Jr., a United States Representative from the First Congressional District of Michigan.

This Complaint apparently alleges certain violations of the reporting requirements of the Federal Election Campaign Act of 1971, as amended, ^{1/} although such is not clear from the materials filed by Conyers or Conyers' demands for reimbursement from Respondent. However, the FEC's letter to Respondent of May 18, 1977, declares that the FEC

has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§ 434(b)(2)(3) and 441a(a)(1)(A)).

So we assume that this is the extent to which the complaint pertains. Certainly, the Harris Committee does not ratify Conyers' debt and will not pay it.

In accordance with Section 439(g)(4), the National Committee has been afforded an opportunity to respond to the Conyers complaint, and the resultant "reason to believe" determination reached by the FEC. Accordingly, the National Committee has directed the preparation and filing of this Response, along with supporting affidavits from the following individuals:

1. James Hightower, Treasurer and National Coordinator for the National Committee;
2. Bert Jay De Leeuw, National Field Coordinator for the National Committee;
3. Richard D. Davis, National Committee's Regional Coordinator for the Middle Eastern States, which region included the State of Michigan;
4. Gary Manning Ford, State Coordinator for the Massachusetts Harris for President Committee (hereinafter referred to as "Massachusetts Committee");
5. Fred Droz, National Director for Advance and Scheduling for the National Committee; and,
6. James Carew Rosapepe, financial manager for the National Committee from March 1976 to September 1976.

Each of these affidavits provides details on various aspects of the Conyers assertions. It is impossible to provide a sworn statement rebutting or explaining every single item in the Conyers chronology, because--as is clear from the materials here filed--the National Committee had no idea of what Conyers and his entourage were even doing, let alone who was present to witness it! However, Respondent submits that the facts presented herein make it undeniably clear the activities and expenditures of John Conyers were without cooperation or consultation of Fred R. Harris or any authorized committees or agents of Mr. Harris, and were not in concert with, or at the request or suggestion of, Mr. Harris or any authorized committees or agents of Mr. Harris.

Rather, the Respondent submits, the expenditures were "independent expenditures" under Section 431(p). As such, they are reportable by Conyers and not Mr. Harris or any of his authorized committees.

The Relevant Statutory Sections and Regulation

The National Committee has determined, and so-advised Conyers, ^{2/} that all expenditures incurred during the Conyers foray into New England constituted "independent expenditures," as defined at Section 431(p). That section provides:

(p) "independent expenditure" means an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or

consultation with any candidate or any authorized committee or agent of such candidate and which is not made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate;*** [Emphasis supplied.]

In addition, FEC Regulation §109.1 provides in pertinent part:

(a) "Independent expenditure" means an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identifiable candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

(b) For the purpose of this definition--

* * *

(4) "Made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate" means--

(i) Any arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure will be presumed to be so made when it is--

(A) Based on information about the candidate's plans, projects, or needs provided to the expending person by the candidate, or by the candidate's agents, with a view toward having an expenditure made;

(B) Made by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of an authorized committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate committee or agent.

(ii) But does not include providing to the expending person upon request Commission guidelines on independent expenditures.

(5) "Agent" means any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or means any person who has been placed in a position within the campaign organization where it would reasonable appear that in the ordinary course of campaign-related activities he or she may authorize expenditures. [Emphasis supplied.]

If the expenditures of Mr. Conyers are "independent" under the above-referenced definitions, then they are not reportable by the National Committee. Rather, Mr. Conyers is responsible for filing his own reports under Section 434(e) and Reg. § 109.2(b) and (c). Conversely, if those expenditures are not "independent" then the Respondent did have reporting violations.

ISSUE PRESENTED

Whether the expenditures of John Conyers, totalling \$16,171.32, as outlined in his December 15, 1976, letter to the FEC were "independent expenditures" under Section 431(p), or whether they were expenditures reportable by Respondent under Section 434(b)(9), (10), (11) and (12) or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by Respondent under Sections 434(b)(2) and (3) and 441a(1)(A).

small number was the candidate himself and people already committed to his campaign. It can be said that the event, which was closely coordinated with Conyers' organization, was a total waste of time and money.

Given the fiasco of the October 31 event, a function which was closely coordinated with the Conyers organization, it is no surprise to see this event not listed on the Chronology. The surprise would have been for Conyers to call attention to the function, for it is clear that he wants to forget it.

But Rick Davis didn't forget . . .

John Conyers was only one of many public officials who the Harris Committee sought out for campaign assistance. And there was a specific policy for handling them, as is made clear by Hightower.^{11/} As he noted, there were specific guidelines for appearances of the so-called "surrogate" speakers:

(1) that any such activities be coordinated in advance with the national staff, (2) that scheduling be done by the staff or with direct approval of the staff, (3) that any expenditure of money for which we would reimburse the officials would be approved in advance by the national campaign, and (4) that the appearance of the surrogate comport with the overall practices of the Harris campaign (such as minimal pomp and circumstance, few--if any--staff aides and utilization of existing campaign organization and facilities). [Emphasis supplied.]

And these guidelines were not so strenuous that others were unable to follow them; to the contrary, they did follow

them.^{12/} Hightower specifically cites campaign appearances of Congressman Michael Harrington, and observes:

What Harrington was told was what Conyers was told.

Respondent admits that it wanted and sought John Conyers' help,^{13/} just as it wanted the assistance of any official who might be able to aid the cause. But it was essential that the guidelines be met, because the campaign was critically short on money^{14/} and the impact per-dollar-spent had to be maximized. In fact, had Conyers been part of the Harris campaign he would have been kept out of New Hampshire "in the first place"^{15/} since the voters to whom he would appeal were not in New Hampshire or Massachusetts.^{16/} As Hightower stated, it made "no sense" to spend money to send Conyers to New Hampshire,^{17/} and the feeling was that his presence "could hurt".^{18/} It is clear that the Harris campaign never would have used Conyers in the way that he conducted himself if Conyers had been part of the campaign.

The reception at the National Black Elected Officials Institute of December 15, 1975, is touted by Conyers. He would have been wiser to have given it the same treatment (omission) he gave the October 31, 1975, coffee.

Rick Davis tells the story better than anyone else can: he was involved from the beginning and--for the second time in 45 days--he saw his work with Conyers turn into a humiliation. Davis had worked to arrange for Conyers to

endorse Harris^{19/} and the Harris campaign universally believed that Conyers would do so.^{20/} It should be made clear that the reception was arranged solely by the Harris campaign and not by Conyers.^{21/} Conyers' sole contributions were the use of his name, the introduction^{22/} and --it was anticipated-- his endorsement.

Conyers did not endorse Harris; he embarrassed and humiliated him, and almost certainly cost him potential support from those in attendance. As De Leeuw said:

Rather than promote Fred Harris' candidacy at this point, Congressman Conyers in fact set it back.^{23/}

7 3 0 4 0 0 5 6 1 0 1 1
 And the way he did this was with a rambling diatribe against the Democratic party and various national party figures.^{24/} They included Harris' close personal and political ally, Senator Hubert Humphrey, and other candidates such as Jimmy Carter and Henry Jackson.^{25/} All of this was in the context of "looking for" a candidate blacks should support, since Senator Edward Kennedy was not a candidate, and then Conyers dropped Harris' name with this statement:

I've supported losers before.^{26/}

And, of course, it got no better when he identified LaDonna Harris as someone more familiar to the crowd than was Fred.^{27/}

And these events were the Conyers groundwork before the primaries even began.

B. New Hampshire

The Conyers arrival in New Hampshire was a surprise to the campaign staff.^{28/} It appears that De Leeuw attempted to line up Conyers for some campaigning in Massachusetts, among other states,^{29/} and he even instructed Gary Ford to give some thought as to how Conyers could be utilized in a "beneficial" manner.^{30/} However, the discussions on Conyers' participation broke down and the Harris campaign concluded that he would not campaign for Harris.^{31/}

But Conyers decided at the last minute not only that he would go to New England, but that he needed a full personal staff. So they went--on short notice, with no prior consultation and no approval from the Harris campaign for Harris funds to pay for the trip. The only advance word was a telephone call advising that Conyers cum entourage was arriving only a few hours later.^{32/} This was February 19, 1976. Hightower acted immediately when he learned of the telephone call, by returning a call to Conyers' staffer Christine Moore and making it clear that anything would have to be cleared with him in advance.^{33/} He learned that Conyers already had campaign plans and "an itinerary."^{34/} This schedule apparently is the same one as that which Conyers claims was prepared for him by Droz.^{35/} However, Droz denies having prepared it and feels that on its face it must have been prepared by Conyers' staff.^{36/} The Hightower

telephone conversation with Ms. Moore supports Droz's conclusion as to the itinerary's source, since it already existed.

Furthermore, Conyers is incorrect when he asserts that Droz offered to provide lodging, food and transportation.^{37/} Droz flatly denies having done so, citing the fact that the Harris campaign staff was doing without such amenities.^{38/}

In the meantime, Hightower called Harris with this problem, and they agreed that Conyers could injure the effort in New Hampshire; thus, it was decided to divert him to Massachusetts in the most painless manner possible.^{39/} It also should be remembered that the New Hampshire primary was only a few days away and it was critical that any messy incidents be avoided.

So Hightower did what he had to do: he got Conyers out of New Hampshire with the least amount of fuss. And he did so by persuading Conyers that he could be of more value in Massachusetts.

But at the same time--and in that first meeting--Hightower laid bare the campaign's critical shortage of funds.^{40/} In fact, the financial situation was such that it dictated virtually every decision made at this time, and Conyers knew this.^{41/}

So Conyers agreed to move to Massachusetts, or--more important--to get out of New Hampshire. So he left by rental car,^{42/} but not before requesting a driver to take them to Boston, a request summarily denied.^{43/}

In this initial meeting with Hightower, Conyers never requested any financial support and none was offered; instead, Hightower made clear that the campaign already was "broke and in debt".^{44/}

The Harris campaign was surprised that Conyers went to New England, and Hightower says he "never understood why he [Conyers] did so."^{45/} And maybe De Leeuw had the answer:

[I]t was clear to me that the Conyers political workers were promoting John Conyers first and foremost, and not Fred R. Harris.^{46/}

Certainly De Leeuw's theory is not inconsistent with what transpired.

C. Massachusetts

So John Conyers hit Boston, much to the relief of those coordinating the New Hampshire primary. Hightower feared having him "running around New England . . . and our not knowing what he was doing",^{47/} but on February 19, he was faced with the immediacy of the nation's first presidential balloting only days away and a fear that Conyers could cause problems in that all-important first primary. So he did what seemed reasonable: he passed the problem downstream to Ford and De Leeuw in Massachusetts.

It was clear to Ford and De Leeuw from their first meeting with Conyers that he was charting his own course. At Conyers' request, they met him for breakfast on February 20, 1976, for what they believed to be a campaign business meeting. Instead, they sat and watched him eat breakfast^{48/} and visit with a local black newsman.^{49/} It gradually became clear that no campaign business would be discussed, so Ford and De Leeuw left before Conyers had even finished eating.^{50/}

Conyers held a press conference that same day, an event he falsely says was arranged by the Respondent's "national press staff."^{51/} His own people set it up, made all media contacts and even prepared a press release on his letterhead.^{52/} Conyers did not attach a copy of his press release to the complaint, and Respondent regrets that none have been located by it. However, Conyers did attach as his

Exhibit I a copy of the Harris press staff "backup" release prepared at the last minute when it was feared that Conyers' staff might fail to have one.^{53/} It appears that the Harris-prepared release is getting the attention now which it did not receive seventeen months ago^{54/} since its use was not necessary.

Ford's work with Conyers lasted one day. He proposed several events to Conyers' staff on February 20 and late that evening was told that Conyers would do a "walk" the following day. This event is described by Conyers as

a highly publicized walk through
the community^{55/}

an event which was purportedly arranged by Ford and was the subject of a Ford memorandum, attached as Chron. Exhibit L.

First, it is noted that Conyers' staff screened a number of suggestions offered by Ford, a screening process which was at odds with the "surrogate guidelines" already established and previously discussed. Second, the walk was selected by Conyers' staff as having the "best chance of receiving [his] approval" because of the potential for "media exposure".^{57/} And "media exposure" was certainly on his mind; Hightower recalls that Christine Moore mentioned it in their February 19 telephone conversation^{58/} and he used it as an argument in getting Conyers to leave New Hampshire since local television "came from Massachusetts".^{59/} Which brings us back to De Leeuw's observation that Conyers, and not Harris, was being promoted on this junket.^{60/}

The walk was hastily arranged by Conyers' staff^{61/} and not Gary Ford, as claimed by Conyers. However, Ford did issue an internal memorandum,^{62/} which is Conyers' Exhibit L. Ford also suggested a route and offered personnel.^{63/} However, due to short notice the walk was a "dismal failure"^{64/} since there were few people to see Conyers. In fact, this event, which is touted in the complaint, was one with which Conyers was "not happy"^{65/} and--as a result--Ford had no further communication with the Congressman after February 20. It must be remembered that Ford was the Massachusetts State Coordinator; he was the man with whom Conyers would have had to deal in order to campaign in cooperation or consultation with the Harris organization. Yet, Ford never heard from Conyers again.

Conyers claims that on February 21 he received "authority" from Ford to "locate, establish, and operate a [storefront] headquarters in the black community to serve as the base for the Congressman's efforts."^{66/} What he really got on that date was booted out of not one but two Harris offices by Ford--the state Harris headquarters and the Boston headquarters!^{67/} In fact, if Ford had given the approval claimed, then there would have been no need for Conyers to have called Hightower three days later, as he claims to have done^{68/} (although Hightower does not specifically recall the conversation^{69/}). Ford was forced to ask the Conyers entourage to vacate both places because they were in

the way, contributing nothing of benefit and running up long distance telephone expenses.^{70/} De Leeuw remembers that they

sat around doing nothing.^{71/}

The request for authorization of a storefront came on February 22 in the form of a Nelson Saunders proposal and request for funding.^{72/} Rather than approve it, Ford denied this item because there was not money for such an expenditure.^{73/} In fact, Ford had already suggested that they operate out of their hotel,^{74/} which apparently was unacceptable to Conyers' staff. Saunders took issue with Ford's financial declaration and intimated that he was not being truthful as to available funds;^{75/} when Ford offered to show his checkbook, the Conyers people said Conyers would raise the money, and they left.^{76/} It was because Ford denied the request of February 22 that Conyers had to call Hightower two days later, and Hightower refused him too!

Repeated demands for money began to come from the Conyers group. First, the storefront, then "street money,"^{77/} then telephones,^{78/} and other "various proposed undertakings".^{79/} Each request was denied.^{80/} But, Conyers still plunged forward, incurring great expenses on a daily basis which he knew Respondent would not be responsible for because he was so told.

And we must remember that the Harris campaign didn't have any idea of what the Conyers group was doing, let alone

that large sums of money were being spent. By the time Hightower got to Boston ("sometime around February 25"), the Conyers group had already created what Ford was calling "the Conyers problem".^{81/} Even today, Hightower vividly recalls what Ford told him about having to "repeatedly" reject as "unaffordable" demands by Conyers' people for assistance in various projects^{82/} --projects which were pursued after being rejected by Respondent's staffers, and the costs for which are the subject of this dispute. But, most important to this matter, Hightower recalls one further aspect of Ford's report:

Ford reported further that the Conyers group was running a campaign separate from the effort he was coordinating, and complained that he usually did not even know what they were doing until after the fact, or not at all.^{83/}

As of this time, "all of [Conyers'] requests for money had been denied",^{84/} a far cry from the close working relationship described by Conyers.

Hightower decided in his meeting with Ford that he had to do something to ease the developing problem. He couldn't do much because money was a real problem; in fact, some 40 telephones were being taken out of the Boston office because they were too expensive.^{85/} So he instructed Ford to issue a \$500 check to cover the expense of installing two telephone lines in the storefront headquarters,^{86/} which was

done.^{87/} Hightower's reasoning was two-fold: (1) he could reduce the potential for "vocal dissention" only a few days before the Massachusetts primary and (2) Conyers already had obtained the space (without authorization from the Harris organization) and would have to have telephones if he was going to "accomplish anything".^{88/} Hightower saw this gesture as a way of

avoiding further disruption in
a campaign which was only about
a week away from election.^{89/}

But this check was for telephones only, and the Conyers Chronology boldly misrepresents that it was also for "rental".^{90/}

De Leeuw, for one, was glad to learn of the store-front's being opened, because this would keep the Conyers group "away from the campaign" and would not interfere with the "regular work".^{91/} This might seem to be a classic case of ingratitude on De Leeuw's part, since Conyers was ostensibly trying to help. But he wasn't helping, he was causing problems, as De Leeuw notes:

There were frequent disputes over money between us and the Conyers staffers, which resulted in their persuading Congressman Conyers to "go over our heads" and personally contact either Jim Hightower ... or Fred Harris himself.^{92/}

De Leeuw's report is supported by the Chronology, showing the February 24 telephone call to Hightower and Conyers' February 27 trek to the Casa Romero restaurant, which will be discussed infra.

De Leeuw further notes that animosity was developing between the two groups, a situation Hightower hoped to defuse:

The Conyers staff engendered great resentment within our own campaign, because they had become a problem and were demanding special privileges. In light of the messy situation which had developed between the regular staff and the Conyers people, we finally began ignoring them and tried to keep them away from us.^{93/}

The storefront was the final split. After it was opened, the Harris staff almost never saw the Conyers group again. De Leeuw knows of no national Harris official (with one possible exception) who even saw the storefront^{94/} and Ford had only "second hand, at best"^{95/} reports of what they were doing.

The few reports which the Harris campaign did receive were frightening. Conyers brags about attending a reception in Springfield^{96/} (for which he spent \$138.72).^{97/} Much to his dismay, Ford learned about that gathering through the grapevine, and he learned that Conyers pulled another "endorsement" trick, by saying:

There are a lot of good candidates,
Fred Harris is one, Mo Udall is another.^{98/}

With this type of "support", De Leeuw's lack of gratitude is easily understood.

In addition, Ford had tried to work with Conyers and failed:

We made a few proposals for Conyers' campaign appearances, most of which were turned down by Mr. Conyers and/or his staff.^{99/}

And he concluded

we had better things to do with our time than to attempt (unsuccessfully) to coordinate this (the Conyers group) unproductive group. I concluded that Conyers was doing whatever he wished for whatever reasons, but that his aims or his presence was not lending an advantage to the Harris campaign [Emphasis supplied.]100/

Now we have two ingrates, not just one. And both felt that Conyers had some purpose in mind other than just helping Fred Harris!101/

During this time, Conyers' Chronology reflects a series of meetings which indicate that he was an active part of the principal Harris campaign activity. It has already been pointed out that Conyers and his group were disruptive to the point that they literally were run out of the regular headquarters by Ford. In addition, their continued demands for money--demands denied with the one exception noted--had created great fear that they might create some incident harmful to Harris' candidacy. In contrast to the picture Conyers painted for the FEC, the true story is that the Conyers effort was totally divorced from the main campaign to the point that De Leeuw and Ford knew almost nothing of the activities of the Conyers entourage. And they were the two Harris officials who should have known what was going on.

Conyers' Chronology misrepresents what happened in so many respects that it is impossible to respond to them

all. One case in point, however, is the February 27 "meeting" he had with Harris at a restaurant and describes in his Chronology:

Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.^{102/}

Respondent reiterates that there already had been "frequent disputes over money",^{103/} and this "meeting" was one of those times that Conyers' staff persuaded him to go directly to Harris with a plea for funds. De Leeuw was at the Casa Romero that evening and recalls what happened. And his account gives a profoundly different impression than does the Chronology.^{104/} Harris was dining with his wife and various national staffers when Conyers entered the restaurant and called Harris from the table for only a couple of minutes. Conyers was not part of this dinner party, but he took the extraordinary step of interrupting dinner under pressure. De Leeuw remembers the occasion quite well:

I understood from Fred Harris' immediate recounting of the discussion [with Conyers] upon returning to the table that Conyers' staff had gone to the Congressman and complained that if he was influential with Fred Harris he should meet with Harris and secure a commitment for money to be used by the Conyers group.*** [Emphasis supplied.]^{105/}

To this, Conyers was again told that there was no money available for his activities. He may, or may not, have mentioned to Harris an appearance at a school of fine arts

at this time. If such was said, it was not central to the conversation^{106/} and did not have sufficient impact on Harris to be mentioned afterward.^{107/}

But the important point made here is that Conyers has not been forthright with the FEC in his complaint. If the events at the Casa Romero constituted a "political meeting" in Conyers' mind, then his thought processes are widely divergent from ours. This confrontation was the act of a man made desparate by pressure from his staff; it was not the "meeting" described in the Chronology.

And if Conyers' Casa Romero description is misrepresentation, his discussion of the Parker House reception^{108/} is "incredible".^{109/} Four of the attached Affidavits address this event^{110/}, and their accounts all take exception to Conyers' account. And these accounts are consistent with one another.

Ford should have had an inkling when he heard Conyers state during the February 20 breakfast conversation with the newsman that he was having a reception and described it as "his"^{111/} reception and "an event of my own".^{112/} Ford's impression was that it was to be "an event strictly by and for John Conyers".^{113/} And it was exactly that: an event honoring John Conyers! The Affidavits say it best.

Gary Ford states that

The reception ... was nothing but an affair for John Conyers just as he indicated it would be at the breakfast meeting at the Lennox Hotel.^{114/}

And Bert De Leeuw had the same impression:

John Conyers staged a reception for himself It is my recollection that the telegrams [of invitation] announced a John Conyers reception, and not a reception for Fred Harris. In fact, I do not recall that Fred Harris' name was even on the invitation, and am certain that it was an invitation by John Conyers to various black leaders to come meet him, drink his liquor and eat his food I know that this reception was not [emphasis in the original] in Fred Harris' honor *** [Emphasis supplied.]115/

Had this been an event in Harris' honor, it is inconceivable that Conyers would--or even could--have planned and organized it without working closely with the regular Harris campaign. Yet, the Harris campaign had absolutely no role in this function 116/ and--more importantly--the Harris campaign did not even know that it was occurring until the reception was virtually underway. 117/ In fact, Fred Harris knew nothing about the event and had to be persuaded to attend. 118/

Respondent was not aware that this reception was "in Harris' honor" until Conyers' staff demanded reimbursement for the expenses long after the event had occurred. Droz was in charge of advance and scheduling, yet he never knew that any reception was planned, until late in the afternoon of February 25 when

A Harris volunteer advised ... that Conyers was hosting a reception for all the presidential candidates. I contacted a Conyers staff person told inquire about the reception and was that they (the Conyers staff) had been unable to reach us about the reception. [Emphasis supplied.]119/

Droz realized that Harris should attend, especially if other candidates were going to be present. But Harris was not easily located. It was the day following the New Hampshire primary and Harris was in the middle of a series of walking tours, ^{120/} rather than resting to prepare for a reception. When finally located, Harris seemed to have no advance knowledge of the reception and announced he would not attend. ^{121/} He then reconsidered and ordered the staff to find out more about the event before he would attend; and, although the answers were not satisfactory, Harris later agreed to go. ^{122/}

And what Harris found was anything but a "400" ^{123/} person crowd there to honor him. The gathering was closer in number to 65 ^{124/} and one of Harris' opponents, Morris Udall, had already attended, ^{125/} been introduced by Conyers ^{126/} and departed. In fact, Udall attended when there were many more people present than Harris saw. ^{127/} And, for this, Conyers wants Harris to pick up the bill and report the expenditure as his!

Young Rick Davis was in awe during this reception, because it wasn't like any political event he had ever attended. Remembering that Davis was used to coffees in Detroit, we turn to his recollection upon entering the Conyers reception:

I recall wondering who was paying for this reception upon seeing (a) the plush room in which it was held, (b) an open bar, (c) all types of cheese and etc. ***^{128/}

But he knew one thing:

I knew that there was no way the Harris campaign could or would pay for such a thing. This was because we were chronically short of money and it would have made no sense to have sponsored an event of this kind which obviously was wasting great sums of money and was attended by at least one other candidate, and since we were then almost totally out of money.129/

Harris almost didn't attend this event, and finally agreed to go because "a number of important black people would be present."130/ One cannot help but wonder what Conyers would now be claiming if Harris had not finally agreed to attend. One can only speculate, but it is just possible that Morris Udall, and not Fred Harris, today would be filing this Response.

Gary Ford describes the complaint materials filed with the FEC as follows:

The Conyers memorandum of December 15 is a blatant distortion of facts and his claim of \$16,171.32 against the Harris for President Committee is most ludicrous.131/

Certainly Ford's characterization of Conyers' account of various events is supported by the Affidavits filed herein. And although he was not part of the February 26 meeting at the Parker House,132/ Respondent would adopt his description in regard thereto. As described by Conyers, this meeting appears to have been an important campaign strategy session, involving both the regular campaign staff and the Conyers'

group. It shows that Conyers was an integral part of the Harris campaign effort in Massachusetts. Given this type of information, it is understandable that the FEC made its "reason to believe" findings outlined in the May 18 letter.

But there is one small hitch: the Conyers description is not true!

This meeting was simply another example of Conyers putting on the "big show", and in the process he humiliated Hightower, De Leeuw and a sports celebrity from whom he was seeking money. ^{133/}

The meeting did occur, although two of the four Harris staffers present had to leave halfway through it to meet responsibilities on a fund-raising concert; given the repeated demands for money from Conyers and his staff over the previous week, it was expected that such was the purpose of the meeting. ^{134/} Conyers may have had this in mind going into the meeting, as he outlined elaborate plans for a campaign to appeal to black votes, citing a budget figure to cover these plans of some \$50,000. ^{135/} There simply was no Harris money to do the things Conyers proposed, and Hightower explained--in as diplomatic and nice a manner as he could muster ^{136/} --that there was no money for such campaign activity. ^{137/}

In the face of Hightower's statements, Conyers insisted that he would pay all of his own expenses and would conduct independent fundraising, ^{138/} citing prospective benefit concerts he would stage. ^{139/} Not only did Conyers

make it clear that he would pay his own debt, but he made it clear that he had the ability to raise the money without assistance from the Harris campaign. And, at the risk of being redundant, this followed Hightower's clear caveat that Conyers could expect no money from the Harris campaign. Yet, Conyers now claims that he suggested that the Harris campaign could finance the Conyers' effort by staging a fundraiser in the black community after the election. ^{140/}

This is at odds with multiple accounts presented in Respondent's Affidavits.

The fact is that Conyers seems to have forgotten what he did that night. He told Hightower and De Leeuw that he would pay his own way. ^{141/} And then he pulled a real stunt: he produced his own moneymen! De Leeuw tells it well:

Conyers told us that not only did he have the ability to raise money on his own, but that as a matter of fact he had [basketball figure] "Bill Russell in the hotel" who was a big money giver He told us that he would persuade Bill Russell to pay the Conyers expenses. But when Russell arrived, Congressman Conyers turned to Jim Hightower and said, "Jim why don't you tell Bill what we were talking about." [Emphasis supplied.] ^{142/}

So Conyers dumped into Hightower's lap the job of persuading a stranger that he should give a lot of money to Conyers. He tried to deal with an outrageous situation as best he could, although he was shocked at having this done to him. Finally, Conyers

entered into the conversation and outlined to Mr. Russell that he was undertaking some fundraising to pay his expenses and, in essence, was asking Russell to be the underwriter for his fundraising activity.***
[Emphasis supplied.]143/

The end result was that Russell gave no money at all. 144/

But as shocking as the incident with Russell is Conyers' description of it:

The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.145/

Somehow, Conyers sees it a little differently than does Respondent. But, of course, we must remember that he does owe a lot of money

Speaking of money, Conyers did mention to Hightower that his expenses were mounting "at a precipitous rate". 146/

De Leeuw had the answer: move your entourage out of their sumptuous quarters at the Parker House and into the "dormitory" facilities being utilized by the Harris campaign staff. 147/

Conyers' reply showed his attitude about spartan living conditions:

These are Congressional staff people.148/ implying that they required a certain standard of living above that allowed under the Harris campaign guidelines and affordable under the Harris campaign budget. 149/ But he wants the Harris campaign to pay for it.

The Massachusetts primary was held on March 2, 1976. And Conyers claims that, on the following day, he met with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris for President Committee. [Emphasis supplied.] 150/

This is another "example" of the integral role Conyers was playing in the Harris campaign. But there is one slight problem in that to this day Respondent doesn't know with whom Conyers met, or that such a meeting even occurred.

There is the possibility that the "key" supporters and staffers consisted of his own entourage and that they talked about the election while eating another large breakfast. But he didn't meet with Harris staffers because they were all on a train en route to Washington, D.C.! 151/

D. The Chicago Meeting.

Conyers reports another meeting he had with Harris at a "Chicago hotel headquarters" during the week of March 15. 152/ This was an ostensible follow-up on his reported telephone call to Harris of a week earlier to discuss "reimbursement" for his expenses incurred in Massachusetts. 153/

The Chronology does not reflect that Conyers actually raised the reimbursement issue, and De Leeuw--who attended that meeting with Harris--makes clear that Conyers did not. To the contrary, he recalls that Conyers "said he was raising his own money and would pay his own debts." 154/ It is

possible that Conyers intended to do so, but backed off after learning from Harris of the campaign's "diminishing resources and increasing deficits."^{155/}

E. Conyers as a Surrogate.

The Conyers participation was never within the campaign's organized framework. And this point is reflected in his own Chronology, when he reports a telephone call in "March/April '76" from a Harris staffer requesting his presence at an event for which his airfare would be paid by the Harris campaign in advance.^{156/} This is the type of coordination which would have made him a part of the campaign, but it was not found in his New England foray.

F. Post Campaign Demands by Conyers.

The Chronology reflects that Rosapepe admitted the Conyers expenditures were de facto Harris debts.^{157/} Rosapepe never made such a statement, although he did express "hope" that the campaign could assist Conyers in retiring his debt after the campaign's own debts had been paid.^{158/}

Rosapepe did not ratify or accept the Conyers debt:

I never acknowledged Conyers' debts as being the Harris Committee's debts, nor did I ever ratify or adopt them.^{158/}

And any implication or statement to the contrary is false.

The claim was then presented to counsel for the Harris committee,^{160/} except that it was not a demand for the \$16,171.32 sought herein. By letter of October 5, 1976,

Christine Moore presented a claim for \$18,297.34. The letter and Claim Sheet are attached as Exhibit A. Since the Harris Committee has not paid the deleted sum (\$2,126.02), we have no explanation for this variance. But we believe that the variance is significant, inasmuch as reimbursement of the larger sum was demanded from Respondent and it was urged that the larger sum be reported with the FEC.

G. How Respondent Learned of this Complaint.

At some unknown date, Conyers began directing his creditors to make demand for payment from Harris. One of the creditors who contacted Respondent was The Dunfey Family's Hotels and Motor Inns. In an exchange of correspondence in April 1977, Dunfey's Credit Manager forwarded to us copies of various communications they had received from Conyers, or from his Congressional staff under his direct supervision. And included in that packet was a copy of Christine Moore's February 24, 1977, letter to the Dunfey's offices forwarding a copy of the complaint. Copies of Ms. Moore's letter and enclosure are attached as Exhibit B. This was the first information Respondent had of a complaint being filed, and Conyers' sending the complaint to anyone is a clear violation of Section 437g(a)(3)(B).

Respondent does not know how many--if any--other creditors were provided copies of this complaint.

H. The Curious Case of Marcia Elayne.

Included in the packet from Dunfey was a tale of personal woe on the part of Conyers' staff Marcia Elayne. As the correspondence attached as Exhibits C-G reflect, Ms. Elayne had some \$3,000 billed to her personal American Express account by the Parker House and this appears to have been a large portion of the total charges for the 18 members of Conyers' party.^{161/} She looked to Conyers--not Harris--for payment,^{162/} and later persuaded American Express that she should only be billed for her own charges of \$587.31.^{163/} She then advised Dunfey's Credit Manager that she would pay her own charges, and the remainder was then billed back to Conyers.^{164/}

So, Marcia Elayne was left holding the bag for her efforts, and there is no indication that her boss, John Conyers, has tried to help her. In fact, he didn't even list her as a creditor for the purposes of this claim. Respondent submits that this fact is relevant and should be examined by the FEC.

I. The Suzanne O'Neil Debt.

A Conyers staffer named Suzanne O'Neil also ran into debt problems at the Parker House, a matter also revealed in the Dunfey packet. The relevant letters are attached as Exhibits H-J. She received a bill for \$57.22 for conference room rentals, and directed Dunfey to send this to Conyers "to whom payment for all of our staff expenses were to be

billed". ^{165/} She stressed that "this bill, like many others, was signed by me only in the Congressman's behalf as his staff representative." [Emphasis supplied.] ^{166/} In other words, it was Conyers'--not Harris'--debt. Conyers confirmed her statements in a letter dated July 2, 1976. ^{167/}

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CONCLUSION

The Harris for President Committee rejects Conyers' contentions in toto. There was a time when his support was solicited, but he never became a part of the Harris campaign. Instead, he collected 17 staffers of his own and charged into New England. It is clear when all of the facts are reviewed that his were independent expenditures, and the accountability is his.

The Harris campaign never approved--or even approved of--the money expenditures Conyers made. It would be an incredible travesty for the FEC to now find that these expenditures are chargeable to the Harris campaign.

Respectfully Submitted,
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Dated: July 15, 1977

FOOTNOTES

1/ Unless otherwise specifically noted, all references to the "Act" or citations to "Section" are references to this law.

2/ See letter of October 19, 1976, from Respondent's legal counsel to Conyers, attached to Conyers' December 15, 1976, letter to FEC as Exhibit P.

3/ Davis Aff., ¶¶3, 4; Hightower Aff. ¶ 6.

4/ Davis, ¶4.b.

5/ Conyers Chronology entry (Chron.") 9/10/75.

6/ Davis, ¶4.b.

7/ Ibid.

8/ Ibid., at ¶¶4.c., 5.

9/ Ibid.

10/ Ibid.

11/ Hightower, ¶9. Also note the guidelines as spelled out by De Leeuw at his ¶7.

12/ Ibid. ¶10.

13/ Ibid. ¶5.

14/ This fact is not in dispute. Not only do most of the attached affidavits so state, but this fact is conceded by Conyers in Exhibit K to his December 15, 1976, letter to the FEC. In that exhibit, Conyers is quoted as saying that Senator Bayh "has spent five or six times as much" as Harris on his campaign.

15/ Hightower, ¶11.

16/ Ibid., ¶5.

17/ Ibid.

18/ Ibid. ¶11.

19/ Davis, ¶6.

20/ Davis, ¶6; Hightower, ¶7; De Leeuw, ¶9.

- 21/ Hightower, ¶7. Davis, ¶6.
22/ Davis, ¶6.
23/ De Leeuw, ¶9.
24/ Hightower, ¶7.
25/ Davis, ¶6.
26/ Ibid.
27/ Ibid.
28/ Droz, ¶3; De Leeuw, ¶4; Hightower, ¶8.
29/ De Leeuw, ¶4.
30/ Ibid., Ford, ¶5.
31/ De Leeuw, ¶4.
32/ Hightower, ¶8.
33/ Hightower, ¶11.
34/ Ibid.
35/ Chron. 2/19/76.
36/ Droz, ¶4.
37/ Chron. 2/19/76.
38/ Droz, ¶3.
39/ Hightower, ¶11.
40/ Hightower, ¶11.
41/ Ibid.
42/ Ibid.; Droz, ¶5.
43/ Droz, ¶5.
44/ Hightower, ¶11.
45/ Ibid. ¶5.

46/ De Leeuw, ¶5.

47/ Hightower, ¶12.

48/ In private conversations with counsel, De Leeuw recalled it as "the biggest breakfast I've ever seen."

49/ De Leeuw, ¶10; Ford, ¶6.

50/ Ibid.

51/ Chron. 2/20/76.

52/ De Leeuw, ¶11; Ford, ¶7.

53/ Ford, ¶7.

54/ In this regard, the FEC might even find the Conyers press release in the Congressman's files. Certainly, his failure to mention this document prepared by his staff is a significant omission!

55/ Chron. 2/21/76.

56/ Ibid.

57/ Ford, ¶8.

58/ Hightower, ¶11.

59/ Ibid.

60/ See fn. 46.

61/ Ford, ¶9.

62/ Ibid.

63/ Ibid.

64/ Ibid.

65/ Ibid.

66/ Chron. 2/21/76.

67/ Ford, ¶10.

68/ Chron. 2/24/76.

- 69/ Hightower, ¶14.
70/ Ford, ¶10.
71/ De Leeuw, ¶13.
72/ Ford, ¶11.
73/ Ibid.
74/ Ford, ¶10.
75/ Ford, ¶11.
76/ Ibid.
77/ De Leeuw, ¶12.
78/ De Leeuw, ¶14.
79/ Hightower, ¶15.
80/ De Leeuw, ¶14.
81/ Hightower, ¶15.
82/ Ibid.
83/ Ibid.
84/ Ibid.
85/ De Leeuw, ¶14; Hightower, ¶16; Droz, ¶7.
86/ Hightower, ¶15; De Leeuw, ¶14; Ford, ¶11.
87/ Ford, ¶11.
88/ Hightower, ¶15.
89/ Ibid.
90/ Chron. 2/25/76.
91/ De Leeuw, ¶13.
92/ De Leeuw, ¶16.
93/ De Leeuw, ¶19.
94/ De Leeuw, ¶18.

95/ Ford, ¶12.

96/ Chron. 2/28/76.

97/ Chron. Expenses Sheet.

98/ Ford, ¶12.

99/ Ibid.

100/ Ibid.

101/ See, De Leeuw's conclusion at fn. 46 that Conyers was promoting Conyers, not Harris.

102/ Chron. 2/27/76.

103/ De Leeuw, ¶16.

104/ See account of incident in Casa Romero Restaurant at De Leeuw, ¶17.

105/ Ibid.

106/ We term this confrontation a "conversation", since it hardly qualifies as a "meeting" in any sense of the word.

107/ De Leeuw, ¶17.

108/ Chron. 2/25/76.

109/ De Leeuw, ¶20.

110/ De Leeuw, ¶20; Droz, ¶6; Davis, ¶7; Ford, ¶13.

111/ Ford, ¶6.

112/ Ibid.

113/ Ibid.

114/ Ibid., at ¶13.

115/ De Leeuw, ¶20.

116/ Ford, ¶13; De Leeuw, ¶20; Droz, ¶6.

117/ Ford, ¶13; Davis, ¶7; Droz, ¶6.

118/ Davis, ¶7.

119/ Droz, ¶6.

120/ Davis, ¶7.

121/ Ibid.

122/ Ibid.

123/ Chron. 2/25/76.

124/ Davis, ¶7.

125/ Davis, ¶7; De Leeuw, ¶20; Ford, ¶13.

127/ Davis, ¶7.

128/ Ibid.

129/ Ibid.

130/ Ibid.

131/ Ford, ¶14.

132/ Chron. 2/26/76.

133/ De Leeuw, ¶22. Furthermore, "humiliation" seems to have been a stock in trade of the Conyers staff. We already have noted the double shot given Rick Davis for his efforts: 10 people (including Harris) at a coffee and the debacle before the caucus of black elected officials.

134/ De Leeuw, ¶21; Hightower, ¶16.

135/ Hightower, ¶16.

136/ Ibid. It must be remembered that Hightower and Harris feared an "incident" with Conyers which could have been terribly damaging to the entire campaign effort. It was for this reason that Hightower manipulated the Conyers shift from New Hampshire in the least offensive manner possible. So, too, Hightower tried on February 26 to handle Conyers as gently as possible. So he began by expressing "how much we appreciated the campaigning he was doing for Harris". But his object was to shut down Conyers' demands for money, and he made it clear that there was no money for the Conyers proposals.

In this regard, Fred Droz recalls how clearly Hightower made his point. (Droz, ¶7.) Both Droz and Hightower recount Hightower's supporting his statements by referring to then-current cutbacks already being made in the regular campaign. (See, Droz, ¶7; Hightower, ¶16.)

137/ Hightower, ¶16. Droz, ¶7.

138/ De Leeuw, ¶21.

139/ Ibid. In this regard, a Conyers staffer reported to a creditor by letter dated October 7, 1976, that "Gladys Knight and the Pips have offered to do [a benefit concert] for the Congressman".

140/ Chron. 2/26/76.

141/ De Leeuw, ¶¶2122; Hightower, ¶16.

142/ De Leeuw, ¶22.

143/ Ibid.

144/ Ibid.

145/ Chron. 2/26/76.

146/ De Leeuw, ¶23.

147/ Ibid.

148/ Ibid.

149/ Ibid.

150/ Chron. 3/3/76.

151/ De Leeuw, ¶24; Hightower, ¶17.

152/ Chron. Week of 3/15/76.

153/ Chron. Week of 3/8/76.

154/ De Leeuw, ¶25.

155/ Chron. Week of 3/15/76.

156/ Chron. March/April '76.

157/ Chron. June/July '76.

158/ Rosapepe, ¶4.

159/ Ibid.

160/ Chron. September '76, et seq.

161/ Exhibit C.

162/ Exhibit D.

JOHN CONYERS, JR.
1st DISTRICT, MICHIGAN

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

COMMITTEE
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

October 5, 1976

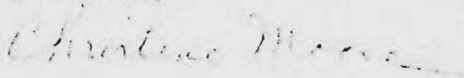
Dennis J. Whittlesey, Esq.
Casey, Lane & Wittendorf
315 Connecticut Ave. N.W.
Washington, D.C. 20006

Dear Mr. Whittlesey:

7 8 1 4 1 1 3 3 1 3 3
Pursuant to our telephone conversation this morning, I am enclosing a list of the expenses incurred by Congressman Conyers, volunteers from his staff, and volunteers from Detroit while campaigning for Senator Harris in the New Hampshire and Massachusetts primaries. At the request of Sen. Harris, Mr. Conyers and his volunteers directly advocated the election of Mr. Harris as the Democratic Presidential nominee and incurred the expenses with the full knowledge, authorization, and in consultation with the candidate, his campaign manager and treasurer Jim Lightower or other committee officials. Consequently, it is essential that the committee list in its report and reimburse those expenses in order to comply with the Federal Election Commission's requirements. I will be happy to provide the receipts and any other documentation on the expenses upon request.

This indebtedness has severely interfered with the operation of the Congressman's office, and I am confident Sen. Harris shares our serious concern in resolving it. I would appreciate your assistance in expediting the matter, and am willing to work with you in any way necessary to liquidate this debt.

Sincerely,



Christine Moore
Staff Aide

Exhibit A

NEW HAMPSHIRE MASSACHUSETTS PRIMARY EXPENSES INCURRED
ON BEHALF OF SENATOR HARRIS

Airfare for Congressman Conyers, five Washington staff members, . . .	\$4,371.13
five Detroit staff members, and six Detroit volunteers	
Hotel Rooms and Meals	\$3,271.16
Harris Reception at Boston Parker House Hotel	\$1,268.88
Reception at home of Springfield, Mass. lawyer (for Harris).	\$138.00
Telegram Invitations to Hotel and Springfield Reception.	\$4,960.83
Telephone installation in hotel room headquarters, service and . . .	\$800.60 ✓
long distance calls	
Out of pocket misc. expenses for Mr. Conyers and staff.	\$1,357.20
Photographer for Boston Parker House Hotel reception.	\$90.00
Rental cars.	\$1,095.00
Mobile sound equipment for rental cars	\$364.42 ✓
Driver (from Cabbies for Harris Committee) for Congressman Conyers'. .	\$200.00
instate travel and campaigning	
Office Supplies.	\$70.00 ✓
Compensation and food for Poll workers and other Roxbury volunteers. .	\$180.00 ✓
on Massachusetts primary election day	
Air Freight shipping costs for office equipment, misc. items.	\$50.00 ✓
<hr/>	
TOTAL AMOUNT DUE.	\$18,297.34

7304003137

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

WASHINGTON OFFICE
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
Phone 202-225-5126

DETROIT OFFICE
397 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
Phone 313-226-7022

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEE
JUDICIARY

CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

February 24, 1977

Mr. T. Houfarnie
Corp. Credit Manager
The Dunfey Family's Hotel
and Motor Inns
Hampton, New Hampshire 03042

Dear Mr. Houfarnie:

For your request, I am enclosing a copy of the sworn complaint
Congressman Conyers filed this date with the Federal Election
Commission against the Harris for President Committee, in regards
to expenses incurred in February and March of 1976, during the
New Hampshire and Massachusetts primaries. William C. Dillner,
General Counsel for the Commission, previously had confirmed in
writing that the Commission would act promptly by initiating an
investigation upon receipt of Mr. Conyers' affidavit. The deter-
mination of the Commission should resolve once and for all the
matter of payment to your company.

Thank you for your patience, and I will keep you advised on
the investigation by the Commission.

Sincerely,

Christine Moore

Christine Moore
Staff Aide

Enclosure

Exhibit B

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-226-7822

COMMITTEE
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress
Enclosure

7 8 0 4 0 0 3 1 3 0

COMMITTEE
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE
305 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

July 14, 1976

Ms. Judy Prior
Dunfey Hotel and Motor Inn
500 Lafayette Road
Hampton, New Hampshire 03842

Dear Ms. Prior:

On February 26th (approximately) through March 10th of this year, Congressman John Conyers and an entourage of approximately seventeen (17) persons were in Boston, Massachusetts for the Massachusetts Presidential Primary. Myself, the Congressman and the others stayed at the Dunfey Parker House Hotel in Downtown Boston.

It seems that the charges for the entire entourage were charged to my American Express Credit Card (card # 013-932-518-7-500AX), a total of \$2,848.57. I think we both must admit that one person, visiting a city for a week and a half, rooming with two other women, that accumulating a bill of nearly \$3,000.00 is a little short of impossible.

Therefore, I would like a complete itemization of the hotel expenses charged to my American Express Credit Card, plus an adjustment made on any expenses not personally signed for by me.

Please respond at your earliest possible convenience.

Sincerely,

Marcia Elayne

Marcia Elayne
Congressional Aide

Exhibit C

Congress of the United States
House of Representatives
Washington, D.C. 20515

July 15, 1976

American Express Company
Card Division
Post Office Box 11760
Phoenix, Arizona 85020

Dear Sir/Ms.:

As you requested, my American Express Credit Card (#013-932-518-7-500AX), has been returned and is no longer in my possession.

I am in the process of requesting an adjustment on those expenses charged to me by the Dunfee Parker House Hotel (see enclosure), and have been assured by Congressman Conyers that payment for all of the expenses incurred from February 26th through March 10th are forthcoming.

I hope that when this matter is resolved, arrangements will be made for restoration of my American Express Credit Card privileges.

Sincerely,

Marcia Flayne

Marcia Flayne
Congressional Aide

7004100 JUL 14 1

Exhibit D

PROCESSING CHECK
\$ 199 F.
ACCOUNT #

THE DUNFEE FAMILY'S
HOTELS AND MOTOR INNS

August 23, 1976

Ms. Marcia Elayne
1971 Orleans
Detroit, Michigan 48207

Re: 013-932-511-7-600
Amt.: \$2,848.57
Hotel: Dunfee's Parker House

Dear Ms. Elayne:

I am in receipt of your letter dated July 23, 1976 addressed to the American Express Company in Phoenix, Arizona and also a copy of the letter sent to Ms. Judy Prior, of our office.

Since you are protesting the amount of the charges, I don't feel that it is within reason of you to begin disputing charges going back to last February - almost 6 months later for the above mentioned amount.

As you checked out, I would have thought you would have questioned the charges at that time - not 6 months later. However, we will endeavor to locate all paid invoices - six months later - and provide it to the American Express Company.

Please bear in mind that this will take a couple of weeks before we do get this information to you - as well as to American Express.

Sincerely,

Thomas Montego,
Corporate Credit Manager

TM/m-encl.

cc/ American Express- Phoenix, Ariz.
Bob Savin, Front Office Mgr. - Parker House Hotel
Louise Gorski, Accounting Dept. - Parker House Hotel

EXECUTIVE OFFICES - HAMILTON NEW HAVEN CT 06501 • (203) 799-2111

California
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Los Angeles, CA 90017

Florida
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Miami, FL 33137

Illinois
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Chicago, IL 60611

Michigan
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Detroit, MI 48207

New York
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
New York, NY 10019

Ohio
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Cleveland, OH 44115

Pennsylvania
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Philadelphia, PA 19103

Texas
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Dallas, TX 75201

Virginia
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Richmond, VA 23219

Washington
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Washington, DC 20004

Wisconsin
Dunfee Family & Hotel Co., Inc.
1000 Wilshire Blvd., Suite 1000
Milwaukee, WI 53201

Exhibit E

AMERICAN EXPRESS
Card Division
1000 Broadway, New York, NY 10018
1-800-452-5629



November 9, 1976

100-381

11/17/76

In reply refer to A/C#:

Parker House Hotel
60 School St
Boston MA 02107

013-032-518-7
SF: 220-010-236-6
AT: 17,848.57
Inv: 493931
Ref: 336072
SE: 728-010-143-7

Dear Member:

This letter is in reference to an inquiry received from Marcia Elayne concerning her hotel charge.

Our cardmember has contacted us as she is still disputing the \$2,848.57 hotel bill. The support does not bear her signature or name with the exception of Folio Numbers 087233, A015506 and A015505--totaling \$187.31. Therefore, we are charging back your establishment for the remainder of the charges. Please bill each person directly.

Your prompt attention to this matter will be appreciated.

Sincerely,

A West

A. West
Customer Representative

AW/jl

Enclosure

- cc: Establishment Services, SF00
- cc: Marcia Elayne
1371 Orleans
Detroit MI 48207
- cc: Dunfey Hotel Corp
Ladies Bldg
Hampton NH 03842
#728-010-143-7

013-032-518-7
11/17/76
AMERICAN EXPRESS
1000 Broadway, New York, NY 10018
1-800-452-5629
100-381
11/17/76
100-381
11/17/76
100-381
11/17/76

7004003111

ELAYNE, M

3 COT 98-

A015506

#12

0-1-76	RENT	1250	C*	20.00		
0-1-76	TAX	1250	C*	1.00	★	318.57
0-1-76	RENT	1250	C*	20.00		C* 318.57
0-1-76	TAX	1250	C*	1.00	★	348.17
0-1-76	RENT	1250	B*	20.00		B* 348.17
0-1-76	TAX	1250	B*	1.00	★	377.77
0-1-76	RENT	1250	C*	1.00	★	382.84
0-1-76	TAX	1250	C*	7.00	★	390.32
0-1-76	RENT	1250	C*	20.00		
0-1-76	TAX	1250	C*	1.00	★	419.92
0-1-76	RENT	1250	C*	20.00		
0-1-76	TAX	1250	C*	1.00	★	449.52
0-1-76	RENT	1250	C*	1.00	★	449.52
0-1-76	TAX	1250	C*	1.00	★	504.62
0-1-76	RENT	1250	C*	1.00	★	505.12
0-1-76	TAX	1250	C*	2.00		
0-1-76	RENT	1250	B*	1.00	★	509.24
0-1-76	TAX	1250	C*	1.00		
0-1-76	RENT	1250	C*	12.00		
0-1-76	TAX	1250	B*	1.00		
0-1-76	RENT	1250	C*	1.00		
0-1-76	TAX	1250	C*	1.00	★	530.13
0-1-76	RENT	1250	C*	1.00	★	530.13
0-1-76	TAX	1250	C*	1.00	★	.00
0-1-76	RENT	1250	C*	1.00		

Paid by M. Elayne
TM

58 ELAYNE, M 3

GOVT
~~3300~~
23800

INFEY'S
ENERGY NET

SPEC RATE

T
1

#1

1257c	ROOM	1258	C*	33.00		
1257c	TAX	1258	C*	1.50	*	34.88
1257c	REST	1258	B*	10.00	*	51.08
1257c	REST	1258	B*	5.00	*	56.96
1257c	ROOM	1258	C*	33.00		
1257c	TAX	1258	C*	1.50	*	91.84
1257c	REST	1258	B*	10.00	*	96.59
1257c	REST	1258	B*	5.00	*	131.47
1257c	TAX	1258	C*	1.50	*	144.54
1257c	REST	1258	B*	13.07	*	174.14
1257c	ROOM	1258	C*	28.00	*	184.46
1257c	TAX	1258	C*	1.50	*	288.97
1257c	REST	1258	B*	101.51	*	

I AGREE MY PERSONAL LIABILITY SHALL NOT BE WAIVED IN THE EVENT OF AN ACCIDENT BY THIS BILL

OK Jo C-116 298.97

18 Elayne M. 4

20.00

A015865

PEC RATE

3
T
1

W-4-RECIP	1250	B*	21.88	*	21.88	C*	21.88
W-4-RECIP	1250	C*	20.00				
W-4-RECIP	1250	C*	1.14	*	43.02	A*	43.02
W-4-RECIP	1250	A*	14.17	*	57.19	A*	57.19
W-4-RECIP	1250			A*	57.19	*	.00

Paid by M. Elayne
TM

December
Second,
1976

Congressman John Conyers, Jr.
2444 Rayburn House Office Bldg.
Washington, D. C. 20515

Re.: Parker House Hotel, Boston, Mass.

Dear Mr. Conyers:

We have just been informed that your wife, Ms. Marcia Elayne, was upset over the fact that we had billed her for the entire charges of your group which incurred charges at the Parker House during the "Fred Harris for President" campaign. The charges are in the amount of \$2,848.57.

Ms. Elayne is willing to pay her charges which are in the amount of \$587.31 leaving the remainder of \$2,261.26 to be billed directly to you. This amount is in addition to the function charge already being billed to your attention in the amount of \$1,034.33. The combined total of both billings comes to \$3,295.59. These charges have been open on our books since February, 1976.

Therefore, it is imperative that we receive remittance within ten days of the receipt of this letter. Otherwise, I will have to take other action.

I would appreciate it if you would at least acknowledge my many letters which have been written to you.

Sincerely,

T. Modugno
Corp. Credit Manager

Enclosures

CC: Sen Fred Harris, Cong. John Conyers, Jrs, Detroit, Mich.

Exhibit G

ST. P. TAKE STAMP OFF TO REUSE FOR POSTAGE
CERTIFIED MAIL REG. MAIL PERMIT NO. 1000 NEW YORK, N.Y.



PLEASE MAIL
FIRST CLASS
NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



19/776
UNITED STATES POSTAL SERVICE
FIRST CLASS
SERIAL 10-1000
NEW YORK, N.Y. 10001

RETURN
TO

Dunlop, Papally, Hood,
Att. T. Alouganov
Corp., Credit Adv.
900 Broadway, R.R.
Hempstead, N. Y. 11550

34-834-34 (C)

Suzanne O'Neil

Alden Park Towers
#104 F. Jefferson
Detroit, Michigan 48221

May 12, 1976

Funding's Hotels and Motor Inns
Hampton, New Hampshire 03842

Dear Sir or Madam:

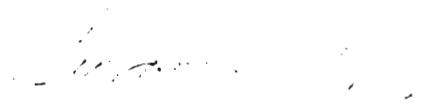
Today I have received the bill notice of payment for Mr. March
stayed at the Funding House, Boston, Massachusetts. The balance
due is listed as \$17.22.

This payment is requested by you for rental of a conference on two
occasions. I agree that I did sign the receipts for the room, but only
in behalf of Congressman John Conyers, Jr., to whom payment for all
of our staff expenses were to be billed. For this reason, I am now
requesting that you change your records to correct this mistake.

From this time onward, this bill, if sent again, should be sent to
Congressman John Conyers, Jr., 2444 Rayburn House Office Building,
Washington, D.C. 20515. At this time I relinquish all responsibility
for this bill and state that this bill, like many others, was signed
by me only in the Congressman's behalf as his staff representative.

I look forward to your cooperation with this matter.

Sincerely,



Suzanne O'Neil

Exhibit H

June 30, 1976

Ms. Suzanne O'Neil
Alden Park Towers
8104 E. Jefferson
Detroit, Mich. 48214

Re: Acct. #84-834(34)
Dunfey's Parker House Hotel
Balance: \$57.22

Dear Ms. O'Neil:

Per your letter dated May 12, 1976 in regards to the above account. Until we receive written approval from Congressman John Conyers, Jr. that it is "okay to bill him", we must insist upon payment from yourself as you did sign for these charges.

You state in your letter "this bill... was signed by me only in the Congressman's behalf as his staff representative"- if this is the case as you state, please see to it that we do receive written approval from him or a check in the amount of \$57.22 in the immediate future.

Sincerely,

Wayne Bowlen,
Assistant Credit Manager

WB/m
encl.

cc: Congressman John Conyers-2444 Rayburn Bldg., Washington, D. C. 20515

Exhibit I

NAME: Mrs. S. S. [unclear] 20140
ADDRESS: 244 Rayburn St. 3/1/76
CITY: Wash STATE: DC ZIP: 20515
PERSON: Suzanne O'Neal

TO FOLIO NO. 1011301
FROM FOLIO NO. 84-83-1

THIS ACCOUNT IS NOT TO BE USED FOR THE PAYMENT OF ANY OTHER ACCOUNTS.
IF YOU HAVE ANY OTHER ACCOUNTS WITH US, PLEASE NOTIFY US BY THE 15TH OF EACH MONTH.
YOUR ACCOUNT AND OTHER INFORMATION WILL BE FURNISHED TO THE IRS UPON REQUEST.
NOTICE OF DEFENSES AND RIGHTS

81-383

MR. R. R. RESIR	20.00	20.00
	17.77	17.77
	20.00	57.77

INFLYS

March 4, 1976

Congressman Conyers

Folio #84-834

Banquet Charge - 3/3/76 - Partial.....

Banquet Charge - 3/1/76 - Partial.....

TOTAL DUES

Thank you!

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

CHIEF OF STAFF
HILL, HAYES
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

REPRODUCTION OF
THE HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515
PHONE 222-2222
FAX 222-2222
WWW.HOUSE.GOV

July 2, 1976

Mr. Larne Bowlen
Assistant Credit Manager
Luncheon's Hotels and Motor Inns
Hampton, New Hampshire 03942

Dear Mr. Bowlen:

In your request, I am writing to verify that the
\$87.00 in charges for use of the lounge room at the
Parker House Hotel in Boston should have been billed
to my account. Ms. Suzanne O'Neil signed the statement
as my staff representative.

We have made arrangements through Mr. Thomas McFarlane
of your company for payment of the former bill.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress

Exhibit J

District of Columbia) ss.

AFFIDAVIT OF JAMES HIGHTOWER

JAMES HIGHTOWER, being duly sworn, deposes and states:

1. I was Treasurer and National Campaign Coordinator for the national Harris for President Committee in 1975 and 1976, during the time in which Fred Harris was a candidate for the Democratic nomination for President.

2. I have met with counsel to the Harris for President Committee, Dennis J. Whittlesey, and have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr., on or about December 15, 1976. These materials detail a claim which Congressman Conyers apparently makes against the Harris for President Committee for some \$16,172.32. This claim represents sums of money reportedly spent by Congressman Conyers and political aides of his in campaigning for Fred Harris for President during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

3. As Treasurer, my duties included supervising the activities of various fund-raising personnel, coordinating the office of Controller and general fiscal and financial management of the national campaign effort. In addition, I was charged with filing periodic reports with the Federal Election Commission.

4. As National Campaign Coordinator, my duties included supervision of virtually every detail of the national campaign for Fred Harris. This included direct oversight of the national staff and certain campaign functions, including scheduling, issues, press, field organization (including state campaigns), fund-raising, delegate selection and day-to-day trouble-shooting of problems which arose. In addition, I directly supervised our state primary campaigns in Iowa, Oklahoma and New Hampshire. I also was aware of what generally was being done on Fred Harris' behalf by local Harris campaign organizations in every other state in which Harris was a candidate in the Democratic primary.

5. In my opinion, the relationship between Congressman John Conyers' New England campaigning for Fred Harris and the Harris campaign was nothing more than that of two separate campaigns, independent from one another, which happened to be supporting the same candidate. He was never invited by any member of the national campaign to travel to New England on his own, and I have never understood why he did so. The black vote in New Hampshire is miniscule and only about six percent in Massachusetts. While we were seeking black support (in addition to other minority support) throughout the county, that support was not a major part of our strategy in either New Hampshire or Massachusetts. It made no sense for us to expend large sums of money to court a politically insignificant vote in New Hampshire and a non-crucial portion of the vote in Massachusetts. Our

Massachusetts campaign was not racially-oriented; our strategy was to appeal to all voters on economics issues. There was no racial emphasis.

We sought John Conyers' support for the 1976 campaign, just as we sought the support of many other public figures (some of whom also were black). However, we sought such support under definite terms and conditions which involved these public figures directly in our campaign and under my guidance. Other public figures participated under the terms and conditions we established; John Conyers did not meet any of our terms and conditions in campaign activities for which he now is making a claim against the Harris campaign. Instead, he operated on his own, independently of our campaign organization, largely without informing us of what he was doing, and without meeting the standards of accountability otherwise placed upon public figures campaigning for Fred Harris through the coordination of our campaign organization.

6. I first learned that John Conyers was interested in Fred Harris' candidacy in early 1975 through reports of Harris supporters that he had made public statements on televised talk shows that Fred Harris was his candidate for the 1976 nomination. Rick Davis, who was our regional desk person for Conyers' home state of Michigan, was instructed by me to follow up on these reports with Conyers' staff.

From these conversations, we learned that Conyers was willing to be helpful to the Harris candidacy so we asked Conyers

to help Harris have a coffee in Detroit, which he did. This was a specific request which we made to Conyers, with which he complied, and for which we had full information and participation in his activities. This was in early 1975.

7. From the time of the Detroit coffee, I know of no coordinated campaign activities by John Conyers on behalf of Fred Harris until December 1975. At that time, there was a conference of black elected officials from across the country meeting in Washington, D. C. Through other black Harris supporters--and not including John Conyers--the Harris campaign arranged for a reception at that conference for Fred and LaDonna Harris to meet those in attendance. It was decided by us that this was an appropriate place for Conyers to publicly endorse Fred Harris for President and it was my understanding that Conyers had agreed to do so in remarks introducing Fred Harris at the reception. This then was scheduled. Several national Harris staffers attended, although I did not.

After the reception, those staffers in attendance were upset because Conyers had botched what we understood he had agreed to do. He did not endorse Harris, but instead delivered a rambling diatribe against the national Democratic party and various national party figures, several of whom were close personal and political friends of Harris'. Fred Harris was very upset with Conyers' performance and discussed these feelings with me.

8. Prior to John Conyers' trip to New England which is the subject of this dispute, neither Fred Harris nor any national staffer knew that Conyers was coming. In fact, it never even occurred to us (1) to request his presence or (2) that he would come. The first that I learned of Conyers' trip to New England was on the day of his arrival; I was advised that Conyers' Washington office had called our Manchester, N. H., office to advise that Conyers would be in Manchester that evening with his own staff to campaign for Fred Harris. There was no authorization by me, as national Treasurer, to finance Conyers' trip to New England out of campaign funds, nor were any expenditures authorized for the Conyers efforts except as otherwise specifically discussed in this affidavit. Furthermore, we didn't know what Conyers was even spending money for, until he began referring his creditors to us for payment--except as specifically noted herein.

9. We did have a policy for campaign appearances by public officials (including members of Congress) on Harris' behalf, and such speakers were referred to as "surrogates". It was our policy that any such appearances be in accordance with the following general guidelines: (1) that any activities be coordinated in advance with the national staff, (2) that scheduling be done by the staff or with direct approval of the staff, (3) that any expenditure of money for which we would reimburse the officials would be approved in advance by the

national campaign, and (4) that the appearance of the surrogate comport with the overall practices of the Harris campaign (such as minimal pomp and circumstance, few--if any--staff aides and utilization of existing campaign organization and facilities).

10. As an example of how our surrogate policies were executed, I would point to the campaign activities of Congressman Michael Harrington, who campaigned for Fred Harris in Massachusetts in 1976. Congressman Harrington and his staff were a direct part of the national campaign. He made numerous appearances in our behalf each of which was either arranged by the national office or directly coordinated with us. When we sought the support of various Congressmen, we approached them in identical fashion. What Harrington was told was also what Conyers was told. They both knew the terms of our request, and Harrington campaigned within those terms for us. Conyers moved on his own and outside of our campaign organization. Harrington did not fly staffers to New England, he did not rent fleets of cars, he did not rent blocks of rooms in expensive hotels, he did not plan receptions in hotel ballrooms on his own and for his own benefit, he did not order outside telephone lines installed in hotel rooms, he did not order expensive meals and charge them to his hotel bill, he did not hire a personal driver, and he did not go into an area for campaign purposes without having coordinated the same with our staff

in advance. Yet, all of these things were done by John Conyers, without approval or even knowledge from our staff and contrary to the principles guiding our use of surrogates.

Harrington was part of the national campaign; Conyers was not. We asked Conyers to be a surrogate within our guidelines, but he did not do so. Conyers was running his own campaign, and I never understood exactly why.

11. I met with Conyers upon his arrival in Manchester in the evening. This meeting was the focal point for the already recognized problem which his presence created. We were startled to learn earlier that day that Conyers was coming to New Hampshire, and I called his Washington office immediately upon learning of it. I spoke with Christine Moore of Conyers' staff, and advised her that Conyers would have to meet with me before doing anything, as we had a definite strategy for New Hampshire and any Conyers activity would have to coincide with it. She made clear to me that Conyers already had an itinerary and specific plans for his New Hampshire campaign activity, the first we knew of such plans. She advised that the Conyers group would see me later that evening in the Manchester headquarters. I suggested that he would be more helpful in Massachusetts than in New Hampshire, but she said he was determined to campaign for Fred in New Hampshire, that he would be an asset among blacks and working people, that he

could get media exposure, and that he would not interfere with our main effort because he was bringing his own staff support.

In the meantime, I spoke by telephone with Fred Harris and we agreed that Conyers would not help us in New Hampshire and possibly could hurt us. We also agreed that we did not want to offend Conyers personally, and that our best tactic would be to divert Conyers to Massachusetts where there was a larger (although still small) black vote to which he might appeal.

At the time of Conyers' arrival, there were several Harris people in the Manchester office. Fred Droz and I (and possibly one New Hampshire state staffer) met with the Conyers group to discuss with them their campaign intentions, since I knew they already had plans of some type not known to our organization. But, more important, Droz and I intended to limit Conyers' New Hampshire activities to the few state appearances where he could be of value and then persuade him to go to Massachusetts where, if he would work within our campaign, he could be of greater value.

Conyers arrived, as best I can recall, around 8:30 p.m. in the evening. He was accompanied by several people whom I did not know, although it is my present impression that Christine Moore was one of them. I took over the meeting and first outlined the goals and strategies of the New Hampshire campaign which included a discussion of the fact that our campaign was then--in its final days--specifically targeted on moderate-to-conservative precincts, rather than on liberal areas where

Conyers would have natural appeal. Consistent with my telephone conversation with Fred Harris earlier, I then attempted to divert Conyers to Massachusetts by arguing two basic points: (1) the Massachusetts primary was the following week and we needed more help there than in New Hampshire since funds were so short in both states and the greater size of Massachusetts made a low-budget campaign such as ours that much more difficult, and (2) the media for New Hampshire--which we desperately needed but could not afford (and, in fact, lack of funds had necessitated our already cutting back reserved media time, a point I made to Conyers)--primarily came out of Massachusetts, so that by campaigning there he would receive maximum New Hampshire media exposure.

During the meeting with Conyers, I made clear to him that our campaign was extremely short of money. (In this regard, it should be noted that financial discussions were part of every political strategy discussion which we conducted, since there was always the overriding question of whether we could afford an activity being proposed. Our strategy often looked to participation in so-called "media events" whereby we would receive free media attention. In fact, we often had Fred Harris travel to Massachusetts to take advantage of media coverage there, since New Hampshire television came from Massachusetts.) It was well-known that our campaign was critically short of money; in fact, our spartan living and

dining conditions were themselves the subject of media attention. The "plight" of the Harris volunteer was well-known. That we were short of money was clear to Conyers, and he even noted in news interviews (see Exhibit K to his December 15, 1976, letter to the FEC) that other candidates were widely outspending the Harris campaign.

At the end of that meeting, Conyers said he was persuaded and they departed that night for Massachusetts. (At some time I learned that his group was traveling by rental car, something never discussed with us and never approved by me.) John Conyers was--in my mind--conducting his own campaign, because he certainly was never part of ours. Had he been part of our campaign effort, I never would have allowed him to be in New Hampshire in the first place but rather would have channelled his efforts to other parts of the country where he could have been of real political value. If he had been part of our campaign, I would have been in a position to direct his activities rather than having to spend valuable time persuading him to do something other than that which was already planned by him.

Neither Conyers nor his staff asked for financial support, and I offered none. In fact, in this initial meeting I made clear that we were broke and in debt, with enough money to run an adequate New Hampshire campaign, but not nearly enough to mount a full effort in Massachusetts. I told him

we were relying on a third-place finish in New Hampshire to generate both publicity and money for our Massachusetts effort. (As it turned out, we ran fourth in New Hampshire.)

12. We agreed at this initial meeting to cooperate with Conyers' campaign in Massachusetts (and New Hampshire). This was necessary because we did not want to have someone running around New England campaigning for Harris and our not knowing what he was doing. As it developed, we had little knowledge of what Conyers did since he operated on his own. I learned of his activities either after the fact, or not at all.

13. Several of our national staffers were against allowing Conyers to campaign in New England at all and wanted to tell him to return to Washington immediately. I responded that we were not in a position to tell him to leave New England since he was there on his own and we did not want to offend him personally.

14. I do not recall receiving a telephone call from Conyers on February 24, 1976, as he relates. He may have made this call, but this was the day of the New Hampshire primary and obviously a day when I was very, very busy from early in the morning until very late at night. It was not a time for me to be concerned with renting space in Boston for a storefront headquarters.

15. I was in Boston sometime around February 25, 1976. I met with our Massachusetts state coordinator, Gary Ford, at his headquarters for the purpose of reviewing the progress and current status of the campaign in Massachusetts. We discussed a number of subjects, including what was already being referred to by Ford as "the Conyers problem". He related that Conyers staffers had, on several occasions, come to the headquarters demanding money for various proposed undertakings and that he repeatedly had explained that no such money was available. Among things which he reported had been proposed were storefront headquarters and banks of telephones, items he specifically had rejected as being unaffordable.

Ford reported further that the Conyers group was running a campaign separate from the effort he was coordinating, and complained that he usually did not even know what they were doing until after the fact, or not at all.

At the conclusion of this discussion of "the Conyers problem", I decided that we should do something to placate the Conyers group since all of their requests for money had been denied, and we did not want vocal dissention so close to the Massachusetts election. I then suggested that we pay for two telephone lines into a storefront headquarters which they already had procured and which was not paid for by the Harris campaign. My reasoning was that they had this space and that telephones were necessary if they were going to accomplish anything. I recall authorizing Ford to issue a \$500 check

for this purpose with the clear understanding that this would be the only money given to the Conyers group.

There was a clear conflict between the regular campaign staff and the Conyers group, and some of our staff wanted them out of Massachusetts altogether. This was a manner of avoiding further disruption in a campaign which was only about a week away from election.

16. I specifically recall the meeting with Conyers at the Parker House, which he says occurred on February 26, 1976. I do not know the exact date, but I do know that it was the same day as an Arlo Guthrie fund-raising concert which was held in Boston. I attended the meeting, along with our national staffers Frank Greer, Bert De Leeuw and Fred Droz. Conyers was present, accompanied by Christine Moore, Nelson Saunders and at least two other staffers whose names I do not recall. I have read the account of this meeting in the Affidavit of Bert Jay De Leeuw prepared for submission herein and concur with his statements as to what occurred. I would add that during the meeting, Conyers outlined what he thought should be done in Boston's black community and even cited a budget figure for such activity which I recall as exceeding \$50,000. I again expressed how much we appreciated the campaigning he was doing for Harris and said that we wished it was possible to run the kind of full-fledged campaign that he was proposing. But I told him that, far from being able to

do that, we were being forced to cut back on the campaign we already had, because of the severe shortage of money and the debt which had accumulated by this time. I cited, as an example, that telephones were being removed in our headquarters because of lack of funds.

I made it clear that there was no way the Harris campaign could incur expenses for his campaigning.

17. I know of no meeting between Conyers and Harris staffers on the day following the Massachusetts primary. I was never asked to attend such a meeting and never knew one had occurred until the instant material was brought to my attention. Most of our national staff traveled by train to Washington that day and I know that every national staffer with major responsibility and authority was on that train, including Droz, Greer, De Leeuw, Barbara Shailor and Ralph Collins. They did not meet with Conyers.

18. In conclusion, I would point out that Congressman Conyers did campaign for Fred Harris, but that the expenditures which are the subject of this complaint were incurred in activities not coordinated with our staff. In fact, Conyers knew that we were desperately short of funds and could not pay for the type of campaign activity he pursued in New England. If he had been part of our campaign, he and his staff would not have stayed at the Parker House nor would they have had license to lease rental cars or schedule expensive receptions

with invitations by telegram. There was virtually no coordination or communication of which I am aware between our staff and the Conyers group during his Massachusetts foray, and his expenses were not incurred in concert with our organization or at our request or suggestion. Congressman Harrington campaigned for us under circumstances which made him a bona fide part of our campaign. Congressman Conyers did not, except under some specific circumstances which are otherwise cited, and I feel that his expenditures are not reportable by our committee.

EXECUTED this 27th day of May 1977.

James Hightower
James Hightower

SUBSCRIBED AND SWORN to before me this 27th day of May, 1977.

Barbara P. Allen
Notary Public

My commission expires: June 5, 1977

District of Columbia) ss:

AFFIDAVIT OF BERT JAY De LEEUW

BERT JAY De LEEUW, being duly sworn, deposes and states:

1. I was the National Field Coordinator for the Harris for President Committee from October 1975 through April 1976, or until Fred R. Harris ceased his candidacy for the Democratic nomination for President of the United States. As National Field Coordinator, my duties included: (a) working with state campaign coordinators; (b) making decisions as to the allocation of national resources among the various state campaigns; (c) providing strategy input to state campaigns; and (d) recruiting and managing a pool of national field staff personnel.

2. I have met with counsel to the Harris for President Committee, Dennis J. Whittlesey, and have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr., on or about December 15, 1976. These materials detail a claim which Congressman Conyers apparently makes against the Harris for President Committee for some \$16,172.32. This claim represents sums of money reportedly spent by Congressman Conyers and political aides of his in campaigning for Fred Harris for President during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

3. As National Field Coordinator, I am aware of many of the facts pertinent to Congressman Conyers' activities during the 1976 presidential campaign, and will state that in my opinion the relationship between Congressman Conyers and the Harris campaign can only be described as "tenuous". While the Conyers political workers were in Boston, they ran their own show and to my knowledge, coordinated very few activities through the Harris for President campaign organization. (Most of these were in relation to scheduling.) Most communication between the Conyers group and the Harris staffers concerned their demands for money, and it should be noted that the people in the Harris organization charged with liaison functions between Harris and Conyers were told to keep contacts between the Conyers workers and the Harris campaign to a bare minimum because they created more problems for us than they solved. I know of no instance except those specifically mentioned below in which any expenditure of the Conyers organization was made in concert with, or at the request or suggestion of, Fred Harris, any authorized Harris Committee, or any agent of either.

4. During the Massachusetts primary, the Conyers staffers were not part of our campaign, and I never knew exactly what they were doing. In this regard, I communicated daily with Gary Ford, Massachusetts state coordinator for Fred Harris, and he often told me that he had no idea what the Conyers people were doing. We certainly had no knowledge of their expenditures.

This development was especially disturbing, since we had attempted to enlist Conyers' campaign assistance as part of our regular campaign effort and under the coordination and control of the national staff.

In January and early February 1976, we had attempted to persuade Conyers to join the national effort. This, of course, would have brought him into our regular campaign activities and under our control and coordination. We hoped to target his efforts at black and liberal votes in early primary states, including but not limited to Massachusetts. I even advised Gary Ford in January or very early February that Conyers might be available for some campaigning in Massachusetts and suggested that he give thought to campaign activities for Conyers which would be beneficial to the Harris effort. However, communications broke down with the Conyers staff and it became apparent that further discussions would be fruitless. We gave no further thought to having him campaign, and it was a surprise to us when he suddenly appeared in New England with his own staff to campaign for Harris.

5. During the Massachusetts primary, it was clear to me that the Conyers political workers were promoting John Conyers first and foremost, and not Fred R. Harris.

6. I do know that some money was paid to the Conyers staffers for various political purposes. However, any money so delivered was made only after a conscious decision to give

a definite sum of money for a designated purpose, and it was always in a finite amount. I know that some money was transferred to pay for a telephone in a storefront office in the black community, but I also know that the decision to make a transfer for this purpose rested in large part on a desire to terminate harassment which we were receiving from the Conyers people in efforts to persuade us to give them such money. This was a conscious decision to make a specific sum of money available for a very limited purpose. We did not authorize them additional phone service, nor did we authorize extensive long-distance calls to be made from their hotel. The only money we authorized the Conyers people to spend was money we gave to them in advance, or specific advance authorization to incur a debt and have us billed directly.

7. I am aware of some conversations between the Harris campaign and Congressman Conyers' staff prior to the Massachusetts primary, in which the national staff was requesting three or four political workers from the Conyers organization to be available to work in our campaign through the Massachusetts primary. However, we requested that such workers be available under terms and conditions as follows: (1) no salary (although we provided some stipends, based on need), (2) we provide transportation through our travel agent or by automobiles owned by staff travelling from state to state, rather than reimburse them for travel they otherwise contracted for, (3) they stay

in quarters provided by our organization if they were unable to obtain free housing on their own, (4) they be made available to our staff and all of their activities be coordinated and supervised by our staff, (5) they would receive treatment identical to that received by every other campaign worker and (6) no special favors would be made available to them.

8. When the Conyers group appeared in Massachusetts, their people were never made available to us. In fact, it can safely be said that not one of the conditions which we imposed was met, and it can never be said they were working for the Harris campaign or in conjunction with the Harris campaign. Everything the Conyers group did was independent of the Harris campaign and, often, even contrary to our wishes. I do not believe that there was malicious intent on the part of the Conyers staffers--there simply was little or no communication between them and our campaign.

9. I was not present at the meeting in Washington, D. C. in December 1975 when John Conyers purportedly introduced Fred Harris to black elected officials. However, I do know that this particular incident was an embarrassment to Senator Harris and to us, for the reason that John Conyers had agreed in advance to endorse Fred Harris in front of these officials and to encourage them to support and work for his candidacy. At the time of the introduction, Congressman Conyers took the podium and made rambling remarks for a long period of time, during which he never once endorsed Fred Harris despite his prior agree-

ment to do so. He was not forthright to the black officials about his purported support for Senator Harris and it can only be said that he failed to abide by the very agreements he made on which Harris relied in agreeing to appear. Rather than promote Fred Harris' candidacy at this point, Congressman Conyers in fact set it back.

10. On February 20, 1976, Gary Ford and I had breakfast with John Conyers in the dining room of the Lennox Hotel in Boston, a meeting arranged by Jim Hightower at the specific request of Congressman Conyers. We understood this was to be a business meeting, although no business was discussed. When we arrived, Congressman Conyers was having breakfast and meeting with a local black television reporter from Boston. Halfway through the meeting, we were joined by two women staffers of Conyers. Throughout this breakfast, Conyers did not discuss specific campaign business with us, but rather was mainly preoccupied with discussing various things of mutual interest with the reporter. In fact, Mr. Ford and I left before Mr. Conyers had even finished eating.

11. John Conyers recounts that our staff arranged a press conference at the Lennox Hotel on that date for him. This is untrue. Mr. Conyers' staff arranged that press conference and we heard about it later.

12. There was daily contact between the Conyers organization and the Harris campaign, but it mainly consisted of the Conyers people requesting money and our refusing those

requests. Economics dictated the flow of the campaign, a point repeatedly made to the Conyers staff. Our lack of funds generally permeated every conversation dealing with strategy and we repeatedly emphasized to Mr. Conyers and his staff people that we had no money for any elaborate campaigning. In particular, I remember that Mr. Conyers' workers often were requesting "street money", requests which were uniformly rejected out-of-hand in advance. It is interesting to note that part of the claim against the Harris Committee is that we failed to report certain "street money" which was expended by the Conyers staff.

13. The few times that the Conyers people showed up at the State Harris Committee Headquarters, they generally sat around doing nothing. It was for this reason that we were pleased to learn that they had obtained a storefront headquarters. We felt that they then would stay away from the campaign and the regular work of the state office could be achieved with a minimum of disruption.

14. The Conyers staff frequently proposed various campaign activities, and I can say that we were always in favor of what they proposed. Generally, they proposed sophisticated campaign undertakings which would have been delightful if money had been available for them. We simply did not have money for this kind of effort and repeatedly told the Conyers staff that such was the case. In fact, at this time, we were cutting back expenditures at a precipitous rate. When the Conyers staffers

requested money to put in telephones in their storefront office, I personally told them we had no money for that, as evidenced by the fact that we were at that time taking some 40 phones out of the Boston office. Finally, we agreed to have one or two telephone lines installed, and we paid the cost for it.

15. There was a phone bank in our Boston office, and we frequently offered to make it available to the Conyers staffers. They rarely came to the Boston office, insisting that they needed their own telephones for communication with the black community.

16. There were frequent disputes over money between us and the Conyers staffers, which often resulted in their persuading Congressman Conyers to "go over our heads" and personally contact either Jim Hightower, national treasurer of the Harris campaign, or Fred Harris himself.

17. Congressman Conyers refers to an incident at the Casa Romero Restaurant in Boston (February 27, 1976) in which he met with Harris "to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts." In fact, I understood from Fred Harris' immediate recounting of the discussion upon returning to the table that Conyers' staff had gone to the Congressman and complained that if he was influential with Fred Harris he should meet with Harris and secure a commitment for money to be used by the Conyers group. It was under this pressure that the Congressman

came to Fred Harris at the restaurant.

Conyers related to Harris that his staff was unhappy and this is why he (Conyers) went to the restaurant to interrupt Harris' dinner with his wife and the national staff. (Conyers was not dining with us; he had to call Harris from the table to discuss the matters at hand.) Harris told us that he discussed with Conyers the general lack of money, and this seemed to satisfy the Congressman who then left. This meeting--which, again, called Harris from the table--lasted only from 3 to 5 minutes. I never heard Fred Harris say that an appearance at a school of fine arts was mentioned in that conversation.

18. As for the storefront headquarters, no national official of whom I am aware (with the possible exception of our minorities coordinator Charles Duncan) even visited that storefront headquarters. I was the national field coordinator, yet I only vaguely knew what was being done over there.

19. The Conyers staff engendered great resentment within our own campaign, because they had become a problem and were demanding special privileges. In light of the messy situation which had developed between the regular staff and the Conyers people, we finally began ignoring them and tried to keep them away from us.

20. Congressman Conyers has demanded reimbursement for a reception at the Parker House, a demand which borders on incredible. John Conyers staged a reception for himself at

the Parker House and invited a number of Presidential candidates to attend, including Fred Harris. Fred Harris was present and so was Morris Udall. There was never any mention to us that telegrams were being sent, although we later learned that such was the fact. It is my recollection that the telegrams announced a John Conyers reception, and not a reception for Fred Harris. In fact, I do not recall that Fred Harris' name was even on the invitation, and am certain that it was an invitation by John Conyers to various black leaders to come meet him, drink his liquor and eat his food. Gary Ford will probably have many more details on this than I; but I know that this reception was not in Fred Harris' honor and was planned and staged with no consultation or coordination with our staff.

21. Congressman Conyers refers to a meeting between Conyers and five of his volunteers with Hightower, Frank Greer and me on February 26, 1976. There was such a meeting, which was also attended by our national staffer Fred Droz. The meeting began at 5:00 p.m., and halfway through it Messrs. Droz and Greer were forced to leave since we were having a benefit concert that evening for which they had responsibilities. We entered the meeting prepared to have Congressman Conyers demand money, but he never did that. Not only did he not ask for money from us, he advised us that he was undertaking fundraising to pay all of his own expenses. He specifically mentioned that he would probably stage some benefit concerts and said he had several groups already on line. We

told him that sounded great and we would be glad to help him in his fund-raising efforts if we could. It was clear to me that Congressman Conyers was taking upon himself his own debt.

22. During the February 26 meeting, Congressman Conyers told us that not only did he have the ability to raise money on his own, but that as a matter of fact he had [basketball figure] "Bill Russell in the hotel" who was a big money giver. With that he turned to one of his staffers and had him bring Bill Russell down. He told us that he would persuade Bill Russell to provide money to pay the Conyers' expenses. But when Russell arrived, Congressman Conyers turned to Jim Hightower and said, "Jim why don't you tell Bill what we were talking about." Mr. Hightower was on the spot, having had an uncomfortable situation dumped on him. Mr. Hightower had never met Bill Russell before, and he was astonished--to say the very least. Despite this, he tried to outline the campaign as it had gone on and its objectives, although he was highly uncomfortable with the situation that had been dropped on him. I should say that Mr. Russell also was obviously uncomfortable. He said that he was not involved in politics and would get into politics only under conditions with which he was comfortable. He later declined to give any money at all, although Congressman Conyers had entered into the conversation and outlined to Mr. Russell that he was undertaking some fundraising to pay his expenses and, in essence, was asking Russell to be the

underwriter for his fundraising activity. This was consistent with Congressman Conyers' earlier statements that he would pay his own way in these matters, and we thought that there was no doubt that he intended to do so. This impromptu meeting was humiliating to us and to Bill Russell, and was nothing more than an attempt by Congressman Conyers to show us that he could raise money to pay his own expenses. Only at a much later date did Congressman Conyers demand reimbursement from the Harris campaign.

23. During this same meeting, an interesting thing occurred in that Congressman Conyers raised the fact that his expenses were being incurred at a precipitous rate. He specifically complained about how much money it was costing him to keep his staffers at the Parker House. I suggested the Harris staffers just didn't stay at the Parker House and explained that we had a particularly attractive deal at the Bradford Hotel whereby large dormitory rooms were made available for our people at low rates. Congressman Conyers turned, looked at me and said with obvious disdain in his voice: "These are Congressional staff people". The implication was clear that Congressional staff people required higher standards of living care than did Harris staffers.

24. Congressman Conyers recites a meeting of March 3, 1976, in which he met with key Harris supporters and staffers to assess the results of the election in Massachusetts. I know

of no such meeting. I also know that it included no national Harris staffers, for the reason that all national staff people were on the train to Washington, D. C. Any such meeting only could have included Massachusetts state staff people, and their campaign was over.


25. Congressman Conyers recites a meeting during the week of March 15, 1976, in which he met with Harris at a Chicago hotel. I was at that meeting, and know that it occurred at the Midland hotel in Chicago, three or four days prior to the Illinois primary. I recall that this meeting occurred on Friday, March 12 or Saturday, March 13. Congressman Conyers talked about the fact that he was incurring expenses in campaign activities, but said he was raising the money and would pay his own debts.

26. In short, I will state that it is my impression that Congressman Conyers was campaigning for himself more than for Fred Harris and do not feel that it could ever be said that his activities were coordinated with the Harris staff. It was impossible for us to find out what he was doing, and he often was not campaigning for Harris at all. These were not expenditures which he was incurring for us, but rather were expenditures which he was incurring on his own behalf.

EXECUTED this 8th day of June, 1977.


Bert Jay de Leeuw

SUBSCRIBED AND SWORN to before me this 8th day
of June, 1977.


Notary Public

My commission expires:

14, 1980

District of Columbia) ss.

AFFIDAVIT OF JAMES CAREW ROSAPEPE

JAMES CAREW ROSAPEPE, being first duly sworn, deposes and states:

1. I was associated with the Fred Harris for President Committee from December 1975 to September 1976. From mid-March to September 1976 I was the financial manager for the Harris Committee.

My duties from mid-March to September 1976 included the supervision of payment of legitimate claims against the committee and negotiating with all creditors.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr. on or about December 15, 1976. These written materials detail a claim against the Harris for President Committee in the amount of \$16,171.32. This claim represents sums of money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris during the New Hampshire and Massachusetts Democratic Presidential Primaries of 1976.

3. When I assumed the duties of financial management of the Harris for President Committee in March 1976 I was vaguely aware that Congressman Conyers was making a financial claim against the Harris Committee. I was not aware of any of the specifics of the claim.

My understanding at all times pertinent hereto from conversations with officers of the Harris Committee was that Conyers' claim was not legitimate.

I was instructed by both Fred Harris and Jim Hightower, National Coordinator of the Harris Committee, to advise Conyers and/or his representatives that only if funds were available after the Harris Committee discharged its own financial obligations could the Harris Committee even consider assisting Conyers in paying off expenses he incurred while in New Hampshire and Massachusetts.

At no time was it contemplated by the committee that the Conyers expenses would be included on the debt schedules filed with the Federal Election Commission, since officers of the committee knew the Conyers expenditures were not authorized by the committee. In fact, at that time (March 1976), the committee had no idea of what the expenditures included.

4. In late May, I received a telephone call from Christine Moore of Congressman Conyers office. Ms. Moore requested that the Harris Committee make payment of the Conyers' expenses. I asked her to forward to me a detailed itemization of the Conyers' claim.

I received the requested itemization of expenses from Ms. Moore and discussed the matter with Jim Hightower. I cannot specifically recall the conversation which took place after our review of the Conyers claim; however, I do recall that the

initial view that the Harris committee did not owe the money was reinforced by the itemization.

Fred Harris and Jim Hightower instructed me to say that we had no money that could be used to pay those (Conyers') expenses. It was our position that we would like to assist him (Conyers) with his expenses, but would be able to do so only after we paid off debts authorized or incurred by the committee.

After receiving the itemized Conyers expenses, I talked again by telephone with Ms. Moore. I made it quite clear in the conversation that it was our hope that we would be able to help Congressman Conyers retire his debt, but that such assistance would be forthcoming only after all legitimate-- that is, authorized--debts of the committee had been retired. I never acknowledged Conyers' debts as being the Harris Committee's debts, nor did I ever ratify or adopt them.

EXECUTED this _____ day of June, 1977.



JAMES CAREW ROSAPEPE

SUBSCRIBED AND SWORN to before me this _____ day of June, 1977.

Notary Public

My commission expires: _____

District of Columbia) ss.

AFFIDAVIT OF RICHARD D. DAVIS

RICHARD D. DAVIS being first duly sworn, deposes and states:

1. I was the full-time regional coordinator for the Harris for President Committee for the middle eastern states, which region included the State of Michigan, from July 1, 1975, until the time Fred Harris ceased active campaigning for the Democratic nomination for president. Prior to that time, I had worked for the Harris Committee on a part-time basis beginning in February 1975.

My primary duties as regional coordinator were direct coordination of campaign activities within the region for which I had responsibility and to work personally with local Harris supporters in planning, coordinating and staging campaign events for Fred Harris, and in recruiting and developing local and state campaign organizations.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers on December 15, 1976. These written materials detail a claim against the Harris for President Committee for money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris in the New Hampshire and Massachusetts Democratic presidential primaries in 1976. The amount claimed by Conyers is \$16,172.32.

3. In mid-1975 I learned that John Conyers had made favorable public statements about the Fred Harris candidacy,

which statements had been reported in various national media and various Michigan newspapers. A number of our Michigan supporters had reported such statements to me, and I in turn reported them to Jim Hightower. In addition, it is possible that I reported these statements to Fred Harris, although I do not recall specifically.

4. In conjunction with the preparation of this Affidavit, I have read the Affidavit prepared by James Hightower and specifically have reviewed his paragraphs numbered 6 and 7. These two paragraphs deal with matters with which I have specific knowledge, and I concur in his recollection as reported in them with several exceptions or additions, as follows:

- a. My best recollection is that I first learned of John Conyers' interest in the Fred Harris candidacy in-mid 1975, not early 1975, as recalled by Mr. Hightower.
- b. The Conyers group assisted us, albeit marginally, in the fall of 1975 in holding a coffee at the Summit Athletic Club in Detroit, a function not mentioned by Mr. Hightower. Congressman Conyers' chronology places this event as occurring on September 13, 1975, and I am sure that the date is accurate. Certainly, the Summit Athletic Club coffee occurred around

that time. I was the principal person in charge of the event and set it up, although I did receive some assistance from Conyers aides. I worked by telephone from Washington, but did not personally travel to Michigan in conjunction with the event. Certainly, it was a Harris function organized and run by me and not by Mr. Saunders. It was my impression that Saunders was not a "volunteer" of Conyers as reported in the chronology. To the contrary, my impression was that he was a paid staff aide of the Congressman.

- c. A coffee was held on October 31, 1975, in a Detroit church, which was planned and conducted in close cooperation with Conyers' district congressional staff, and principally Nelson Saunders, and which is discussed in greater detail in the following paragraph.

5. The October 31, 1975, coffee was closely coordinated with Nelson Saunders, who was in charge of producing a crowd to meet and hear Fred Harris. Saunders recommended the site, a church in Detroit, and we agreed to go along with his recommendation. The event was held at about 5:30 p.m. to accommodate Harris' schedule. Neither John Conyers nor, to the best of my recollection, Saunders attended this event.

This coffee was a disaster, and personally humiliating to me since no more than 10 people attended. These 10 people included Fred Harris and several Harris supporters from our organizations in Ann Arbor and Pontiac who drove in for the event and who were contacted by me. The goal was to attract approximately 75 to 80 people, and it was Nelson Saunders' job to help turn out the crowd. A few days prior to the event I began to get worried, since Saunders quit returning my telephone calls, and I now know that he was instructed to work full-time on a local mayoral race.

6. Congressman Conyers' chronology asserts that he introduced Harris at a press reception of the National Black Elected Officials Institute. I attended that event and even helped set it up and am very knowledgeable as to all circumstances surrounding it. I have read Jim Hightower's account at paragraph 7 of his Affidavit and concur with what he said. However, I would add additional information as follows.

I had worked closely with the Conyers staff to arrange for the Conyers introduction and, I believed, endorsement of Fred Harris in front of the elected black officials. The Harris organization had arranged the reception so that Fred Harris could meet officials in attendance, and Conyers' sole functions were to lend his name to the event and to introduce Fred Harris. Conyers did introduce Fred Harris in one of the most backhanded and humiliating manners possible

and Harris supporters in attendance were outraged at his performance. Conyers began his remarks by noting that Senator Edward M. Kennedy was not a candidate for President, and implying that in his absence blacks would have to look for an alternative candidate to support. The Congressman then made exceedingly derogatory remarks about Senator Hubert Humphrey, a close personal and political friend of Fred Harris', which in turn was followed with derogatory or unflattering remarks of several other candidates including Jimmy Carter and Henry Jackson. He finally noted that this leaves Fred Harris, implying that blacks were left with Senator Harris, at which point he stated "I've supported losers before". The crowd laughed at this comment, but I was sickened that he would say such a thing. I looked at Fred and LaDonna Harris to ascertain their reaction, and observed that they were trying to smile; in my opinion, they were as sickened as was I. Conyers never endorsed Harris in these remarks. Conyers stated that he had wanted to introduce Harris and to be part of the reception for the reason that Harris had been out in front on the issue of national unemployment, which he thought was of primary importance for black people. He then again demeaned Fred Harris by noting that more people present were familiar with LaDonna Harris than they were with Fred, but that he was the one who was running. This, again, was typical of his performance at this reception.

7. I also attended the Parker House reception referred to in the Conyers chronology and was with Fred Harris at all times pertinent thereto.

The Parker House reception was held on the day following the New Hampshire primary. Fred had been up late the night before and had travelled to Boston for a full day of campaigning. Four walking tours had been scheduled and he was just completing the final one at Harvard Square at approximately 4:30 p.m. when one of our staff people approached us and declared that there was a reception within a few hours at the Parker House which Fred had to attend. Fred said that he was not going to go and suggested that either LaDonna or Hightower should attend, which was a signal that he did not want to go and was one which he frequently relied on through the campaign. I am confident that Fred had not heard of the event before, and I know that I had not. I was with Fred at all times that day from early in the morning through the reception. I was within a couple of feet of Fred at all times, and was familiar with his thoughts and concerns. In fact, Fred said that he had to learn more about the event before he would agree to attend and wanted our staffer Fred Droz to find out about it. I don't think he ever was really satisfied with the answers he got as to what the event was, although he later agreed to go and we did attend.

When we arrived, at the Parker House, there were not the 400 people present cited in the Conyers chronology,

but rather there were approximately 65-70 people present. (I should note that we were always cognizant of the number of people at an event. I had begun, as a matter of course, estimating attendance at all events, whether they were ours or not, and by this time I was fairly experienced at this and very conscious of the size of a crowd.)

One of the first things we learned upon arriving was that Morris Udall, an opponent for the Democratic nomination for president, had already attended and left. We were told that if we had arrived sooner there would have been a lot more people there, and that there was a considerably larger crowd present when Udall was in attendance.

I recall wondering who was paying for this reception upon seeing (a) the plush room in which it was held, (b) an open bar, (c) all types of cheese and etc., and (d) John Conyers meeting and greeting people in an open-neck shirt. I did not know who was paying for the event, but I knew that there was no way the Harris campaign could or would pay for such a thing. This was because we were chronically short of money and it would have made no sense to have sponsored an event of this kind which obviously was costing great sums of money and was attended by at least one other candidate, and since we were then almost totally out of money.

I was very surprised that Morris Udall had been present, and I am sure that Fred was too, since he preferred not to attend an event unless it was exclusively for him. However,

we were always confused about what this event was and, as I already stated, were never really satisfied in advance with answers we got in response to inquiries. In fact, even to this day I do not know what this event was or who it was to benefit. I do recall that we were told that it was an event he must attend because a number of important black people would be present. This was the overriding consideration in Harris' decision to attend it.

EXECUTED this 8th day of June, 1977.

Richard D. Davis
RICHARD D. DAVIS

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

James W. Malin
Notary Public

My commission expires:

JAMES W. MALIN
Notary Public, District of Columbia
Commission Expires June 30, 1977

79340101101

STATE OF OKLAHOMA)
) ss.
COUNTY OF COMANCHE)

AFFIDAVIT OF GARY MANNING FORD

GARY MANNING FORD, being first duly sworn, deposes and states:

1. I was the State Coordinator of the Massachusetts Harris for President Committee from September of 1975 until Fred R. Harris ceased his candidacy for the Democratic nomination for President of the United States.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr. on or about December 15, 1976. Said written materials detail a claim which Congressman Conyers makes against the Harris for President Committee for some \$16,171.32. This claim represents sums of money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

3. As the State Coordinator of the Massachusetts Harris for President Committee I am aware of pertinent facts relating to Congressman Conyers' participation in the Massachusetts Democratic presidential primary and do state that Congressman Conyers' presentation of the facts as outlined in his memorandum of December 15, 1976, is a distortion of the true nature of his activities during said primary.

4. As Massachusetts State Coordinator my duties were to recruit staff personnel, secure and equip headquarters, oversee the scheduling of Fred Harris and any surrogate on his behalf, direct fund raising activities, develop advertising programs, and maintain controls on spending.

The Massachusetts committee had a very sophisticated financial control system which consisted of flow charts that allowed me to ascertain, at the close of each day, the nearly exact financial situation of the Committee. I was the officer responsible for authorizing any expenditures in excess of \$100.00.

The system we developed was mandatory due to the fact that the Massachusetts committee had an exceedingly meager amount of money to spend. We never used rented cars nor did we send telegrams to invite people to a function.

5. In late January or early February I was advised by Jim Hightower and/or Bert De Leeuw that Congressman Conyers might be coming to New England to campaign on behalf of Mr. Harris. I was instructed to be thinking of activities Congressman Conyers might participate in that would be beneficial to the Harris effort. I was not told that Mr. Conyers would be bringing a staff with him nor was I instructed to budget any funds for the contemplated Conyers appearances in Massachusetts.

6. I heard nothing more about Conyers' campaigning for Harris until the morning of February 19, 1976, I received a telephone call from Bert De Leeuw, National Field Operations Director of the Harris for President Committee. De Leeuw informed me that Congressman Conyers was in Boston and wanted to have breakfast with me that morning in the dining room of the Hotel Lennox in Boston.

I first met Congressman Conyers in the presence of Bert De Leeuw, and Lavelle Diet, a local Boston T.V. newsman. When I arrived at Mr. Conyers' table he (Congressman Conyers) and Mr. Diet were involved in conversation. Mr. Diet had his address book out and was reciting names and phone numbers to Mr. Conyers.

Mr. Conyers made a perfunctory greeting to me and returned to his discussion with Mr. Diet.

Mr. Conyers stated, "I am having a reception here so I can get our folks together. I want to make contacts here."

He was asking Mr. Diet for names of individuals to invite to his reception. He never asked me for names of Harris supporters or to use the Harris mailing list nor for volunteer workers for the event.

But, more importantly, he never suggested that any financial assistance would be expected of the Harris Committee.

It was clear to me this was to be an event strictly by and for John Conyers. In fact, he called it "an event of my own".

Two of Conyers' staff people joined us and they (Conyers, Diet and staffers) continued to discuss his reception.

When it became apparent that no Harris strategy was going to be discussed De Leeuw and I excused ourselves and left the hotel.

At this meeting, Conyers never requested financial support of the Harris Committee. He did not raise any questions of strategy nor did he notify me that he was bringing additional people from Detroit and Washington, D. C.

7. Congressman Conyers held a press conference at 11:00 a.m. on the morning of February 20th in the Lennox Hotel to announce he was in New England to campaign for Fred R. Harris. Congressman Conyers' staff made the media contacts for this event and prepared a press release on his letterhead which carried a text of his remarks. Our press staff prepared a release as backup in the event the Conyers staff failed to provide a release.

At the conclusion of the press conference Congressman Conyers and his staff departed the hotel in rented cars they had secured.

8. On the afternoon of February 20th a meeting took place in my office at the Massachusetts headquarters of Harris for President. Mr. Conyers was represented by Nelson Saunders, Marcia Elayne, Susanne O'Neil and several others.

The purpose of the meeting was to discuss Conyers' activities within Massachusetts and I wanted to establish a liaison person from the Conyers group with whom I could communicate.

At this meeting I set forth some proposed events I had contemplated after learning that Conyers would be in Massachusetts. One of the suggestions was a walking tour by the Congressman from Boston's South End to Harvard Square. Several other proposals were made that would include activities for a period of a few days. The Conyers group thought the walk stood the best chance of receiving Congressman Conyers' approval because they said, he would "like the media exposure". I also told them Congressman Conyers could be helpful in the Roxbury area and with the liberal community.

At this meeting the Conyers group never mentioned any need for financial assistance and no budget for their activities was discussed. I was unable to establish a liaison contact with the Conyers group. The meeting concluded with the Conyers group saying they would talk with Mr. Conyers about the walk and let me know if he approved. Around 10:00 p.m. they told me that Mr. Conyers would do the walk.

9. The Conyers group made the press contacts for the walk and issued a press release. I issued an interoffice memorandum which encouraged the staff to support this effort. We supplied the Conyers group with a suggested route and offered support personnel.

Due to the short notice given the event, the first half of the walk was a dismal failure and it was not until the group reached Harvard Square that people in any number were present to meet Conyers. That afternoon, Conyers, Saunders, et al., came to the state headquarters. Conyers was visibly displeased. Saunders told me "Conyers was not happy" with the walking tour and that was the last time I ever had any communication with the Congressman.

10. On the 21st of February, I requested of the Conyers group that they carry on their activities at their hotel since space and telephone availability was limited. I was particularly concerned about the long distance telephone calls they were charging to the headquarters telephones, especially when it became apparent to me that their presence afforded little or no advantage to the Harris effort. At my request they vacated the Harris state headquarters.

Later I received complaints from the Boston City Harris for President Headquarters about the presence of the Conyers group. I asked them to leave those premises and they did.

11. It was on or about the 22nd day of February that Nelson Saunders proposed to me that the Conyers group should open a storefront office in Roxbury and carry out their activities from that location. They requested money to execute this plan. This was the first time the Conyers group

had requested funding from the Massachusetts committee or even suggested that financial support might be expected from the Harris organization. My reply to them was that the Roxbury headquarters idea was excellent, but I very emphatically stated that the Massachusetts Harris Committee did not have adequate funds for such a project and offered to show them the check book after they intimated that I was not being truthful about the financial condition of the Massachusetts Harris Committee. They said Conyers would raise the money, and left.

Shortly following the conclusion of this meeting I received instructions from Hightower to issue a check in the amount of \$500.00 to cover the cost of two telephone lines for the Roxbury headquarters which they had procured. Upon the orders from Hightower I did direct that a check for \$500.00 be issued to secure two phone units for the Roxbury headquarters.

12. Following the \$500.00 payment, my knowledge of Congressman Conyers' activities was second hand, at best.

I do know he went to Springfield, and was told that his statements there were very non-committal about Fred R. Harris. I understand that he said something like:

There are a lot of good candidates, Fred Harris is one, Mo Udall is another.

We made a few proposals for Conyers' campaign appearances, most of which were turned down by Mr. Conyers and/or his staff.

Very quickly, I decided that we had better things to do with our time than to attempt (unsuccessfully) to coordinate this (the Conyers group) unproductive group. I concluded that Conyers was doing whatever he wished for whatever reasons, but that his aims or his presence was not lending an advantage to the Harris campaign.

13. The reception which was held at the Parker House Hotel was nothing but an affair for John Conyers just as he indicated it would be at the breakfast meeting at the Lennox Hotel. The Massachusetts committee did not participate in the planning of the reception, no invitations were sent in the name of the committee, the mailing list of the Massachusetts committee was not used, the Massachusetts committee did not contract with the Parker House Hotel for any services nor did any officer of the Committee sign for bills for the event. In fact, it was not until very shortly prior to the event that the Massachusetts committee even learned when and where it was to take place. No one from the full-time staff was invited or attended.

I understand that Congressman Morris Udall, also a candidate for the Democratic nomination for President, was invited to the Parker House reception, attended and was introduced by Mr. Conyers.

14. To sum up: Conyers and his staff were in Massachusetts during the period of the Massachusetts Democratic Presidential primary. The Massachusetts Harris for President Committee attempted to communicate with the Conyers group so as to at least know what was happening. In this, we failed. The Massachusetts Harris for President Committee did not direct, coordinate, or control Mr. Conyers' activities. To the contrary, at the very first request for money made by the Conyers group I stated the true financial condition of the Massachusetts Harris Committee and told them in no uncertain terms that no funds were available for their activities and never gave them any reason whatsoever to believe that any funds would be available.

The Conyers memorandum of December 15 is a blatant distortion of facts and his claim of \$16,171.32 against the Harris for President Committee is most ludicrous.

EXECUTED, this 8th day of June, 1977.

Gary Manning Ford
 Gary Manning Ford

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Lenna Beebridge
 Notary Public

My commission expires:

My Commission Expires September 20, 1977

District of Columbia) ss.

AFFIDAVIT OF FRED DROZ

FRED DROZ, being first duly sworn, deposes and states:

1. I was the National Director of Advance and Scheduling for the Harris for President Committee from January 1976 to the time Fred Harris ceased active campaigning for the Democratic nomination for President.

My duties included personal supervision of all matters pertaining to Mr. Harris' travel, public appearances, and lodging. I coordinated the activities of LaDonna Harris and any surrogate appearing on behalf of the Harris for President Committee.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers on December 15, 1976. These written materials detail a claim against the Harris for President Committee for money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris in the New Hampshire and Massachusetts Democratic Presidential Primaries. From my personal knowledge I find these materials to be misleading in characterizing Mr. Conyers' activities and blatantly false in at least one instance.

3. It was a surprise to me and everyone involved when we learned very shortly before his arrival that Congressman

Conyers was coming to New Hampshire. The Conyers memorandum of December 15 indicates that I assured Mr. Conyers that I would provide hotel accommodations, food and transportation for him and his entourage. This simply is not true. Our own (Harris Committee) volunteers were going without eating and were staying wherever they could find a place to sleep. I am sure I offered to make reservations at hotels for them and to prepare a suggested schedule for his activities, but I never said that hotel space would be furnished.

4. The four day schedule attached as Exhibit H to Conyers' December 15 memorandum and attributed to me was not prepared by me. It apparently was authored by a member of the Conyers staff. I cite as evidence that it is not mine, the fact that it details a trip to Youngstown, Ohio, a destination of which I could not have had knowledge.

5. When the Conyers group arrived in New Hampshire on February 19, they rented a car and requested from the Harris campaign a driver to take them to Boston. I refused them a driver due to the limited staff we had available and pointed out that they had six people capable of driving to Boston.

6. I learned of the Conyers reception held on February 25, 1976, at the Parker House Hotel in Boston only a few hours before it took place. A Harris volunteer advised me that Conyers was hosting a reception for all the presidential

candidates. I contacted a Conyers staff person to inquire about the reception and was told they (the Conyers staff) had been unable to reach us about the reception.

This reception was not in any way coordinated or authorized by the Harris for President Committee. In fact, Fred Harris was not even invited until a few hours before it was held, and the staff learned of the reception inadvertently. Fred Harris did attend the reception for a short time as did other candidates for the nomination.

7. I was present at the meeting held on February 26, 1976, at the Parker House Hotel between members of the Harris Committee and Congressman Conyers.

At this meeting Congressman Conyers outlined a number of campaign activities he felt essential for a successful campaign in the black community in Boston. Jim Hightower, National Coordinator of the Harris Committee, very clearly stated that no funds were available for the activities suggested by Mr. Conyers and pointed out that the Harris effort was, in fact, being scaled-down due to lack of funds. There is no way Congressman Conyers could have expected the Harris Committee to fund the program he was outlining and no hope was held out that funds would be available in the future.

8. To summarize: Mr. Conyers' activities in the New Hampshire and Massachusetts primaries were not directed by the Harris for President Committee. A number of statements

he makes in the December 15 memorandum are untrue and the four day schedule he offers as proof of my direction of his activities is not my work product.

In every conversation I had with Congressman Conyers and his staff, I made it clear the Harris Committee did not have funds available. To my personal knowledge they were never led to believe money would be available or that any reimbursement would be forthcoming from the Harris campaign.

EXECUTED this 8 day of June, 1977.

Fred Droz
FRED DROZ

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Elizabeth A. Baldwin
Notary Public
District of Columbia

My Commission expires: June 14, 1980.

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9100 753

CASEY. LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

TELEPHONE 785-4949

CABLE ADDRESS CALAMIT, WASHINGTON

TWA NO 822 9285

HENRY B. TALIAFERRO, JR.
WILLIAM A. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON

June 24, 1977

R. CLYDE HARGROVE
OF COUNSEL

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CABLES CALAMIT, NEW YORK

EUROPEAN OFFICE
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01 499 1312
CABLES CALAMIT, LONDON

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

Re: Complaint Against Harris for President
Committee, MUR 372

Dear Ms. Browning:

In accordance with our telephone conversation of this date, this is to request that the Harris for President Committee be given an extension of time in which to respond to the above referenced complaint, or until July 8, 1977.

This delay is necessitated by several unanticipated absences from this city on the part of various personnel critical to the preparation of a response.

We appreciate your consideration in this matter.

Sincerely yours,

Dennis J. Whittlesey

DJW:ps

DJK

CASEY, LANE & MITTENDORF



ALWAYS USE
ZIP CODE

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

June 7, 1977

MEMORANDUM TO: THE FILE
FROM: DAVE ANDERSON
SUBJECT: MUR 372

On Monday, June 6, 1977, at approximately 9:25am
Mr. Dennis Whittlesey called on this matter.

Mr. Whittlesey stated that while the Harris
Committee's response to Representative Conyer's
complaint generally had been assembled, that the
Committee would appreciate receiving an additional
week so that an individual in Boston could correct
his affidavit. In response to my inquiry, Mr. Whittlesey
stated that the Committee would not need more than this
additional week. I informally agreed to this extension
and stated that it would not be necessary for Mr. Whittlesey
to file a letter to this effect.

7804003200

DAnderson:dks:6/8/77

May 31, 1977

MEMORANDUM TO:

THE FILE

FROM:

DAVE ANDERSON

SUBJECT:

MUR 372

On Friday, May 27, 1977 at approximately 11:45p.m. I returned a call from Dennis Whittlesey the Harris attorney (785-4949).

Mr. Whittlesey informed me that he finally received today our letter of May 18th. He stated that he expected to respond by June 6th, and that he would be happy to provide any further information which we may require.

7804033210

D. Anderson:dks:5/31/77

400 534

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

WASHINGTON OFFICE:
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-226-7022

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

May 23, 1977

Mr. David L. Anderson
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

771920

Dear Mr. Anderson:

I am writing on behalf of Congressman Conyers to provide you with some additional information on his complaint against the Harris For President Committee - No. MUR 372. Enclosed please find a copy of Congressman Conyers' itemized expenditures and sworn statements by Dr. James Garrett and myself. In answer to the question raised by Mr. Oldaker in his May 3, 1977 letter, the expenditures reported in the 30-day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil were incurred on behalf of the Harris campaign. A separate communication was sent to the FEC at the time explaining that Mr. Conyers' campaign committee had advanced the money to the two individuals so they would not have to suffer financial hardships, and that he would continue to press their claims against the Harris Committee.

It may also be useful for you to know about a telephone call I received on or about May 3, 1977 from Tom Moufarge, credit manager of the Dunfey Family's Hotels and Motor Inns, Hampton, New Hampshire (603) 926-8911. Mr. Moufarge had been responsible for collecting \$3,271.16 plus interest owed to the Parker House Hotel in Boston, Mass. for hotel room and charges incurred by Mr. Conyers and his volunteers on behalf of Fred Harris in February and March of 1976. Mr. Moufarge told me Ralph Collins, who is handling the Harris campaign deficit, had met with the general manager of the Parker House Hotel, and had assured him the payment would be forthcoming from the Harris For President Committee within several weeks. Collins said the check would be in the hotel's hands following the approval of the FEC, according to Moufarge.

Should you have any further questions or need additional assistance, please feel free to contact this office. Although I will be leaving Mr. Conyers' employ at the end of this month, Ms. Heidi Napper will be available to answer any queries or correspondence regarding the complaint.

Sincerely,

Christine Moore
Staff Assistant

May 23, 1977

General Counsel
Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

Dear Sir:

I, Dr. James P. Garrett, 1807 Ninth Street, N.W., Washington, D.C. 20001, telephone (202) 265-4123, wish to file a statement regarding complaint MUR 372.

On or about Thursday, December 11, 1975, while in the employ of Congressman John Conyers, Jr. in Washington, D.C., I was asked to participate in a meeting held by Congressman Conyers and his Legislative Assistant, Neil Kotler, with Fred and LaDonna Harris and one of his campaign officials. Mr. Harris made a presentation on the strategy of his campaign for the Democratic nomination for President, and explained he needed a national black political leader to help him organize the black community in the primary states because one of his campaign's weaknesses was a lack of recognition and support by black voters. Mr. Harris asked Congressman Conyers if he would assume that essential, upfront role in his campaign. In addition to seeking his advice on strategy and organizing, Mr. Harris further requested that Congressman Conyers commit himself to speaking on Harris' behalf wherever needed throughout the country, and recruit black campaign workers from his own organization. Mr. Conyers said he would assist Mr. Harris in any way he could, and said he had persons in Washington, D.C. and Detroit who would be available for the campaign.

Following this exchange, Mr. Kotler asked me on the side where the funding would come for such an effort, since the Congressman obviously did not have the money available from his own personal funds. I raised the question out loud, and Mr. Conyers responded that he did not know, and instructed Mr. Kotler to find out from his administrative assistant where he might get such funding. While Mr. Kotler went out to talk to the administrative assistant, Mrs. Harris said, "Don't worry about that. We have more than enough money to cover your expenses." Mr. Harris obviously concurred, and did not contradict the offer. When Mr. Kotler returned, Congressman Conyers told him Fred and LaDonna had said they were going to take care of our expenses. With that question settled, we went on to discuss the specific strategies regarding the first primary elections in New Hampshire, Massachusetts, and Pennsylvania. In regard to Massachusetts, Harris said Mr. Conyers' contacts with elected Black Democrats would be greatly needed for that state, and requested that Mr. Conyers and his campaign workers and/or paid volunteers go to that state, along with the others mentioned, to set up their organization several weeks before the primary election. I took detailed notes during this meeting, but I have not been able to locate them at the moment.

Sincerely,

James Garrett

*Sworn before
me this
23rd day of
May, 1977.*

Martin A. Klein III
MARTIN A. KLEIN, III
Notary Public, District of Columbia
My Commission Expires October 31, 1980

May 23, 1977

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

Dear Sir:

I, Christine Moore, 1310-35th Street, N.W. Washington, D.C., 20007, (202) 333-4869, wish to file a statement regarding complaint MUR 372.

From May through July of 1976, I had a number of conversations with Jim Rosapepe, who had been designated by Fred Harris to handle his campaign deficit and the claim made by Congressman Conyers for his expenses incurred on behalf of the Harris For President Committee in February and March of 1976. At Mr. Rosapepe's request, I sent him an itemized list of the expenditures. After he was in receipt of the expenditures and I had not received a response, I again called Mr. Rosapepe to determine the status of Mr. Conyers' claim and the reason for the delay. Mr. Rosapepe explained that Mr. Harris had assets of \$40,000 in his campaign fund and debts totalling over \$100,000. He said, "Fred has every intention of paying back the Congressman as soon as he can pay off his direct expenses." I reminded Mr. Rosapepe that Mr. Conyers' expenses were also Mr. Harris's direct expenses, and should be given first priority for reimbursement because of the great hardship it imposed on Mr. Conyers. I added that Mr. Conyers had incurred the expenses at the request of Mr. Harris, and had been assured by Mr. Harris that the reimbursement would be forthcoming. Mr. Rosapepe assured me that Mr. Harris greatly appreciated the assistance he had received from Congressman Conyers, and that the matter of reimbursement was only a matter of time. I asked Mr. Rosapepe to give me a more definite date by when Mr. Conyers could expect to receive the reimbursement. He told me the Committee was planning a large fundraising effort in August, and that following the event we might expect to be reimbursed. I reported the conversation to Congressman Conyers and his Administrative Assistant Heidi Napper on the date it occurred, approximately late June or early July, 1976.

Sincerely,

Christine Moore

Christine Moore
Staff Assistant to Congressman John Conyers

Subscribed and sworn to me this

24 day of May 1977

Michael Henry
MICHAEL HENRY

Notary Public, District of Columbia
Commission expires June 30, 1977

EXPENSES OR EXPENDITURES MADE ON BEHALF OF THE
HARRIS FOR PRESIDENT COMMITTEE

AMOUNT

LINCOLN- DOUGLASS, TRAVEL, INC.
1150-17th St., N.W., Suite 305
Washington, D.C. 20036
(Air fare between D.C. and Boston
for Congressman Conyers and 5 volun-
teers, and between Detroit and Boston
for 11 volunteers - 2/19/76 to
3/5/76)-----

\$2,881.58 plus 1 1/2%
monthly interest through
date of settlement

DUNFEY'S HOTELS & MOTOR INNS
Hampton, New Hampshire 03842
(Hotel bill for Conyers and
13 volunteers at Parker House,
Boston - 2/23/76 to 3/4/76)-----

\$2,261.25 plus any inter-
est through date of
settlement

DUNFEY'S HOTELS & MOTOR INNS--
Hampton, New Hampshire 03842
(Reception at Parker House,
Boston - 2/25/76)-----

\$1,039 plus any interest
through date of
settlement

NEW ENGLAND TELEPHONE
P.O. Box 2243
Boston, Mass. 02107
(Business phone installation/
service charge - 2/27/76)-----

\$72.02

WESTERN UNION TELEGRAPH COMPANY
7916 Westpark Drive
McLean, Va. 22101
(Telegram invitations -
2/24/76 and 2/27/76)-----

\$4,967.34

C & P TELEPHONE COMPANY
930 H St., N.W.
Washington, D.C. 20001
(Long distance calls from
2/19/76 - 3/4/76)-----

\$650.00

FAY FOTO SERVICES, INC.
201 South Street
Boston, Mass. 02111
(Photographic services 2/25/76)-----

\$90.00

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Springfield, Mass. Reception-
Refreshments -----
(2/28/76)

\$138.72

VOLUNTEER OUT-OF-POCKET
EXPENSES**

% John Conyers, Jr.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Misc. meals, transportation,
and supplies, etc. - 2/19/76
to 3/5/76)-----

\$576.10

TOTAL AMOUNT DUE

\$16,171.32 plus
any interest due
through date of
settlement

**NOTE: Payment for the following items has been advanced
by the Friends of Congressman John Conyers Committee
to the volunteers making the expenditures so they
would not continue to suffer the financial conse-
quences of the delay in reimbursement. The Friends
of Congressman John Conyers Committee will continue
to press these claims on behalf of these individuals.

JOHN CONYERS, JR.
1st DISTRICT, MICHIGAN

COMMITTEE:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-226-7022

April 5, 1977

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

Dear Ms. Lewis:

I am writing to confirm that payment in the amount of \$3,162.70 is being advanced to Lincoln-Douglass Travel, Inc. by the Friends of Congressman John Conyers Committee for travel expenses incurred in February and March of 1976 in behalf of the Harris for President Committee.

As you may be aware, I have filed a sworn complaint with the Federal Election Commission that this expenditure (\$2,881.58 plus interest) was made with the consultation and cooperation of the Harris For President Committee, and that its subsequent failure to acknowledge these expenditures constitute a violation of 2 U.S.C. 434, and Title 26, Chapter 96 of the Internal Revenue Code.

Although I deny responsibility for this indebtedness to Lincoln-Douglass and am confident that the FEC's investigation will bear this out, I do not feel it is fair to make a small minority business like Lincoln-Douglas suffer the financial consequences and hardship imposed by the delay in reporting and reimbursement of these expenses. Therefore, the Friends of Congressman John Conyers Committee is advancing the sum owed Lincoln-Douglass, and will continue to press this claim on its behalf. This payment is in no way to be construed as releasing the Harris For President Committee of its legal obligation to report and reimburse this expense.

Sincerely,

John Conyers, JR.
Member of Congress

cc: William Oldaker, General Counsel, Federal Election Commission

CM

CM

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1.09

MAY 25 1977
U.S. HOUSE OF REPRESENTATIVES

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
PUBLIC DOCUMENT
OFFICIAL BUSINESS

U.S. House of Representatives
WASHINGTON, D.C. 20515
PUBLIC DOCUMENT
OFFICIAL BUSINESS

John Longenecker M.C.

Mr. David L. Anderson
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

MICHIGAN.

CERTIFIED
No. 45
MAIL

EG: 0 MAY 27 1977

FEDERAL ELECTION COMMISSION

GC 442372

PS Form 3811, Mar. 1975

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- Show to whom and date delivered..... 15¢
- Show to whom, date, & address of delivery.. 35¢
- RESTRICTED DELIVERY:
Show to whom and date delivered 65¢
- RESTRICTED DELIVERY:
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Dennis J. Whittlesey.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	438046	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

J. Murray Belderson

4. DATE OF DELIVERY: 5/27/77

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

4/18/77
5/18/77

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in

7804003201

writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone No. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,


William C. Oldaker
General Counsel

Enclosures

7804003222

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered 65¢

RESTRICTED DELIVERY
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
HONORABLE JOHN CONYERS

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>438414</i>	<i>315</i>

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

J. S. Conyers

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

03 MAY 1977

~~CONFIDENTIAL~~

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit an itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts. We would also find it helpful if you would include information as to whether any of the expenditures which you allege were not reported by the Harris for President Committee were reported as expenditures by your principal campaign committee or any committee affiliated with it. (For example, were the expenditures reported in the 30-day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Susanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

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Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

DAnderson:cfb:4/7/77

cc: MUR 372

DA *DA*

78040063225

Congress of the United States
House of Representatives
Washington, D.C. 20515

CONGRESS
COMMITTEES
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

April 5, 1977

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

771102

Dear Ms. Lewis:

I am writing to confirm that payment in the amount of \$3,162.70 is being advanced to Lincoln-Douglass Travel, Inc. by the Friends of Congressman John Conyers Committee for travel expenses incurred in February and March of 1976 in behalf of the Harris for President Committee.

As you may be aware, I have filed a sworn complaint with the Federal Election Commission that this expenditure (\$2,881.58 plus interest) was made with the consultation and cooperation of the Harris For President Committee, and that its subsequent failure to acknowledge these expenditures constitute a violation of 2 U.S.C. 434, and Title 26, Chapter 96 of the Internal Revenue Code.

Although I deny responsibility for this indebtedness to Lincoln-Douglass and am confident that the FEC's investigation will bear this out, I do not feel it is fair to make a small minority business like Lincoln-Douglass suffer the financial consequences and hardship imposed by the delay in reporting and reimbursement of these expenses. Therefore, the Friends of Congressman John Conyers Committee is advancing the sum owed Lincoln-Douglass, and will continue to press this claim on its behalf. This payment is in no way to be construed as releasing the Harris For President Committee of its legal obligation to report and reimburse this expense.

Sincerely,

John Conyers, JR.
Member of Congress

cc: William Glisker, General Counsel, Federal Election Commission

7 3 7 4 1 1 0 2

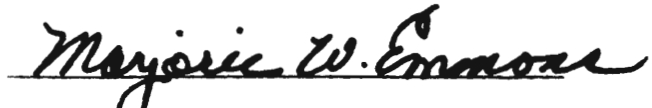
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)
("the Committee"))

MUR 372 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 20, 1977, the Commission approved the General Counsel's draft letter to the Honorable John Conyers, Jr. requesting more information in the above-captioned matter.


Marjorie W. Emmons
Secretary to the Commission

79141051207



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

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In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

- (1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.
- (2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.
- (3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.
- (4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.
- (5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

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

*Burphart
sent*

April 19, 1977

MEMORANDUM TO: Marge Emmons
FROM: Charles N. Steele *CNS*
SUBJECT: MUR 372 (77)

Would you please distribute the attached to
the Commission on a 24 hour no-objection basis.

Attachment





FEDERAL ELECTION COMMISSION

1225 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372 (77)

Dear Mr. Conyers:

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The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

730400.1231



FEDERAL ELECTION COMMISSION

1155 K STREET, N.W.
WASHINGTON, D.C. 20543

*Working copy -
Charlie 4/8/77*

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

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Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

BCC # 162
WASHINGTON OFFICE
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

COMMITTEES
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE (313) 226-7022

April 5, 1977

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

771102

Dear Ms. Lewis:

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Although I deny responsibility for this indebtedness to Lincoln-Douglass and am confident that the FEC's investigation will bear this out, I do not feel it is fair to make a small minority business like Lincoln-Douglass suffer the financial consequences and hardship imposed by the delay in reporting and reimbursement of these expenses. Therefore, the Friends of Congressman John Conyers Committee is advancing the sum owed Lincoln-Douglass, and will continue to press this claim on its behalf. This payment is in no way to be construed as releasing the Harris For President Committee of its legal obligation to report and reimburse this expense.

Sincerely,

John Conyers, JR.
Member of Congress

cc: William Olinker, General Counsel, Federal Election Commission



FEDERAL ELECTION COMMISSION

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

March 31, 1977

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *Marjorie W. Emons*
RE: MUR 372 (77)

The above-mentioned document was transmitted to the Commissioners at 10:00 a.m., March 31, 1977.

An objection has been received. MUR 372 (77) will be placed on the Compliance Agenda for April 7, 1977.

A copy of Commissioner Harris' vote sheet has been enclosed for your information.





FEDERAL ELECTION COMMISSION

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

DATE AND TIME OF TRANSMITTAL 10:00 MAR 31 1977

Commissioner Harris

RETURN TO OFFICE OF COMMISSION SECRETARY BY: APRIL 1 - 10:00

MUR No. 372 (77)

I object to the recommendation in the attached report.

COMMENTS: This whole matter should be brought before & discussed by the Commission. I disagree with the proposed letters.

Date 3-31-77 Signature Thomas E. Harris

OBJECTIONS, SIGNED AND DATED, MUST BE RECEIVED IN THE COMMISSION SECRETARY'S OFFICE NO LATER THAN THE DATE AND TIME SHOWN ABOVE OR THE MATTER WILL BE DEEMED APPROVED. PLEASE RETURN ALL PAPERS TO THE OFFICE OF THE SECRETARY TO THE COMMISSION.



Maint

March 30, 1977

MEMORANDUM TO: Marge Emmons
FROM: Charles N. Steele
SUBJECT: MUR 372

Please distribute the attached on a 24 hour
no-objection basis.

C.Steele/pwb/3/30/77

79040035240



FEDERAL ELECTION COMMISSION

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

March 30, 1977

MEMORANDUM TO: William Oldaker

FROM: Charles N. Steele *CS*

SUBJECT: MUR 372

The attached 48 hour report is submitted
for your approval.

ok

3/30

Attachment



DATE AND TIME OF TRANSFER: MAR 31 1977

NO. 372

REC'D: 3/1/77

FEDERAL ELECTION COMMISSION
Washington, D. C.

Stella

Complainant's Name: Representative John Conyers, Jr.

Respondent's Name: Harris for President Committee ("the Committee")

Relevant Statute: 2 U.S.C. §§434(b) (2) (3) (9) (10) (11) (12) and (e), 441a(a)(1) (A)

Internal Reports Checked: Reports of the Committee and Representative Conyers

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Representative Conyers alleged that during the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee. Mr. Conyers contended that the Committee's failure to report these expenditures constitutes a violation of the Act (See Attachment #1).

PRELIMINARY LEGAL ANALYSIS

(1) After several months of volunteer effort by Mr. Conyers in behalf of Fred Harris' presidential campaign, Fred and La Donna Harris met with Mr. Conyers to request that he "play an essential, upfront role in the Harris campaign." (See attachment #2 which sets forth a chronology of Mr. Conyers' involvement in the Harris campaign, attachment #2) At this meeting on December 15, 1975, Mr. Conyers asked about the financial resources of the Harris campaign with (cont.)

RECOMMENDATION

Reason to believe; send attached letters

Date of Next Commission Review:

Preliminary Legal Analysis (cont.)

"regards to his involvement, and Mrs. Harris responds that he does not have not (sic) worry - the committee has an adequate amount for this type of activity." (Supra). Apparently relying on this statement, Mr. Conyers proceeded to act as a spokesman for the Harris campaign, to recruit black campaign workers and supporters for the Committee, and to coordinate certain activities for the Committee in Boston, Massachusetts. (See Attachment #2 in general) During this period the Committee handled arrangements and scheduling for Mr. Conyers and his volunteers (supra, 2/19/76, 2/21/76, 2/23/76), publicly announced plans for Mr. Conyers to campaign on behalf of the Committee (see Attachment #3), maintained daily contact for strategy and scheduling (See Attachment #2, 2/20/76, 2/21/76), and rented a headquarters for use by the Mr. Conyers and his volunteers (supra, 2/25/76).

Following Harris' declaration on April 8, 1976 that he was becoming an inactive candidate, Christine Moore of Mr. Conyers' staff contacted Jim Rosapepe of the Committee. Mr. Rosapepe stated that "Harris has 'every intention' of paying the Congressman for his expenses, as soon as his (Harris) 'direct expenses' are covered." (Supra, June/July 1976). On October 19, 1976, Dennis J. Whittlesey, an attorney for the Committee, notified Mr. Conyers

that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

(See Attachment #4)

(2) Mr. Conyers has sufficiently alleged that he was expressly,

apparently, or impliedly authorized to either make expenditures on behalf of the Committee or to make an in-kind contribution of his services to the Committee. Yet an informal examination of the Committee's records has failed to reveal any instances where Mr. Conyers' disbursements were reported as expenditures by the Committee or debts owed by the Committee. 2 U.S.C. §434(b) (9) (10) (11) (12). It is also possible that since "the Act operates to treat all expenditures placed in cooperation with or with the consent of a candidate, his agent, or an authorized committee of the candidate as contributions. . . , Buckley v. Valeo, 424 U.S. 1,47 n. 53 (1976), that Mr. Conyers' disbursement of \$16,171.32 is an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee. 2 U.S.C. §§434(b) (2) (3) and 441a(a) (1) (A). Accordingly, the Committee should be requested to provide information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, and the Committee's reasons for concluding that the expenses incurred by Mr. Conyers were independent expenditures.

(3) Mr. Conyers apparently has reported at least \$275.44 as being expended by one of his campaign committees in connection with Conyers' associates in Massachusetts. (See Attachment #5 Report of Friends of Congressman John Conyers, December 2, 1976.) However, Mr. Conyers has not otherwise reported any of the disbursements allegedly incurred in connection with his activities in the Harris campaign. Thus, if Mr. Conyers expenditures were made independently from the Committee, as alleged by Mr. Whittlesey, then

Mr. Conyers has failed to report as required by 2 U.S.C. §434(e). In the alternative, if Mr. Conyers made these disbursements not as an agent of the Committee but with the Committee's cooperation and consent, then he made an in-kind contribution to the Committee in excess of the Act's limitations. 2 U.S.C. §441a (a)(1)(A). Accordingly, Mr. Conyers should be requested to provide additional documentation to support his view that he was authorized to incur these expenditures on behalf of the Committee.

ATTACHMENT #2

CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
- 4/12/75----- Conyers arranges Harris coffee cohosted by Dave Chaney, president of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, and sends letter of invitation to his friends (See Exhibit B).
- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
- 5/1/75----- Harris sends Conyers thank-you letter in which he states, "I look forward to working with you closely." (See Exhibit D)
- 9/10/75----- At the request of Rick Davis, deputy campaign coordinator for daily operations of the Harris For President Committee, Conyers' volunteers assist the campaign by distributing flyers, and through arranging details of a Harris meeting at the Summit Athletic Club in Detroit.
- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

ATTACHMENT #1

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

COMMITTEE:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

77 FEB 26 PM 1:26
MUR37Z

February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

770665

Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress

Enclosure

District of Columbia
Mr. Walter Brown
Thomas P. ...
My Commission expires July 77

1 ● ATTACHMENT #2 ●

CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE
ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
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- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
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- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

Week of-----
12/15/75

Fred and LaDonna Harris meet at their request with Conyers at his Congressional Office in Washington, D.C., and ask him to play an essential, upfront role in the Harris campaign. In addition to seeking Conyers' advice on strategy and organizing, the Harrises ask him to commit himself to speaking on Harris' behalf wherever needed throughout the country, and to help him recruit skilled black campaign workers and supporters. Conyers asks about the financial resources of the campaign in regards to his involvement, and Mrs. Harris responds that he does not have not worry - the committee has an adequate amount for this type of activity. Dr. James Garrett, of Conyers' staff, takes notes on the meeting. At the close of the meeting, Rick Davis repeats the request for Conyers' participation to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the Public Service Employees Hall in Detroit. Mrs. Harris tells the Congressman the campaign needs assistance in the New England primaries. (See Exhibits F and G)

2/18/76 ----- Conyers discusses strategy and his possible role in the New Hampshire primary with various key staffers at the Harris For President Headquarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers' campaign worker, Fred Droese, director of scheduling for the Harris For President Committee, offers to handle travel, lodging, meal, and rental car arrangements for Conyers and his volunteers. Droese relays tentative schedule of events planned for the Congressman, and arranges for staff person to pick up Conyers and his two volunteers upon arrival at the Airport in Manchester.

Immediately after arriving, the party is taken to The Harris For President Committee Headquarters where they meet with Jim Hightower, campaign manager of the Harris For President Committee, and Droese. Droese gives Conyers a four-day schedule of campaign events set up especially for him; one day in New Hampshire to fill in for LaDonna Harris, who has become sick, and the remainder in the Boston area. (See Exhibit H) Hightower explains that they felt the bulk of Conyers' time should be spent in building up support for Harris in Boston, where there are larger concentrations of black voters, than in New Hampshire.

2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues on authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressman and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

2/21/76 (cont.)

On this date, Conyers' volunteers began working directly and on a daily basis with Charles Duncan, the National Minority Affairs Coordinator for the Harris For President Committee. Duncan states he assisted the Congressman and his volunteer staff, participated in the formulation and execution of the Congressman's strategy, and daily briefed Ford, the state coordinator, on these activities.

Duncan arranges for Conyers' volunteers to work on telephone bank at Harris' city headquarters in Boston, and helps the staff to compile a list of black leaders and potential Harris supporters to be invited to a reception the Congressman plans on the behalf of Harris. Duncan also aids the volunteers in compiling a list of ministers at whose churches the Congressman will speak.

2/22/76----- Ford assigns Pete Dillon, a paid Harris staffer, to be Conyers' chauffeur and guide to the Boston black community. Through coordination with the Harris For President Committee the Congressman speaks to church audiences during services while his volunteers and Harris staff and volunteers leaflet other churches.

2/23/76----- Conyers and aide fly to New Hampshire at the request of state coordinators who set up press conferences and appearances in Lebanon, Dartmouth, and Hanover. Conyers and aide fly back to Boston where the Congressman follows the schedule prepared by the Harris For President Committee and attends several receptions in the home of key black Harris supporters. - news media invited. (See Exhibit H)

Conyers' campaign workers search for available and suitable storefront office for a Harris For President Headquarters in the black community, map out precincts and compile a list of voters in the black community, and prepare list of persons to be invited to Parker House Hotel reception. First batch of telegram invitations go out.

2/24/76----- The Congressman talks on the telephone to Jim Highower in Manchester regarding problem of getting adequate funds from Ford for rental of selected storefront office for Harris For President Headquarters in Foxbury, Mass. (See Expt.

1Statement of Charles Duncan in Paragraph 2, 1976 telephone conversation with Christine Moore.

2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of Invitations to reception goes out.

2/25/76-----

Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black community. Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76-----

Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafletting over the weekend in 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, a Harris supporter, and send out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers has a radio spot ad. to be played on

²From notes taken at the meeting by Christina Moore and Suzanne O'Neill.

2/28/76 (cont.)

Stations he recommended to Hightower. The committee pays the cost of the ad.

Conyers and 3 volunteers attend Harris reception in Sheehy's home in Springfield, and provide the refreshments.

2/29/76----- Conyers' volunteers and Duncan coordinate a speaking tour of black churches by LaDonna Harris, and introduce her and hand out literature.

Conyers speaks at church amnesty rally at the request of the Harris For President schedulers.

Conyers' volunteers and Duncan operated telephone bank geared to minority voters, and address and stamp envelopes designated for Harris fundraising event or solicitation.

3/1/76----- Three Conyers' volunteers assist Springfield Headquarters in planning election day activities.

Conyers and the 13 other volunteers organize primary election day operation for Roxbury headquarters, and operate telephone bank.

3/2/76----- Conyers and volunteers supervise primary election day operation out of the Roxbury headquarters, including such activities as printing up and distributing poll watcher challenger cards, payment for the compensation and food of workers, and compiling election results.

Conyers' volunteers in Roxbury and Springfield watch polls, provide voters with transportation, and acquire sound system for campaign mobile unit (car rented for use of Conyers and volunteers) on streets of black community. Harris' staffers invite and escort the Congressman and his volunteers to Harris' election night gathering.

3/3/76----- Conyers' volunteers close up Roxbury headquarters. The Congressman meets with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris For President Committee.

With the exception of two Conyers' volunteers who are given the job of completing all closing arrangements, the Congressman and the rest of his volunteers return home.

Harris personally sends Conyers a telegram that states: "Before our campaign begins to gear up for

3/3/76 (cont.)

Illinois and New York, I want to first extend my deepest appreciation to you for all your work and support on my behalf in New England. Your invaluable assistance is a great asset to my campaign and I thank you again for your confidence and willingness to speak out on the issues."
(See Exhibit N)

Week of----- Conyers speaks to Harris on the telephone to
3/8/76 arrange meeting to discuss reimbursement of expenses for Roxbury headquarters, himself and volunteers. Schedule conflict prevents meeting.

Week of 3/15/76 -- Conyers meets with Harris at Chicago hotel headquarters. Harris advises Conyers of change of strategy, that due to diminishing resources and increasing deficits he will drop out of the next two primaries to concentrate on the primary in Pennsylvania.

March '76----- Duncan contacts a Conyers' campaign aide to request that the Congressman provide names of persons who can help the campaign in Pennsylvania.

March/April '76--- Stephanie Solino, a national scheduler for the Harris For President Committee, relays through Christine Moore their request to have the Congressman appear on Harris' behalf at the March 28 Progressive Voters' League Annual Tea in Texas, and offer to pay his airfare in advance. When the Congressman receives a conflicting invitation to represent Harris at the Americans For Democratic Action annual dinner in Pennsylvania, Fred Droze advises Ms. Moore that the engagement in Pennsylvania should take precedence over any event in Texas. (See Exhibit O) Conyers accepts.

Additionally, Ms. Solino makes numerous other calls to Ms. Moore to request that the Congressman also appear on Harris' behalf in Baltimore, Md.

4/8/76----- Harris announces he has become an "inactive candidate."

5/26/76----- Conyers calls Harris in regard to reimbursement of his expenses and expenditures, and is told to have an aide contact Jim Rosapepe, a Harris For President staff person handling the campaign deficit.

5/27/76----- Ms. Moore calls Rosapepe who requests a breakdown of the New England expenses.

- 6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.
- June/July ----- Ms. Moore and Rosapepe discuss the expenses '76 on the telephone. Roseapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."
- September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.
- Christine Moore contacts the firm and attorney Dennis Whittlesey, tell her to send him a breakdown of the expenses and expenditure.
- October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.
- 10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.
- 10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit 2)
- 1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

NEWS RELEASE

ATTACHMENT #3

**FRED HARRIS
FOR PRESIDENT '76**For release:
Friday, February 20 A.M.

715 BOYLSTON STREET, BOSTON, MA 02116, 617/262-9551

Contact: Winston Emmons (617) 262-9550
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS
IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

- 30 -

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

ATTACHMENT #4

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710 822-9285

OCT 21 1976

HENRY B. TALIAFERRO, JR.
 WILLIAM G. CINNAMOND
 ROBERT J. WOODY
 DENNIS J. WHITTLESEY
 LINDA KURJAN

R. CLYDE HANCOCK
 OF COUNSEL

October 19, 1976

NEW YORK OFFICE
 26 BROADWAY
 NEW YORK, N.Y. 10004
 WHITENALL 3-3000
 CABLE: CALAMIT, NEW YORK

EUROPEAN OFFICE
 56 GROSVENOR STREET
 LONDON W1X 9DA
 01-499-3112
 CABLE: CALAMIT, LONDON

The Honorable John Conyers, Jr.
 2444 Rayburn House Office Building
 Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.

On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY: 

Dennis J. Whittlesey

Attorneys for the
 Harris for President Committee

Module 3
1975
Election Commission
1101, N.W.
D.C. 20463

Itemized Expenditures
Campaign Fundraising, Loans, and Transfers
for Lines 20, 21, 22, and/or 23 of FEC Form 3
(see Instructions on back)

Page 1 of 1
LINE NUMBER 20 (3)
(Use separate schedule(s) for each numbered line).

Name of Candidate or Committee in full
FRIENDS OF CONGRESSMAN JOHN CONYERS

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Bob Frishman 1248 C St., S.E. Washington, D.C. 20003	Out of pocket expense Boston, Mass. 3/76	11/12/76	144.44
Suzanne O'Neil 8104 E. Jefferson Detroit, Michigan 48214	Out of pocket expenses Boston, Mass. 3/76	11/12/76	131.00
Lincoln-Douglass Travel, Inc. 1150 - 17th Street, N.W. Washington, D.C. 20036	Travel expenses not paid by groups inviting Congressman to partici- pate	10/22/76	1,688.12
Western Union Telegraph Company 7816 Westpark Drive Roanoke, Virginia 22101	Business telegrams sent after H.O.R. acct. exhausted	10/27/76	1,000.00
Congressional Quarterly Service 1414 - 22nd Street, N.W. Wash., D.C. 20037	One year subscription 1977	10/27/76	215.00

Total of expenditures (this page (optional))	>	3,178.56
Total this period (last page this line number only)	>	3,178.56



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

- (1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.
- (2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.
- (3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.
- (4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.
- (5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(d).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

1155 K STREET, N.W.
WASHINGTON, D.C. 20563

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in



writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

DATE AND TIME OF TRANSMITTAL:

REC'D: 3/1/77

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Representative John Conyers, Jr.

Respondent's Name: Harris for President Committee ("the Committee")

Relevant Statute: 2 U.S.C. §§434(b)(2)(3)(9)(10)(11)(12) and (e), 541a(a)(1)(A)

Internal Reports Checked: Reports of the Committee and Representative Conyers

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Representative Conyers alleged that during the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee. Mr. Conyers contended that the Committee's failure to report these expenditures constitutes a violation of the Act (See Attachment #1).

PRELIMINARY LEGAL ANALYSIS

(1) After several months of volunteer effort by Mr. Conyers in behalf of Fred Harris' presidential campaign, Fred and La Donna Harris met with Mr. Conyers to request that he "play an essential, upfront role in the Harris campaign." (See attachment #2 which sets forth a chronology of Mr. Conyers' involvement in the Harris campaign, attachment #2) At this meeting on December 15, 1975, Mr. Conyers asked about the financial resources of the Harris campaign with

-cont.-

RECOMMENDATION

Find reason to believe; send attached letters.

Date of Next Commission Review:

Preliminary Legal Analysis (cont.)

"regards to his involvement, and Mrs. Harris responds that he does not have not (sic) worry - the committee has an adequate amount for this type of activity." (Supra). Apparently relying on this statement, Mr. Conyers proceeded to act as a spokesman for the Harris campaign, to recruit black campaign workers and supporters for the Committee, and to coordinate certain activities for the Committee in Boston, Massachusetts. (See Attachment #2 in general) During this period the Committee handled arrangements and scheduling for Mr. Conyers and his volunteers (supra., 2/19/76, 2/21/76, 2/23/76), publicly announced plans for Mr. Conyers to campaign on behalf of the Committee (see Attachment #3), maintained daily contact for strategy and scheduling (See Attachment #2, 2/20/76, 2/21/76), and rented a headquarters for use by the Mr. Conyers and his volunteers (supra., 2/25/76).

Following Harris' declaration on April 8, 1976 that he was becoming an inactive candidate, Christine Moore of Mr. Conyers' staff contacted Jim Rosapepe of the Committee. Mr. Rosapepe stated that "Harris has 'every intention' of paying the Congressman for his expenses, as soon as his (Harris) 'direct expenses' are covered." (Supra., June/July 1976). On October 19, 1976, Dennis J. Whittlesey, an attorney for the Committee, notified Mr. Conyers

that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

(See Attachment #4)

(2) Mr. Conyers has sufficiently alleged that he was expressly,

apparently, or impliedly authorized to either make expenditures on behalf of the Committee or to make an in-kind contribution of his services to the Committee. Yet an informal examination of the Committee's records has failed to reveal any instances where Mr. Conyers' disbursements were reported as expenditures by the Committee or debts owed by the Committee. 2 U.S.C. §434(b) (9) (10) (11) (12). It is also possible that since "the Act operates to treat all expenditures placed in cooperation with or with the consent of a candidate, his agent, or an authorized committee of the candidate as contributions. . . , Buckley v. Valeo, 424 U.S. 1, 47 n. 53 (1976), that Mr. Conyers' disbursement of \$16,171.32 is an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee. 2 U.S.C. §§434(b) (2) (3) and 441a(a) (1) (A). Accordingly, the Committee should be requested to provide information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, and the Committee's reasons for concluding that the expenses incurred by Mr. Conyers were independent expenditures.

(3) Mr. Conyers apparently has reported at least \$275.44 as being expended by one of his campaign committees in connection with Conyers' associates in Massachusetts. (See Attachment #5 Report of Friends of Congressman John Conyers, December 2, 1976.) However, Mr. Conyers has not otherwise reported any of the disbursements allegedly incurred in connection with his activities in the Harris campaign. Thus, if Mr. Conyers expenditures were made independently from the Committee, as alleged by Mr. Whittlesey, then

Mr. Conyers has failed to report as required by 2 U.S.C. §434(e). In the alternative, if Mr. Conyers made these disbursements not as an agent of the Committee but with the Committee's cooperation and consent, then he made an in-kind contribution to the Committee in excess of the Act's limitations. 2 U.S.C. §441a (a)(1)(A). Accordingly, Mr. Conyers should be requested to provide additional documentation to support his view that he was authorized to incur these expenditures on behalf of the Committee.



FEDERAL ELECTION COMMISSION

1011 K STREET, N.W.
WASHINGTON, D.C. 20541

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

(1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.

(2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.

(3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.

(4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.

(5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Friedman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437a(d)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION

1100 STEELEN W
WASHINGTON, D.C. 20543

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. 4334(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 434(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in



writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEE
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Attachment # R
Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

DETROIT OFFICE
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-226-7022

MUR 372

February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

770865

Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress
Enclosure

Week of-----
12/15/75

Fred and LaDonna Harris meet at their request with Conyers at his Congressional Office in Washington, D.C., and ask him to play an essential, upfront role in the Harris campaign. In addition to seeking Conyers' advice on strategy and organizing, the Harrises ask him to commit himself to speaking on Harris' behalf wherever needed throughout the country, and to help him recruit skilled black campaign workers and supporters. Conyers asks about the financial resources of the campaign in regards to his involvement, and Mrs. Harris responds that he does not have not worry - the committee has an adequate amount for this type of activity. Dr. James Garrett, of Conyers' staff, takes notes on the meeting. At the close of the meeting, Rick Davis repeats the request for Conyers' participation to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the Public Service Employees Hall in Detroit. Mrs. Harris tells the Congressman the campaign needs assistance in the New England primaries. (See Exhibits P and G)

2/18/76 ----- Conyers discusses strategy and his possible role in the New Hampshire primary with various key staffers at the Harris For President Headquarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers' campaign worker, Fred Droze, director of scheduling for the Harris For President Committee, offers to handle travel, lodging, meal, and rental car arrangements for Conyers and his volunteers. Droze relays tentative schedule of events planned for the Congressman, and arranges for staff person to pick up Conyers and his two volunteers upon arrival at the Airport in Manchester.

Immediately after arriving, the party is taken to The Harris For President Committee Headquarters where they meet with Jim Hightower, campaign manager of the Harris For President Committee, and Droze. Droze gives Conyers a four-day schedule of campaign events set up especially for him; one day in New Hampshire to fill in for LaDonna Harris, who has become sick, and the remainder in the Boston area. (See Exhibit H) Hightower explains that they felt the bulk of Conyers' time should be spent in building up support for Harris in Boston, where there are larger concentrations of black voters, than in New Hampshire.

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2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues on authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressmen and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

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2/21/76 (cont.)

On this date, Conyers' volunteers began working directly and on a daily basis with Charles Duncan, the National Minority Affairs Coordinator for the Harris For President Committee. Duncan states he assisted the Congressman and his volunteer staff, participated in the formulation and execution of the Congressman's strategy, and daily briefed Ford, the state coordinator, on these activities.

Duncan arranges for Conyers' volunteers to work on telephone bank at Harris' city headquarters in Boston, and helps the staff to compile a list of black leaders and potential Harris supporters to be invited to a reception the Congressman plans on the behalf of Harris. Duncan also aids the volunteers in compiling a list of ministers at whose churches the Congressman will speak.

2/22/76----- Ford assigns Pete Dillon, a paid Harris staffer, to be Conyers' chauffeur and guide to the Boston black community. Through coordination with the Harris For President Committee the Congressman speaks to church audiences during services while his volunteers and Harris staff and volunteers leaflet other churches.

2/23/76----- Conyers and aide fly to New Hampshire at the request of state coordinators who set up press conferences and appearances in Lebanon, Dartmouth, and Hanover. Conyers and aide fly back to Boston where the Congressman follows the schedule prepared by the Harris For President Committee and attends several receptions in the home of key black Harris supporters. - news media invited. (See Exhibit H)

Conyers' campaign workers search for available and suitable storefront office for a Harris For President Headquarters in the black community, map out precincts and compile a list of voters in the black community, and prepare list of persons to be invited to Parker House Hotel reception. First batch of telegram invitations go out.

2/24/76----- The Congressman talks on the telephone to Jim Hightower in Manchester regarding problem of getting adequate funds from Ford for rental of selected storefront office for Harris For President Headquarters in Roxbury, Mass. (See Exbt. H)

¹Statement of Charles Duncan in December 2, 1976 telephone conversation with Caristine Moore.

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2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of invitations to reception goes out.

2/25/76-----

Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black community, Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76-----

Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign's strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafleting over the weekend in 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

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2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, A Harris supporter, and sends out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers does a radio spot ad to be played on

²From notes taken at the meeting by Christine Moore and Suzanne O'Neil.

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2/28/76 (cont.)

Stations he recommended to Hightower. The committee pays the cost of the ad.

Conyers and 3 volunteers attend Harris reception in Sheehy's home in Springfield, and provide the refreshments.

2/29/76-----

Conyers' volunteers and Duncan coordinate a speaking tour of black churches by LADONNA Harris, and introduce her and hand out literature.

Conyers speaks at church amnesty rally at the request of the Harris For President schedulers.

Conyers' volunteers and Duncan operated telephone bank geared to minority voters, and address and stamp envelopes designated for Harris fundraising event or solicitation.

3/1/76-----

Three Conyers' volunteers assist Springfield Headquarters in planning election day activities.

Conyers and the 13 other volunteers organize primary election day operation for Roxbury headquarters, and operate telephone bank.

3/2/76-----

Conyers and volunteers supervise primary election day operation out of the Roxbury headquarters, including such activities as printing up and distributing poll watcher challenger cards, payment for the compensation and food of workers, and compiling election results.

Conyers' volunteers in Roxbury and Springfield watch polls, provide voters with transportation, and acquire sound system for campaign mobile unit (car rented for use of Conyers and volunteers) on streets of black community. Harris staffers invite and escort the Congressman and his volunteers to Harris' election night gathering.

3/3/76-----

Conyers' volunteers close up Roxbury headquarters. The Congressman meets with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris For President Committee.

With the exception of two Conyers' volunteers who are given the job of completing all closing arrangements, the Congressman and the rest of his volunteers return home.

Harris personally sends Conyers a telegram that states: "Before our campaign begins to gear up for

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3/3/76 (cont.)

Illinois and New York, I want to first extend my deepest appreciation to you for all your work and support on my behalf in New England. Your invaluable assistance is a great asset to my campaign and I thank you again for your confidence and willingness to speak out on the issues."
(See Exhibit N)

Week of
3/8/76

Conyers speaks to Harris on the telephone to arrange meeting to discuss reimbursement of expenses for Roxbury headquarters, himself and volunteers. Schedule conflict prevents meeting.

Week of 3/15/76

-- Conyers meets with Harris at Chicago hotel headquarters. Harris advises Conyers of change of strategy, that due to diminishing resources and increasing deficits he will drop out of the next two primaries to concentrate on the primary in Pennsylvania.

March '76

----- Duncan contacts a Conyers' campaign aide to request that the Congressman provide names of persons who can help the campaign in Pennsylvania.

March/April '76

----- Stephanie Soline, a national scheduler for the Harris For President Committee, relays through Christine Moore their request to have the Congressman appear on Harris' behalf at the March 28 Progressive Voters' League Annual Tea in Texas, and offer to pay his airfare in advance. When the Congressman receives a conflicting invitation to represent Harris at the Americans For Democratic Action annual dinner in Pennsylvania, Fred Droze advises Ms. Moore that the engagement in Pennsylvania should take precedence over any event in Texas. (See Exhibit O) Conyers accepts.

Additionally, Ms. Soline makes numerous other calls to Ms. Moore to request that the Congressman also appear on Harris' behalf in Baltimore, Md.

4/8/76

----- Harris announces he has become an "inactive candidate."

5/26/76

----- Conyers calls Harris in regard to reimbursement of his expenses and expenditures, and is told to have an aide contact Jim Rosapepe, A Harris For President staff person handling the campaign deficit.

5/27/76

----- Ms. Moore calls Rosapepe who requests a breakdown of the New England expenses.

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6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.

June/July '76 ----- Ms. Moore and Rosapepe discuss the expenses on the telephone. Rosapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."

September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.

Christine Moore contacts the firm and attorney Dennis Whittlesey tell her to send him a breakdown of the expenses and expenditure.

October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.

10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.

10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit F)

1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

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1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

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NEWS RELEASE

ATTACHMENT #3

FRED HARRIS FOR PRESIDENT '76

For release:
Friday, February 20 A.M.

718 BOYLSTON STREET, BOSTON, MA 02116, 617/262-95

Contact: Winston Emmons (617) 262-9550
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

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ATTACHMENT #4

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS CALAMIT WASHINGTON

TWX 710 822-9285

OCT 21 1976

October 19, 1976

HENRY H. TALLAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
LINDA KURIAN

R. CLYDE HARGROVE
OF COUNSEL

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01 499-3112
CABLES CALAMIT, LONDON

The Honorable John Conyers, Jr.
2444 Rayburn House Office Building
Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

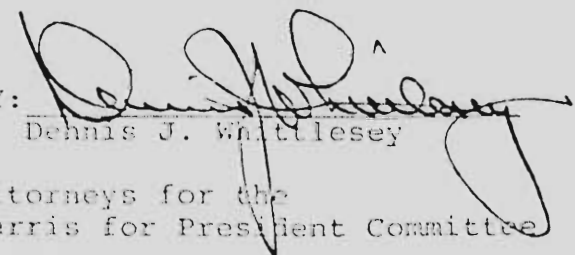
In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.

On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY: 
Dennis J. Whittlesey
Attorneys for the
Harris for President Committee

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which is made voluntarily, and is not a result of duress, coercion, and is not a confession in violation of an obligation of confidentiality.

(c) The Commission shall have the authority to conduct an investigation if it has reasonable cause to believe that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939. A complaint shall be filed in writing and signed, and shall be sworn to and returned, and shall be sworn to and returned, and shall be sworn to and returned.

§ 111.11—COMPLAINT PROCEDURE

- 111.11.1. Purpose.
- 111.11.2. Complaint form.
- 111.11.3. Filing a complaint.
- 111.11.4. Complaint procedure.
- 111.11.5. Confidentiality.
- 111.11.6. Disposition of complaints.
- 111.11.7. Disposition of complaints.
- 111.11.8. Disposition of complaints.
- 111.11.9. Disposition of complaints.
- 111.11.10. Disposition of complaints.
- 111.11.11. Disposition of complaints.
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- 111.11.14. Disposition of complaints.
- 111.11.15. Disposition of complaints.
- 111.11.16. Disposition of complaints.
- 111.11.17. Disposition of complaints.
- 111.11.18. Disposition of complaints.
- 111.11.19. Disposition of complaints.
- 111.11.20. Disposition of complaints.

§ 111.1. Scope.

These regulations provide procedures for promoting possible violations of the Federal Election Campaign Act of 1971, as amended (2 U.S.C. 1131, et seq.) and chapters 98 and 99 of the Internal Revenue Code of 1939 (26 U.S.C. 2101, et seq.)

§ 111.2. Complaint form.

(a) Any person may file a complaint with the Commission setting forth grounds for believing that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939. A complaint shall be in writing and signed, and shall be sworn to and returned.

- (b) A complaint shall contain:
 - (1) The full name, address, and telephone number of the complainant.
 - (2) A clear and concise statement of the facts which are alleged to constitute a violation of the Act.
 - (3) Any documentation of all items of the complaint available to the complainant.
 - (4) An affidavit that the person filing the complaint is a resident of the United States and that the information given is true and correct to the best of his knowledge and belief.

§ 111.3. Filing procedure.

The General Council shall determine the procedure for filing complaints and

with the Commission and report to the Commission on the finding and legal basis for the possible violation. On the part of the General Council, report shall be made to the subject of the complaint and shall be made by the agreement of a majority of its members. A violation shall be held to exist if the General Council, by a majority of its members, shall find that the person named in the complaint has violated the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.4. Notification.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.5. Investigation.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.6. Consideration.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.7. Conciliation.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.8. Conciliation.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.9. Conciliation.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.10. Conciliation.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

conciliation agreement can be reached, he or she shall prepare a report for the Commission which sets forth the reasons for the failure to obtain a conciliation agreement.

§ 111.11. Conciliation agreement.

When the Commission has determined that a person has violated the Act or chapter 98 of the Internal Revenue Code of 1939, the General Council shall, by a majority of its members, determine the appropriate action to be taken. Such action shall be taken in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.12. Civil penalties.

The Commission, on the recommendation of the General Council, may impose civil penalties for a violation of the Act or chapter 98 of the Internal Revenue Code of 1939. Such penalties shall be imposed in accordance with the provisions of the Act or chapter 98 of the Internal Revenue Code of 1939.

§ 111.13. Service of subpoenas and notices of depositions.

The Chairman or the Vice Chairman shall have authority to require the attendance and testimony of witnesses and the production of documents and other tangible evidence upon persons by the General Council.

Any party may request the General Council to subpoena particular persons or evidence, but such subpoenas shall not be enforceable as a matter of right.

§ 111.11. Depositions.

In any proceeding or investigation, the Commission, upon written notice, may order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths.

§ 111.12. Service of subpoenas and notices of depositions.

Service of a subpoena or notice of deposition upon a person named therein shall be made by delivering a copy to that person at the address described by paragraphs (b), (c), and (d). Fees for one day's attendance and mileage shall be tendered as specified in § 111.14.

Whenever service is to be made upon a person who is represented in the pending proceeding by an attorney, the service may be made upon the attorney.

Delivery of a copy of a subpoena or notice of deposition and notice of the time to a natural person may be made by handing them to the person or leaving them at his office and the latter in charge thereof, or leaving them at his dwelling place or usual place of abode with some person of suitable age and discretion then residing therein or mailing them by registered

7374003337



Vertical text or markings on the left side of the page, possibly bleed-through from the reverse side.

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEES
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

DETROIT OFFICE
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-226-7022

February 24, 1977

MUR 372

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

7-00005

Dear Mr. Oldaker:


I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,


John Conyers, Jr.
Member of Congress
Enclosure

CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE
ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

- 7 2 0 4 0 0 1
- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
- 4/12/75----- Conyers arranges Harris coffee cohosted by Dave Chaney, president of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, and sends letter of invitation to his friends (See Exhibit B).
- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
- 5/1/75----- Harris sends Conyers thank-you letter in which he states, "I look forward to working with you closely." (See Exhibit D)
- 9/10/75----- At the request of Rick Davis, deputy campaign coordinator for daily operations of the Harris For President Committee, Conyers' volunteers assist the campaign by distributing flyers, and through arranging details of a Harris meeting at the Summit Athletic Club in Detroit.
- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

Week of----- Fred and LaDonna Harris meet at their
 12/15/75 request with Conyers at his Congressional
 Office in Washington, D.C., and ask him
 to play an essential, upfront role in the
 Harris campaign. In addition to seeking
 Conyers' advice on strategy and organizing,
 the Harris ask him to commit himself to
 speaking on Harris' behalf wherever needed
 throughout the country, and to help him
 recruit skilled black campaign workers
 and supporters. Conyers asks about the
 financial resources of the campaign in
 regards to his involvement, and Mrs. Harris
 responds that he does not have not worry -
 the committee has an adequate amount for
 this type of activity. Dr. James Garrett,
 of Conyers' staff, takes notes on the meeting.
 At the close of the meeting, Rick Davis
 repeats the request for Conyers' participation
 to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the
 Public Service Employees Hall in Detroit.
 Mrs. Harris tells the Congressman the campaign
 needs assistance in the New England primaries.
 (See Exhibits F and G)

2/18/76 ----- Conyers discusses strategy and his possible
 role in the New Hampshire primary with various
 key staffers at the Harris For President Head-
 quarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers'
 campaign worker, Fred Drooze, director of
 scheduling for the Harris For President
 Committee, offers to handle travel, lodging,
 meal, and rental car arrangements for Conyers
 and his volunteers. Drooze relays tentative
 schedule of events planned for the Congress-
 man, and arranges for staff person to pick
 up Conyers and his two volunteers upon arrival
 at the Airport in Manchester.

Immediately after arriving, the party is
 taken to The Harris For President Committee
 Headquarters where they meet with Jim Hightower,
 campaign manager of the Harris For President
 Committee, and Drooze. Drooze gives Conyers
 a four-day schedule of campaign events set up
 especially for him; one day in New Hampshire
 to fill in for LaDonna Harris, who has become
 sick, and the remainder in the Boston area.
 (See Exhibit H) Hightower explains that they
 felt the bulk of Conyers' time should be
 spent in building up support for Harris in
 Boston, where there are larger concentrations
 of black voters, than in New Hampshire.

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2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues an authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressmen and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

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2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of Invitations to reception goes out.

2/25/76-----

Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black community, Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76-----

Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign's strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafleting over the weekend in 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

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2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, a Harris supporter, and sends out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers does a radio spot ad to be played on

²From notes taken at the meeting by Christine Moore and Suzanne O'Neil.

3/3/76 (cont.)

Illinois and New York, I want to first extend my deepest appreciation to you for all your work and support on my behalf in New England. Your invaluable assistance is a great asset to my campaign and I thank you again for your confidence and willingness to speak out on the issues."
(See Exhibit N)

Week of
3/8/76

Conyers speaks to Harris on the telephone to arrange meeting to discuss reimbursement of expenses for Roxbury headquarters, himself and volunteers. Schedule conflict prevents meeting.

Week of 3/15/76 --

Conyers meets with Harris at Chicago hotel headquarters. Harris advises Conyers of change of strategy, that due to diminishing resources and increasing deficits he will drop out of the next two primaries to concentrate on the primary in Pennsylvania.

March '76

Duncan contacts a Conyers' campaign aide to request that the Congressman provide names of persons who can help the campaign in Pennsylvania.

March/April '76

Stephanie Soline, a national scheduler for the Harris For President Committee, relays through Christine Moore their request to have the Congressman appear on Harris' behalf at the March 28 Progressive Voters' League Annual Tea in Texas, and offer to pay his airfare in advance. When the Congressman receives a conflicting invitation to represent Harris at the Americans For Democratic Action annual dinner in Pennsylvania, Fred Droze advises Ms. Moore that the engagement in Pennsylvania should take precedence over any event in Texas. (See Exhibit O) Conyers accepts.

Additionally, Ms. Soline makes numerous other calls to Ms. Moore to request that the Congressman also appear on Harris' behalf in Baltimore, Md.

4/8/76

Harris announces he has become an "inactive candidate."

5/26/76

Conyers calls Harris in regard to reimbursement of his expenses and expenditures, and is told to have an aide contact Jim Rosapepe, A Harris For President staff person handling the campaign deficit.

5/27/76

Ms. Moore calls Rosapepe who requests a breakdown of the New England expenses.

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6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.

June/July '76 ----- Ms. Moore and Rosapepe discuss the expenses on the telephone. Roseapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."

September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.

Christine Moore contacts the firm and attorney Dennis Whittlesey tell her to send him a breakdown of the expenses and expenditure.

October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.

10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.

10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit D)

1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

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1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

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EXHIBIT A

FRED R. HARRIS

1104 WAVERLY WAY
MCLEAN, VIRGINIA 22101
(703) 356-1670

February 12, 1975

The Honorable John Conyers
U. S. House of Representatives
Washington, D.C. 20515

Dear John:

Thanks a million for your good call and for your expression of friendship and willingness to be helpful. I will be back in touch with you or Stan Bach on your staff about helping me set up a meeting where I could discuss my campaign with prospective supporters in Detroit.

John, I am a great admirer of yours and of what you are doing, so it was especially gratifying to hear from you. I will be back in touch.

Warmest personal regards,



FRED R. HARRIS

FRH/mt

7804000000

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

EXHIBIT B

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

COMMITTEES
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
331 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

12 April, 1975

Dear Friend:

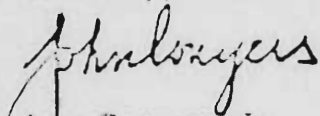
Please join me, Dave Chaney, President of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, Friday, April 25, when we will have an opportunity to meet my good friend, Fred Harris, former U.S. Senator, currently seeking the Democratic nomination for President. The occasion will be an informal coffee session at 8:00 P.M. at the Amalgamated Clothing Workers Union Hall, 1550 Howard near Trumbull, in downtown Detroit.

Fred Harris was born into a sharecropping family, worked his way through school and into the legal profession. He served eight years in the Oklahoma State Senate, another eight in the U.S. Senate, and launched significant new reforms to broaden the party base as Chairman of the Democratic National Committee in 1969 and 1970.

His proposals toward restructuring the internal revenue code, as well as his positions on many other vital matters, are unique and imaginative.

Of course acceptance of this invitation in no way constitutes an endorsement. All we ask is that you join us on this occasion.

Sincerely,



John Conyers, Jr.
Member of Congress

EXHIBIT C

30 April 1975

Mr. Dave Chaney, President
Amalgamated Clothing Workers Union
1550 Howard Street
Detroit, Michigan 48226

Dear Dave:

I'm writing this letter to again thank you for co-hosting the coffee session for Fred Harris.

I'd also like to compliment both you and your staff for arranging the setting to reflect the comfortable, homelike style which has become Senator Harris' trademark. Although Friday night is a very competitive time, well over one hundred people came to hear him speak, and responded enthusiastically to what he had to say.

I am sure Fred appreciates the time and effort you gave to making Friday night such a success.

With warm regards,

John Conyers, Jr.

sl

September 13, 1975

Paul Harris
1104 Beverly Way
McLean, Virginia 22101

Dear Paul:

Since I brought you into Detroit, your campaign has been steadily moving in an upward direction. Even the press, as much as they would like to, cannot ignore this fact, which suggests that you are doing far better than they imply.

Nothing makes me feel better about the prospects in '76 than a candidate who advances people issues.

Could it be that more of our citizens than were previously imagined are getting fed up with governmental lawlessness and corporate rip-off? To me, the answer is clearly yes and it is on those prospects that your candidacy stands.

You breathe life into this the party, no choice system, and like a breath of fresh air in the electoral process, you are talking about the things that need to be discussed. I hope you will continue to raise the question of Full Employment in the context of the '76 election, because to me the struggle for economic justice is a political issue.

A resolution of who is going to provide jobs for everybody in this country who needs work is an issue which has been ducked for thirty years.

Finally, let me say that you are a person for whom I have the utmost respect and admiration. You are dedicated to serving all but a few in this country instead of serving but a few.

Sincerely,

John Conyers, Jr.
Member of Congress

EXHIBIT F

CONGRESSMAN CONYERS DETROIT SCHEDULE

FRIDAY, FEBRUARY 13, 1976 THRU TUESDAY, FEBRUARY 17, 1976

CONTINUED:

MONDAY, FEBRUARY 16, 1976

ACCEPTED 8:00 P.M., Congressman Conyers will introduce Mrs. LaDonna Harris
at the Public Service Employees Hall, 2604 4th at Grand River.

TUESDAY, FEBRUARY 17, 1976

CONFIRMED Congressman Conyers will be returning to Washington. Northwest
Flight # 316 Departing Detroit at 8:00 A.M. and Arriving in
Washington at 9:17 A.M.

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EXHIBIT G

A Diamond in the Rough?

BY TERRY ZINTL
Free Press Staff Writer

To read the campaign brochures, LaDonna Harris is the perfect wife for former Sen. Fred Harris, an ideal running mate for the populist, activist campaign he is waging for the Democratic presidential nomination.

A Comanche Indian, she is a founder and director of *Americans for Indian Opportunity*. She has been involved with the National Women's Political Caucus, the National Organization for Women, the Office of Economic Opportunity, the Urban League, the Urban Coalition. She was the first wife of a senator to testify before Congress.

Mrs. Harris' credentials are so impressive that when Congressman John Conyers introduced her to an audience in Detroit this week he suggested she might make a better candidate than her husband.

But in fact, Mrs. Harris is not an accomplished political performer. She seems nervous in front of an audience and appears to be much more at ease in private than she does in public. In an ag-

when we have come to expect smooth, highly polished candidates' wives, Mrs. Harris is rough around the edges.

Her present political activism doesn't come naturally. Like many women, LaDonna Harris has been working at becoming her own person.

"I've become enlightened as I grew and became involved," she said. "I was literally a stoic Indian at one time."

Mrs. Harris, 45, was raised by her Indian grandparents on a farm in southwest Oklahoma; Comanche was her first language. She met Fred Harris in high school and married him his sophomore year at the University of Oklahoma.

Detroit Free Press

for and about Women

Thursday, Feb. 19, 1976 • 1-C

Harris is an energetic, ambitious man who was so involved with politics that he ran for state representative while still in law school. He later became the youngest state senator in Oklahoma history.

Mrs. Harris credits her husband for helping her with her development. "I could have been stifled by him, but he was very encouraging," she said. Harris used to try out his speeches on her and he urged her to get out of the house and represent him.

Mrs. Harris became an activist in the early '60s at a conference at the University of Oklahoma on black-white and labor-management problems. She said she was

astonished that no one at the conference had thought about Indian problems, despite the large number of Indians living in the area.

But she was even more upset at her inability to express herself. She became so frustrated, she said, that she broke out crying "at my own inarticulateness, at my inability to say what I felt and to make them understand how I saw the problem."

From that experience came an Indian advocacy group connected with the Office of Economic Opportunity. Mrs. Harris later became a member of the women's advisory board to OEO and testified before Congress.

If Harris is elected president, Mrs. Harris said she would use her position to remain active working for Indian and women's causes.

But she said her major effort would be to try to help the country "break out of the law and order mentality, alleviating the fears that people have about themselves and the country. You'd have to do things to demonstrate a sense of openness and trust. I'd almost like to take down the fence around the White House."

EXHIBIT H

JOEL FONTANA - MAAS SCHEDULE

Friday, Feb. 20

11:00 a.m. Press Conference, Grand Rooms W. M. I. & 2

1:30 p.m. Depart for Dover, Claremont rd

9:00 p.m. Arrive Boston

Tentative tour of Roxbury clubs with Fred Perry

Community Trained Divisions

Saturday, Feb. 21

a.m. open tentative - 3 elderly homes in the South End.
One sponsored by the Church Community

3:15 p.m. Jerry Jobson interview, Ra8p #110

9:00 p.m. Depart for Youngstown

Sunday, Feb. 22

10:51 Arrive Logan

11:30 a.m. Temple Israel, Swanscott

937 Humphrey St., Swanscott

Contact: Helen Kaplan, 595-6635

Breakfast Candidates Forum

Afternoon--

Tentative: 12th St. Baptist Church, Roxbury, Rev. Michael Rivers

Contact: Mrs. Small/Church St. 442-7854

Barbara Johnson, 742-7426

Tentative: Walk Through Boston

with Jack Backman and

John Harrington

780400330

JOHN CONNORS-MACE SCHEDULE

Tuesday, Feb. 24.

Early Afternoon: Arrive in Boston

Tentative: Tour of Freedom House, Roxbury
Contact: Barbara Johnson, 282-9050

7:00-9:00 p.m. Reception at Anna Lewis School of Fine Arts,
Roxbury. Board member meeting and other meetings of
community. Contact: Gwen Richards 482-8826

Evening: Election Night Party in Cambridge at
Home of Libby Holmans

7304003330

JOHN CONYERS--MASS SCHEDULE

Monday, Feb. 23

8:00 a.m. Depart for D.C., Logan Airport

Early afternoon: arrive in Boston

4:45 p.m. N. E. Law School Forum
126 Newbury St.
Boston, Mass..

Contact: Anna Linnemann, Steve Levine, 232-7411

Tentative: NAACP
(Atkins and Guscott)

Tentative: J. Byrnes
Civil Rights Div. HEW

Tentative Harvard event

Contact: Don Lehmann, #321-3339 498-5949

6:00-7:30 p.m. Tentative: House Party/ Ed Costa
36 Vineyard Road, Newton

8:00-9:00 p.m. House Party at home of Peter & June Spackman
650 Center St., Newton
Contact: Mark Solomon, 969-5571

9:00-10:00 p.m. House Party at Toby Lippman
89 Jordan Road, Brookline

Contact: Joanne Bloomsack, 566-0685

79040011600

NEWS RELEASE

FRED HARRIS FOR PRESIDENT '76

For release:
Friday February 20 A.M.

715 BOYLSTON STREET, BOSTON, MA 02116, 617/252-96

Contact: Winston Emmons (617) 262-9650
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

- 30 -

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

EXHIBIT J
FRED HARRIS
FOR PRESIDENT '76

2/21/76

Christine:

Enclosed please find article re: Mr. Conyers' visit to Clare yesterday. We were all so pleased to have him here and only sorry that campaign chaos did not allow for a more gracious and expensive brand of hospitality.

The visit provided us with the news-worthy item that our local campaign efforts needed right at the moment; i.e. we got a local shot at radio & newspaper despite Carter's presence yesterday & Bayh's today.

Warmest wishes to the Congressmen,
yours truly, Suzanne & Conrad

Betty Hoyle
Clare Co Coordinator
Box 275 Hurricane Rd
Keene, N.H.

effort gets help

By DAVE KRIEGER
Eagle-Times Staff

CLAREMONT — "The Congress cannot function with an opposite party executive. You'll always have a Democratic majority in Congress so you've got to have a Democratic President. If you're going to have a Democratic President, you ought to have the best one."

In this election year, that's the analysis of Congressman John Conyers Jr., D-Mich., and he is doing something about it.

Conyers has decided the best candidate is former Oklahoma Sen. Fred Harris, and the Detroit representative



Rep. Conyers

will be in New Hampshire campaigning for Harris today and Monday.

Why Harris? "The whole idea of populism and privilege being seriously raised in a Presidential election is quite novel," Conyers said during a Claremont stop Friday. "Taking the elitism out of the Presidential contest, de-mystifying it, is extremely important."

Conyers did not, apparently, have a hard time choosing Harris. "Most of the candidates are phony, they're self-seeking," he said. "From that point of view they have to be dismissed out of hand."

Conyers is the second member of Congress to come to Sullivan County on behalf of a Presidential candidate. Congressman Paul N. "Pete"

Harris aided in campaign bid

Continued

McCloskey, R-Calif., was here pushing President Ford's campaign a week ago. Harris is "expressing confidence in the average voter," Conyers said at the Goodwin Community Center Friday night. "The rest are saying 'If we can see the usual political stratagems more artfully than our competitors, we'll win the most votes.' His candidacy refutes that premise."

"The risk and the gamble that he took is paying off," Conyers said. "The American people are saying they're tired of the usual nonsense that characterizes Presidential elections." What about other candidates? The liberals, Conyers said cater to the "elitist" part of the electorate, "the intellectuals."

And former Georgia Gov. Jimmy Carter, the peanut farmer said to be the front-runner in the New Hampshire contest? "I wouldn't give you three peanuts for Jimmy Carter, but neither will anybody else when this thing is all over," Conyers said. Conyers said Carter's "temporary popularity is because he is trying to be all things to all people," but he said that strategy is already failing.

The congressman also said he does not see Hubert Humphrey walking away with this year's Democratic nomination. "In my view, Hubert Humphrey is through," he said. "He knows what I know... if he got into any of the primaries, he'd be destroyed."

Conyers argued that the Harris campaign differs from those of Eugene McCarthy and George McGovern in 1968 and 1972, because the Oklahoman is "able to draw from a wide spectrum of the voters, would be 'walking' between liberals and everything in between. They are struck by the uncommon candidacy of Fred Harris."

A Republican Conyers sat beside on his plane trip east, was an example, the Detroit congressman said. The Republican traveler told him he would vote for Ronald Reagan, but that if the former California Governor didn't make it past the convention, he would be ready to vote for Fred Harris.

"Harris' style appeals to them more than his ideology isolates him from the..." Conyers said.

"In the next two weeks we're going to lose some Democratic aspirants and Harris will not be among them," he predicted.

Conyers conceded Carter and Arizona Congressman Morris Udall might defeat Harris in the New Hampshire primary, but predicted Harris would beat Indiana Sen. Birch Bayh, despite the fact the Bayh "has spent five or six times as much" on the campaign.

From an ideological point of view, Conyers argued, Harris is the only candidate with the proposals to get the country out of its present economic depression. "We are on the edge of a depression, and we need a program that the government would take control of it, and they're correct."

"Common sense and rational evaluation would allow Fred Harris to whip the socks off of any of the other candidates," Conyers said. "There is every reason to suspect Harris can get the nomination and defeat Ford."

He argued other candidates sense that and are trying to pick up some of the Harris issues. "It's clear—all the other candidates are trying to sound like Harris. That's just the highest form of flattery."

Harris, said Conyers, "is banking the voters will sort out the real from the unreal."

Exhibit J
ATTACHMENT

Handwritten notes:
Sullivan County
N.H.

212376

EXHIBIT K

Howard Hawkins
Rene A. Lina [unclear]

10:00 am	Arrive at Lebanon Airport
10:00 to 10:15 am	The Upper Valley Shopping Plaza, Lebanon
	(leafletting, handshaking, etc.)
10:30 to 10:30 am	Drive to Lebanon
10:30 to 11:00 am	Press Conference in Lebanon Courthouse
11:30 am 12:30	Visit the Senior Citizen Center in Lebanon in the Carter Community building
11:30 to 11:45 am	The Lebanon Hall (leafletting, handshaking, etc.)
11:45 to 12:30 pm	Community Reception of the Lebanon Fire Station (coffee served)
12:30 to 12:45 pm	Drive to West Lebanon
12:45 to 1:00 pm	West Lebanon Business District (leafletting, handshaking, etc.)
1:00 to 1:45 pm	Community Reception at West Lebanon Fire Station (coffee served)
1:45 to 2:00 pm	The Upper Valley Shopping Plaza, West Lebanon
2:00 to 2:45 pm	Drive to Thermal Dynamics
2:45 to 3:00 pm	Thermal Dynamics (leafletting, handshaking, etc.)
3:00 to 3:00 pm	Drive to Dover
3:45 to 4:00 pm	Dover Business District (leafletting, handshaking, etc.)
4:00 to 4:00 pm	Dorset - Hitchcock Farmers' Reception, Webster Hall
4:00 to 4:00 pm	Drive to Lebanon Airport
5:00 pm	Leave Lebanon Airport

(Axe?)

If elected I shall go to New Hampshire
 If elected I will go to Lebanon

VERMONT 6600
 STATE NEW HAMPSHIRE ..
 POPULATION
 INCLUDING WEST
 LEBANON 9

AND has a certificate of official registration
 for being designated as a Bicentennial Community
 by the American Revolution Bicentennial Commission
 [Signed John D. Warner] Wash DC

TO: MR. CONCERNED
FROM: G. FORD
RE: CONGRESSMAN CONYERS WALK

for cables

PURPOSE:

The campaign walk is designed primarily to call attention to Congressman Conyers support of Fred. It is the sort of event which TV and the press will normally cover on a Saturday. The fact that Cong. Conyers is making this effort demonstrates the depth of his commitment.

PARTICIPANTS:

In addition to Cong. Conyers, Senator Jack Backman, highly respected liberal from Brookline, will participate. The Harris committee will provide leaflets, leaflets and a sound truck. Cong. Conyers staff will accompany him.

LOGISTICS:

The participants with the exception of Cong. Conyers will assemble at Harris Headquarters, 715 Boylston St., at 9 AM. We will proceed from there to Braddock and Columbus Ave. in the South End, and leave from Braddock and Columbus at 10 AM. Proceeding down Columbus to Mass Ave, turn right on Mass Ave., and proceeding down Mass Ave to Harvard Square, the last point on the route. Leafleters will work both sides of the street.

7304003351

SCHEDULE FOR CONGRESSMAN JOHN COFFEY, JR.

Tuesday, February 14, 1974

1:30 p.m. Congressman arrive at Logan Airport Delta #210. Steve Dillon meet Congressman at airport and bring to Parker House Hotel or other convenient location to telephone Jim Hightower in Manchester (603/029-0844) about finance for Roxbury headquarters. Next Congressman to contact Pedro Cotton (445-3577) to verify rental of Roxbury headquarters at 2163 Washington St.

Lunch break

3:15 - 4:15 Meeting with representatives of the Department of Justice, Community Relations Service to discuss Judge Garrity's busing order and other matters of interest. Contact: Ed McClure /223-5170 (o) 232-3539 (r). Place: 100 Summer St., Room 1920, Boston.

4:30 - 5:30 Meeting with Michael Mawema, Organizational Secretary, 74-babe African National Union. Contact: Jerry Iobson, WILD radio, 267-1900 (o) 277-4234 (r). Place: WILD radio, 390 Commonwealth.

5:30 - 7:00 Time for dinner, shower and change for

7:00 - 9:00 Elma Lewis Reception at the Elma Lewis School of Fine Arts to meet Balck community leaders. Place: 124 Elm Hill Ave., Roxbury. Contact: Elma Lewis 442-8820.

9:00 - 9:45 Radio interview on WBZ television with Sarah Shaw. Solo interview. Congressman's appearance following Bill Cobham, Republican State Committee and Doris Bundy, Democratic State Representative. Place: 1170 Soldiers Field Road. Contact: Sarah Shaw (757-7018).

5133
get John Coffey from Logan Airport

To Margaret Bookman at Park Square Hertz

2163 WASH ST. AT STREE.

Public Square

EXHIBIT N

MGMPDMT HSA
2-042722E063 03/03/76
ICS IPMMTZZ CSP
2027377000 TDMT WASHINGTON DC 62 03-03 0446P EST
PMS THE HONORABLE JOHN CONYERS

CAPITOL ONE DC

BEFORE OUR CAMPAIGN BEGINS TO GEAR UP FOR ILLINOIS AND NEW YORK, I
WANT TO FIRST EXTEND MY DEEPEST APPRECIATION TO YOU FOR ALL YOUR
WORK AND SUPPORT ON MY BEHALF IN NEW ENGLAND,

YOUR INVALUABLE ASSISTANCE IS A GREAT ASSET TO MY CAMPAIGN AND I
THANK YOU AGAIN FOR YOUR CONFIDENCE AND WILLINGNESS TO SPEAK OUT ON
THE ISSUES

SINCERELY
FRED R HARRIS

16146 EST

MGMPDMT HSA

1

EXHIBIT O

INVITATION EXTENDED THROUGH HARRIS CAMPAIGN

4-6 p.m. Sunday, March 28 PROGRESSIVE VOTERS' LEAGUE
ANNUAL TEA, Dallas, Tex.
(1 Methodist Church)

This group composed primarily of active, influential blacks and some chicanos and whites, of all ages, is the oldest such black organization in the country.

Delegates from the Dallas area will be allowed to speak for 10 minutes for their candidate. They would like to have you be the keynote speaker, and speak for Harris and any other subject with no particular time limit. Harris schedulers say 25-30 people expected, but many more will be drawn by your name.

Texas primary is May 1.

Harris scheduler said they will pay airfare from Baton Rouge where you speak the night before to a law student group. Arrangements can be made for you to freshen up at home of black Harris supporter, Dr. Jesse Jones 214-376-1660. Transportation to and fro airport .

ACCEPT?
YES _____

NO _____

AM. Sunday, March 28

A black official in Beaumont would like to set up some campaign activities there in conjunction with your visit to Dallas.

ACCEPT?
YES _____

NO _____

-CM -

T

23111, 1317

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT WASHINGTON

TWX 710 822-9285

OCT 21 1976

HENRY B. TALLIHERO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
LINDA KURIAN

R. CLYDE HARGROVE
OF COUNSEL

October 19, 1976

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT LONDON

The Honorable John Conyers, Jr.
2444 Rayburn House Office Building
Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

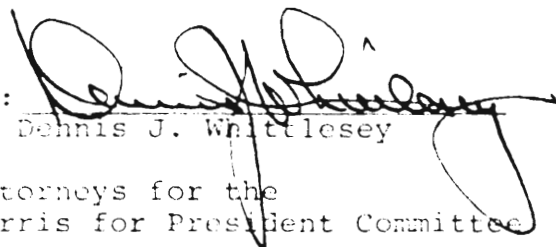
In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.

On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY: 
Dennis J. Whittlesey

Attorneys for the
Harris for President Committee

FRED R. HARRIS

POST OFFICE BOX 1203
CORRALES, NEW MEXICO 87408
(505) 277-5104

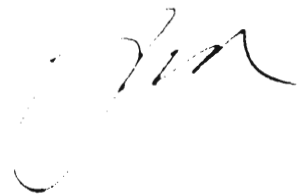
January 31, 1977

Dear John:

Back to teaching after the break between semesters, I wanted to let you know that I received your letter and supporting documents. Naturally, as I said on the telephone, I hope something helpful can be worked out, and I have discussed it with Attorney Whittlesey. Right together with Martha Davis and Ralph Collins, has been acting very much like a receiver in trying to wind up our campaign committee's somewhat distressed affairs.

I have been watching with interest and approval your actions, such as calling for more economic stimulus than that proposed by President Carter. Keep up the good work -- and please know that I appreciate all you did to help me.

Warmest personal regards,



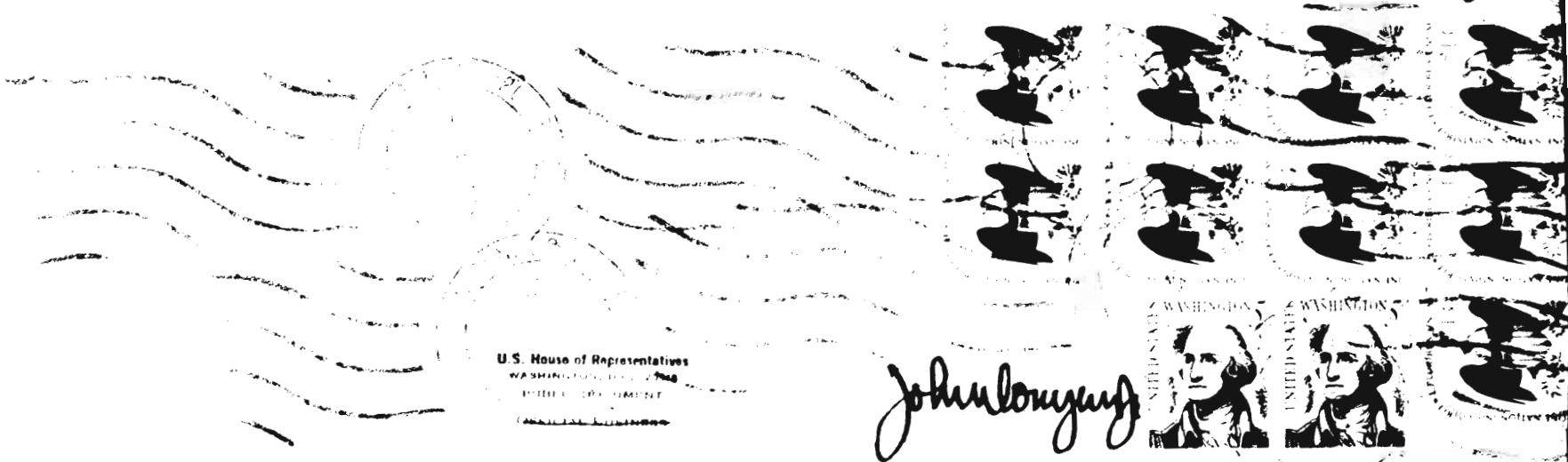
U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS

John



U.S. House of Representatives
WASHINGTON, D.C. 20515
OFFICIAL BUSINESS

John Longenecker

MICHIGAN.

RETURN RECEIPT REQUESTED





FEDERAL ELECTION COMMISSION

1111 K STREET, N.W.
WASHINGTON, D.C. 20543

THIS IS THE END OF PUR # 372





FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 372

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HOUSE OF REPRESENTATIVES
WASHINGTON, D. C. 20515

78040060757



ALWAYS

U.S. POSTAGE
15c
OLIVER
WENDELL
HOLMES



'73 JUN 22 AM 9:45

Mr. William C. Oldaker
General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

TO:

DATE:

FROM:

- | | | |
|---|---|---|
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> IMMEDIATE ACTION | <input type="checkbox"/> RECOMMENDATION |
| <input type="checkbox"/> AS REQUESTED | <input type="checkbox"/> INITIALS | <input type="checkbox"/> SEE ME |
| <input type="checkbox"/> CONCURRENCE | <input type="checkbox"/> NECESSARY ACTION | <input type="checkbox"/> SIGNATURE |
| <input type="checkbox"/> CORRECTION | <input type="checkbox"/> NOTE AND RETURN | <input type="checkbox"/> YOUR COMMENT |
| <input type="checkbox"/> FILING | <input type="checkbox"/> PER OUR CONVERSATION | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> FULL REPORT | <input type="checkbox"/> PER TELEPHONE CONVERSATION | <input type="checkbox"/> |
| <input type="checkbox"/> HANDLE DIRECT | | |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS:

7804006

To be added

to MUR. 372

ACC 317

801565

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

78 APR 6 AM 8:27

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
RICHMOND F. ALLAN
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON
PAUL J. WAH

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK

EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

April 4, 1978

R. CLYDE HARGROVE
OF COUNSEL

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

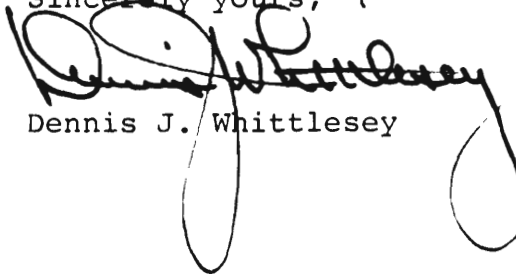
Re: Harris for President Committee
MUR 372 (76).

Dear Judy:

This letter confirms our telephone conversation of March 30, 1978, in which I requested an extension of time for complying with the Conciliation Agreement entered into in the above-referenced matter. As I explained, the year-end report was being forwarded from Austin, Texas, and this had caused a delay in my being able to prepare the appropriate materials.

It is expected that our filing can be completed within the next several days from the date of this letter. We appreciate your consideration in this matter.

Sincerely yours,



Dennis J. Whittlesey

DJW:ced

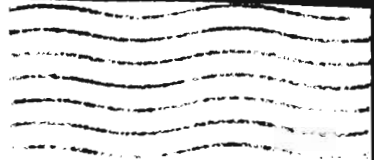
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CASEY, LANE & MITTENDORF

SUITE 802

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006



730409607

APR 27 1973

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463





FEDERAL ELECTION COMMISSION

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

February 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372 (76)

Dear Mr. Whittlesey:

Enclosed is a copy of the conciliation agreement
in the above-referenced matter signed by all parties.
This copy is for your records.

Thank you for your cooperation in this matter.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



700400060761

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7 8 7 4 0 0 3 0 0 1

MUR 372 JB

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered. _____¢
 Show to whom, date, and address of delivery. _____¢
 RESTRICTED DELIVERY
Show to whom and date delivered. _____¢
 RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$ _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Dennis Whittlessey

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
438289

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent
Tadricia Whitte

4. DATE OF DELIVERY POSTMARK
3/3/78

5. ADDRESS (Complete only if requested)
85 Conn Ave

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS



FEDERAL ELECTION COMMISSION

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

February 28, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372 (76)

Dear Mr. Conyers:

The Commission has reached agreement with the respondent, the Harris for President Committee, as to the resolution of the issues in the above case which was initiated by your complaint dated February 24, 1977.

On February 22, 1978, the Commission ratified a Conciliation Agreement signed by an officer of the Committee. A copy of the Agreement is enclosed for your information. Unless violated, the Agreement is a bar to further action by the Commission in this matter.

If you have any questions, please contact Judy Browning, the attorney assigned to this case (202/523-4175).

Sincerely,

William C. Oldaker
General Counsel

Enclosure



77 89 07 44 01 07 63 03 70 50 33

73040033003
73040060761

MUR372 JD

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered. _____
 Show to whom, date, and address of delivery. _____
 RESTRICTED DELIVERY
Show to whom and date delivered. _____
 RESTRICTED DELIVERY.
Show to whom, date, and address of delivery. \$ _____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
John Conyers

3. ARTICLE DESCRIPTION:
REGISTERED NO. _____ CERTIFIED NO. *438274* INSURED NO. _____
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent
Cindy Rosenster

4. DATE OF DELIVERY _____ POSTMARK _____

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: _____ CLERK'S INITIALS _____

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

2002655

BEFORE THE FEDERAL ELECTION COMMISSION

December 7, 1977

In the Matter of)	
)	MUR 372(76)
Harris for President)	
Committee)	

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and noatrized complaint by Congressman John Conyers, Jr., and the Federal Election Commission having found reasonable cause to believe that the Harris for President Committee violated 2 U.S.C. §434(b),

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter "the Commission") and the Harris for President Committee (hereinafter "the Committee"), having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Commission has jurisdiction over the Committee and the subject matter of this proceeding.

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

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7804006001

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1975 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

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78040060766

F. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

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9804006076390

agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: 2/18/78

FEDERAL ELECTION COMMISSION

By: *William C. Oldaker*
WILLIAM C. OLDAKER
General Counsel

Date: January 31, 1978

HARRIS FOR PRESIDENT COMMITTEE

By: *Jim Hightower*
its *Treasurer*

73740066007
78040060758

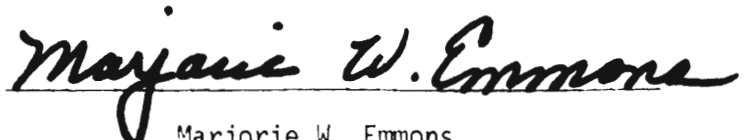
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President)
Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 22, 1978, the Commission accepted the recommendation of the General Counsel that the Commission ratify the Conciliation Agreement in that the Agreement includes an admission by the Respondent that a reporting violation occurred and a provision wherein the Respondent agrees to amend its reports to disclose all of the expenditures in question.


Marjorie W. Emmons
Secretary to the Commission

78040036003
78040060769

February 16, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372

Please have the attached Memo and Conciliation agreement
on MUR 372 distributed to the Commission on a 24 hour no-
objection basis.

Thank you.

78040033010
78040060771
78040060771



FEDERAL ELECTION COMMISSION

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

February 16, 1978

MEMORANDUM TO: The Commission
FROM: William C. Oldaker *William C. Oldaker*
SUBJECT: MUR 372(76) Conciliation Agreement

Attached to this memorandum is a copy of MUR 372's Conciliation Agreement for ratification by the Commission. The Agreement was approved by the Commission on December 15, 1977 (a slight revision was approved on January 6, 1978), and was signed by Respondent's Treasurer on January 31, 1978.

The Agreement includes an admission by Respondent that a reporting violation occurred and a provision wherein Respondent agrees to amend its reports to disclose all of the expenditures in question.

I recommend that the Commission ratify the attached Conciliation Agreement.

73040060772



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BEFORE THE FEDERAL ELECTION COMMISSION

December 7, 1977

In the Matter of)	
)	MUR 372(76)
Harris for President)	
Committee)	

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the Federal Election Commission having found reasonable cause to believe that the Harris for President Committee violated 2 U.S.C. §434(b),

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter "the Commission") and the Harris for President Committee (hereinafter "the Committee"), having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Commission has jurisdiction over the Committee and the subject matter of this proceeding.

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

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 78040060773

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1975 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

78040060791

F. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers.

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

73040053011
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agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: _____

FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: January 31, 1978

HARRIS FOR PRESIDENT COMMITTEE

By: Jim Highower
its Treasurer

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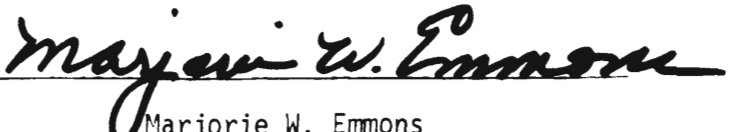
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Harris for President)
Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on February 7, 1978, the Commission accepted without objection the Interim Status Report dated January 31, 1978.



Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

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

February 7, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *MWE*
SUBJECT: MUR 372 (76) - Status Report dated January 31,
1978

The above-mentioned document was circulated to the
Commissioners on February 3, 1978 at 10:00.

There were no objections to the Status Report.

ATTACHMENT:
Certification

78010060778



February 2, 1978

MEMORANDUM TO: Marge Emons
FROM: Elissa T. Garr
SUBJECT: MUR 372

Please have the attached Status Report on MUR 372 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

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78040060779

BEFORE THE FEDERAL ELECTION COMMISSION

January 31, 1978

In the Matter of)	
)	
Harris for President)	MUR 372(76)
Committee)	

STATUS REPORT

On December 15, 1977, the Commission approved a conciliation agreement in which Respondent Harris for President Committee ("the Committee") admitted to a violation of 2 U.S.C. §434(b) and agreed to amend its reports to show it had made certain expenditures.

A copy of the agreement was sent to the Committee's counsel, who suggested a slight revision in one of the provisions. This revision was approved by the Commission on January 6, 1978, and forwarded to the Committee's counsel for signature.

We have not yet received the signed agreement from the Committee. The Committee's counsel has indicated, in a telephone conversation on January 27, 1978, that a Committee officer had been sent the agreement for final approval and that counsel was quite certain that the signed agreement would soon be submitted to the Commission.

2/1/78
DATE

William C. Oldaker
William C. Oldaker
General Counsel

78040060780
301

CASEY, LANE & MITTENDORF

SUITE 802

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

730400607

Judith Browning, Esquire
Office of the General Counsel
Federal Election Commission
1235 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

January 6, 1978

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue N.W.
Washington, D.C. 20006

Re: MUR 372(76)

Dear Mr. Whittlesey:

Enclosed is a revised page four of the proposed conciliation agreement, as requested by you in a telephone conversation with Judy Browning of our staff. She has indicated to me that you believe your client will sign the agreement with the new language in paragraph X.

Please have an authorized person sign and return the agreement to the Commission's Office of General Counsel. After the agreement has been formally approved by the Commission and signed by the General Counsel, a copy will be sent to you.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Date: _____

FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: _____

HARRIS FOR PRESIDENT COMMITTEE

By: _____
its _____

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MUR 372 BROWMAN

PS Form 3811, Apr. 1977
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 5.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered.
 Show to whom, date, and address of delivery.
 RESTRICTED DELIVERY
Show to whom and date delivered.
 RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Dennis Whittley
815 CONO. AVE NW
WASH DC 20006

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
944100
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

4. DATE OF DELIVERY 11/11/78 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 6, 1978, the Commission adopted the recommendation of the General Counsel to approve the following revisions to the proposed conciliation agreement in the above-captioned matter:

PARAGRAPH X

- From: X. Nothing herein shall be construed as an admission that the Committee, Fred Harris, or any of their agents, are responsible to any creditor for expenditures made by Mr. Conyers.
- To: X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION

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

January 6, 1978

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *mwe*
SUBJECT: MUR 372 (76) - Proposed Changes in Conciliation Agreement

The above-mentioned document was circulated to the Commissioners on January 4, 1978.

As of 9:00, this date, no objections to the proposed changes have been received in the Office of Commission Secretary.

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FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO : The Commission
FROM : William C. Oldaker *WCO*
SUBJECT : Conciliation Agreement for
MUR 372(76)

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On December 15, 1977, the Commission approved a proposed conciliation agreement in which respondent Harris for President Committee ("the Committee") admitted to a violation of 2 U.S.C. §434(b) and agreed to amend its reports to show it had made certain expenditures.

A copy of the agreement was sent to the counsel for the Committee, who has asked that a slight revision be made in the language of paragraph X, page 4. The proposed change is as follows:

- from: X. Nothing herein shall be construed as an admission that the Committee, Fred Harris, or any of their agents, are responsible to any creditor for expenditures made by Mr. Conyers.
- to : X. Nothing herein shall be construed as an admission that any debt or expenditure of Mr. Conyers is a debt of the Committee, Fred Harris, or any of their agents.



Counsel for the Committee has assured me that if this change is made the Committee will sign the agreement. We believe that the change does not affect the provisions of the agreement that are of most importance here, and we recommend that this revision be approved.

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FEDERAL ELECTION COMMISSION

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

December 20, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372(76)

Dear Mr. Whittlesey:

In accordance with the provisions of 2 U.S.C. §437g (a) (5) (A), I am enclosing a proposed conciliation agreement which was approved by the Commission on December 15, 1977.

If this agreement is satisfactory to your client, the Harris for President Committee, please have an authorized person sign and return it to the Commission's Office of General Counsel. After the agreement has been signed by the General Counsel, a copy will be sent to you.

If you have any questions, please call the attorney assigned to this matter, Judy Browning, at 523-4175.

Sincerely,

William C. Oldaker
General Counsel

Enclosure



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MUR 572 *Bromary*

PS Form 3811, Apr. 1977

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered
 Show to whom, date, and address of delivery
 RESTRICTED DELIVERY
Show to whom and date delivered
 RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$ ____
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Mr. Dennis Whittlesey
Casoy Lane *Smithmont*
815 Cedar Ave. NW
Washington DC *20006*

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
993866

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE Addressee Authorized agent
[Signature]

4. DATE OF DELIVERY POSTMARK
12-21-71

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

BEFORE THE FEDERAL ELECTION COMMISSION

December 7, 1977

In the Matter of)
Harris for President) MUR 372(76)
Committee)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and noatrized complaint by Congressman John Conyers, Jr., and the Federal Election Commission having found reasonable cause to believe that the Harris for President Committee violated 2 U.S.C. §434(b),

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter "the Commission") and the Harris for President Committee (hereinafter "the Committee"), having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

I. The Commission has jurisdiction over the Committee and the subject matter of this proceeding.

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

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

A. The Committee is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.

D. Between February 1975 and March 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

E. During the period of these contacts, campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.

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F. The Committee states that it has never been presented with bills or invoices for the costs by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

IV. Expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be expenditures by the Committee subject to the reporting requirements of 2 U.S.C. §434(b).

V. Any failure of the Committee to report to the Commission expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).

VI. Accordingly, the Committee will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the Commission to have been "authorized" by the Committee. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list \$16,171.32 as expenditures, it may also indicate that this amount is in dispute with Mr. Conyers

VII. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this

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agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. The Committee shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the reporting requirement contained in this agreement.

X. Nothing herein shall be construed as an admission that the Committee, Fred Harris, or any of their agents, are responsible to any creditor for expenditures made by Mr. Conyers.

Date: _____ FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

Date: _____ HARRIS FOR PRESIDENT COMMITTEE

By: _____
its _____

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BEFORE THE FEDERAL ELECTION COMMISSION

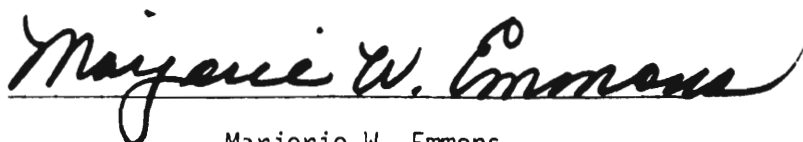
In the Matter of)
)
Harris for President)
)
Committee

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 15, 1977, the Commission determined by a vote of 4-0 to approve the conciliation agreement submitted by the General Counsel in the above-captioned matter.

Voting for this determination were Commissioners Aikens, Harris, Springer, and Thomson. Commissioners Staebler and Tiernan were not present at the time of the vote.



Marjorie W. Emmons
Secretary to the Commission

78040060796

December 9, 1977

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 Team #3 Browning

Please have the attached Interim Conciliation Report on MUR 372 distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of Dec. 15, 1977.

Thank you.

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7804009937036

BEFORE THE FEDERAL ELECTION COMMISSION

December 7, 1977

In the Matter of
Harris for President
Committee

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MUR 372(76)

EXECUTIVE SESSION

DEC 15 1977

INTERIM CONCILIATION REPORT

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Congressman John Conyers alleged that the Harris for President Committee ("the Committee") did not report expenditures he incurred on behalf of the Committee during the New Hampshire and Massachusetts primaries in February and March 1976. After investigating and reviewing submissions from the Committee, the Commission on August 18, 1977, found reasonable cause to believe that the Committee violated 2 U.S.C. §434(b) by failing to report expenditures made by Conyers.

The expenses itemized by Conyers generally include costs of meals, lodging and transportation for Conyers and the volunteers accompanying him. There is a dispute between Conyers and the Committee as to who is responsible for paying the bills.

in the Harris campaign was discussed; a February 1976 meeting that Conyers had with Harris' national campaign coordinator at which it was decided that Conyers' services could be better used in Massachusetts; and a February 20, 1976, meeting at which Harris' national field coordinator and Massachusetts State coordinator met with Conyers and attempted to make campaign plans for Conyers. This, in view of the facts here, precludes the expenditures from being characterized as "independent" within 2 U.S.C. §431(p), although we recognize that there appears to be a legitimate dispute between Conyers and the Committee as to who is responsible for certain payments to creditors.

We have attempted to conciliate this matter with the Committee, and after a lengthy negotiating process, the Committee has agreed in principle to sign the attached conciliation agreement. The agreement includes an admission by the Committee that a reporting violation occurred and a provision wherein the Committee agrees to amend the reports to show \$16,171.32 in expenditures. There is also a provision stating that there is a dispute between

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The Committee has stated that no bills were ever submitted by Conyers for the amounts allegedly spent; that on occasion Conyers suggested that he would raise the funds to cover certain costs; that some campaign events for which the expenditures were made were not held on behalf of Mr. Harris' candidacy but instead were either publicity events for complainant or events held on behalf of presidential candidates in addition to Mr. Harris; and that Conyers was expressly told there was no money to pay for some activities he proposed. Affidavits submitted by six of the Committee's officers maintain that Conyers was repeatedly denied requests for advances in contemplation of incurring certain expenditures during the New Hampshire and Massachusetts primaries, and that the Committee's dismal financial condition was frequently discussed with Conyers or his staff. These arguments are apparently offered by the Committee to prove that the expenditures by Conyers were "independent."

On the other hand, it is undisputed by the parties involved that on a number of occasions Harris, Conyers, and/or their staffs communicated and cooperated regarding the Harris campaign. The contacts included: a December 1975 meeting of Harris and Conyers where Conyers' role

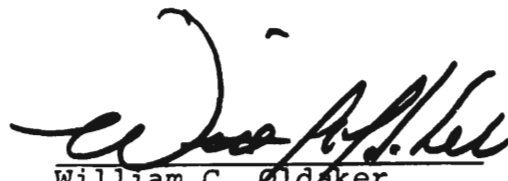
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Conyers and the Committee concerning the exact amount spent¹ and on whose behalf some of the activities for which expenditures were made were carried out; and a provision allowing the Committee to indicate on its amended reports that the Commission's finding is not conclusive on the question of who must pay creditors for the expenses. In view of the facts here, including the Committee's insistence that it is not responsible to creditors for some or all of the expenditures and did not receive bills from Conyers for the expenditures, the proposed agreement does not require payment of a civil penalty.

Recommendation

Approve the attached conciliation agreement and proceed to get the Harris for President Committee to sign it.

12/8/77
Date


William C. Oldaker
General Counsel

¹No bills have been submitted by Conyers to the Committee, and while the total amount of the expenditures in question is alleged in the complaint to be \$16,171.32 the itemized list submitted by Conyers adds up to \$16,278.88, and an October 1976 claim to the Committee was for the amount of \$18,297.34.

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RECEIVED
FEDERAL ELECTION
COMMISSION

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20008

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

NOV 17 AM 10:29

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
RICHMOND F. ALLAN
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON
PAUL J. WARD

November 15, 1977

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK

EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

R. CLYDE HARGROVE
OF COUNSEL

3343

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73040060802

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

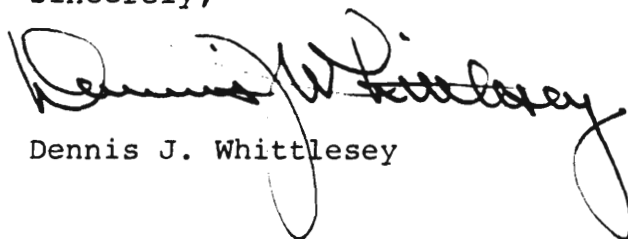
Re: MUR 372(76)

Dear Judy:

This confirms our telephone conversation of November 14, 1977, concerning prospective conciliation of the above-referenced dispute. Specifically, you proposed certain modifications to the most recent draft, and we accept them.

Enclosed is a copy of the draft, as modified, which is acceptable to Fred Harris and the Harris for President Committee. If the Commission approves it, we will promptly have it executed and meet the conditions imposed thereby.

Sincerely,



Dennis J. Whittlesey

DJW:ks

Enclosure

cc: Honorable Fred R. Harris
Harris for President Committee

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the FEC having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a

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Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1975, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.

- E. *During the period of these contacts,* Campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred. ~~However, none of the activities which are the subject of the instant complaint were included in the conversations or contacts referred to paragraph III. D. above.~~

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GENERAL CONDITIONS

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

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F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be subject to the reporting requirements pursuant to 2 U.S.C. §434(b).
- B. That any failure of the Harris for President Committee to report to the FEC expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the FEC to have been "authorized" by respondent. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list these expenditures, it may also indicate that they are in dispute.

7804005304;
78040060805

CASEY, LANE & MITTENDORF

SUITE 802

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

7314000101
780400608
17



Judith Browning, Esquire
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463



FEDERAL ELECTION COMMISSION

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

October 26, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MJR 372 (76)

Dear Dennis:

Pursuant to a telephone conversation which you had with Judy Browning on Friday, October 21, 1977, I am sending to you copies of affidavits submitted by Congressman Conyers on May 23, 1976.

Sincerely yours,

David B. Spiegel
David B. Spiegel
Assistant General Counsel

Enclosures

730400736047
730400608008



372 JB

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- Show to whom and date delivered..... 15¢
 - Show to whom, date, & address of delivery.. 35¢
 - RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢
 - RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: D. Whittlesey
Casey, Lane & Mittendorf
815 Connecticut Ave., N.W.
Washington, D.C. 20006

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.
| 438284 |

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

D. Whittlesey

4. DATE OF DELIVERY | POSTMARK
10-31-77

5. ADDRESS (Complete only if requested)
815 CONN AVE

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

60809001087

October 28, 1977

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 Team # 1

Please have the attached Interim Status Report on
MUR 372 distributed to the Commission and placed on the
Compliance Agenda for the Commission meeting of November 2, 1977.

Thank you.

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ACC # 1830

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

October 17, 1977

HENRY B. TALIAFERRO, JR.
WILLAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON

R. CLYDE HARGROVE
OF COUNSEL

RECEIVED
FEDERAL ELECTION
COMMISSION
177 OCT 18 AM 10 18 53

703024

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK

EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 372(76)

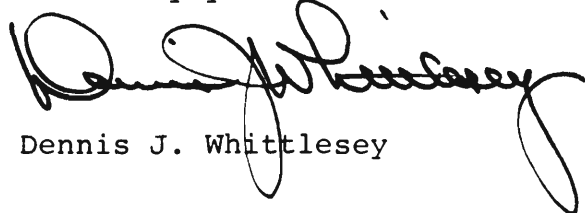
Dear Judy:

Enclosed is a slightly revised draft of the proposed Conciliation Agreement for filing in the above-referenced matter. This is only tentatively acceptable to us, since Fred Harris has not yet approved it; however, I am confident that his changes will be minimal, if there are any at all.

After you have reviewed this draft, we would be interested in knowing your reaction to our changes. As I have stated in several conversations, we feel that the FEC (and, presumably, staff) is wrong in its finding. The definition, both statutory and by regulation, of "independent expenditure" could not be more on point. In fact, the Commission's position seems to have virtually eliminated independent expenditures" from the law; I do not believe that federal courts would, or could, agree.

In any event, you have our latest submission for consideration.

Sincerely yours,



Dennis J. Whittlesey

DJW:ga
Enclosure

cc: (with enclosure)
Honorable Fred R. Harris
Harris for President Committee

730400:3051
78040060812

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 372 (76)
Harris for President Committee)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and the FEC having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a

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Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1975, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.
- E. Campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred. However, none of the activities which are the subject of the instant complaint were included in the conversations or contacts referred to paragraph III. D. above.

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F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., have been deemed by the Commission to be subject to the reporting requirements pursuant to 2 U.S.C. §434(b).
- B. That any failure of the Harris for President Committee to report to the FEC expenditures on its behalf would constitute a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing the expenditures deemed by the FEC to have been "authorized" by respondent. However, the amount of authorized expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the report of the Committee will list these expenditures, it may also indicate that they are in dispute.

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GENERAL CONDITIONS

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters at issue herein or on its own motion may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

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WITNESS the hands and seals of the parties hereto this 14th day of September, 1977.

THE FEDERAL ELECTION COMMISSION

By: _____
WILLIAM C. OLDAKER
General Counsel

HARRIS FOR PRESIDENT COMMITTEE

By: _____

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CASEY. LANE & MITTENDORF

SUITE 802

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

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FILED IN 80000
OCT 18 1977

'77 OCT 18 AM 10:29

Judith Browning, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

October 7, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Dennis Whittlesey
Casey, Lane & Mittendorf
315 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372 (76)

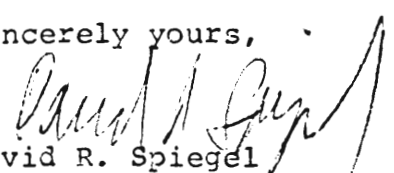
Dear Dennis:

Enclosed is a proposed conciliation agreement which, in our opinion, reflects some of the concerns articulated by you during our September 12, 1977, meeting and in the draft agreement sent to us by you on September 19, 1977.

We intend that this proposed agreement serve as a working draft, and we cannot assure you that the Commission will approve it.

Please contact us within ten (10) days of your receipt of this letter. If you have any questions, please call Judy Browning, the attorney assigned to this case (523-4073).

Sincerely yours,


David R. Spiegel
Assistant General Counsel

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MUR 372 JB

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: D. Whittlesey Casey, Lane & Mittendorf
815 Connecticut Ave., N.W.
Washington, D.C. 20006

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED P.D. | INSURED NO.
 | 438138 |

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
H. G. Ward

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Congressman John Conyers, Jr., and having found reasonable cause to believe that respondent violated 2 U.S.C. §434(b).

NOW THEREFORE, the respective parties herein, the Federal Election Commission (hereinafter, "the Commission") and the respondent (hereinafter, "the Committee") having duly entered into conciliation pursuant to 2 U.S.C. §437g(a)(5), do hereby agree as follows:

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930400

- I. That the Commission has jurisdiction over the respondent and the subject matter of this proceeding.
- II. That respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. That the pertinent facts in this matter are as follows:
 - A. The respondent, Harris for President Committee, is the principal campaign committee for Fred R. Harris, a 1976 Democratic Presidential candidate.
 - B. The complainant is John Conyers, Jr., a Democratic Congressman from the First District of Michigan (which includes the north and northwest portions of Detroit, Michigan) who allegedly incurred

\$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

- C. Mr. Conyers and members of his staff traveled to New Hampshire and Massachusetts in February and March, 1976, during which time they allegedly spent funds or incurred debts on behalf of the Harris candidacy in the amount of \$16,171.32.
- D. Between February, 1975, and March, 1976, Mr. Conyers, Mr. Harris, or members of their staffs had contacts regarding the contemplation of campaign activities to be carried out on behalf of the Harris candidacy.
- E. Some of these contemplated campaign activities were carried out by Mr. Conyers or his staff on behalf of the Harris candidacy, for which certain costs were incurred.
- F. The Committee states that it has never been presented with bills or invoices for the costs incurred by Mr. Conyers or his staff while carrying out activities on behalf of the Harris candidacy.

WHEREFORE, the respondent agrees:

- A. That all expenses incurred on behalf of the Harris candidacy by Congressman John Conyers, Jr., were, in fact, authorized campaign expenditures, subject to the reporting requirements pursuant to 2 U.S.C. §434(b). Such expenditures include only those

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costs for which Mr. Conyers or his agents were not specifically advised that the Committee would not pay.

- B. That failure to include the expenditures made by Congressman Conyers on behalf of the Harris for President Committee constitutes a violation of requirements set forth in 2 U.S.C. §434(b).
- C. Accordingly, the respondent will file an amended report within 30 days of the time this agreement is approved by the Commission, listing \$16,171.32 as authorized expenditures. However, the amount of such expenditures, as set forth in the complaint of John Conyers in this matter, is in dispute. Accordingly, although the reports of the Committee will list these amounts it may also indicate that they are in dispute.

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GENERAL CONDITIONS

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

- B. It is mutually agreed that this agreement shall become effective as to the date that all parties hereto have executed same and the Commission has approved the entire agreement.
- C. It is agreed that the respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and will so notify the Commission.
- D. It is agreed that nothing herein shall be construed as evidence that any debt or expenditure of John Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

WITNESS the hands and seals of the parties hereto this
 day of _____, 1977.

THE FEDERAL ELECTION COMMISSION

By: _____
 WILLIAM C. OLDAKER
 General Counsel

HARRIS FOR PRESIDENT COMMITTEE

By: _____

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 7804006081

Sec # 1532

RECEIVED
FEDERAL ELECTION
COMMISSION

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

77 SEP 19 PM 4:09

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON

R. CLYDE HARGROVE
OF COUNSEL

HAND DELIVERED

September 19, 1977

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

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78040060811

Ms. Judith Browning
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

772784

Dear Judy:

Pursuant to our telephone conversation of Sep-
tember 16, enclosed is the proposed Conciliation Agreement.

Sincerely yours,

Dennis J. Whittlesey

Dennis J. Whittlesey

/res

Enclosure

III. That the pertinent facts in this matter are as follows:

A. The respondent, Harris for President Committee, is the principal campaign committee for Fred Harris, a 1976 Democratic Presidential candidate.

B. The complainant is John Conyers, Jr., a Congressman from the First District of Michigan, who allegedly incurred \$16,171.32 in costs on behalf of the Harris campaign that were unreported by the Committee.

C. Mr. Conyers and members of his staff traveled to Boston, Massachusetts, on or about February 19, 1976, and in the ensuing 13 days allegedly expended funds or incurred debts on behalf of the Harris Committee in the amount of \$16,171.32.

D. The Committee did not direct, authorize or even suggest that any expenditures be made on its behalf, or on behalf of the Harris candidacy, and had no prior knowledge of nor was it party to the formulation of the activities that resulted in the alleged expenditures. To the contrary, Mr. Conyers was repeatedly advised by agents of the Committee that no funds were available and there

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was no chance that funds would become available for the activities he advocated. If any expenditures were made by Mr. Conyers, they were made without cooperation or consultation with Harris or the Committee or their agents, and were not made in concert with, or at the request or suggestion of, Harris or the Committee or their agents.

- E. On or about October 5, 1976, the Committee received a memorandum from Conyers' Congressional staff which outlined a list of expenditures totaling \$18,297.34 and which requested that said expenditures be listed on the Committee's Debt Schedule.
- F. The committee refused to list the alleged expenditures of \$18,297.34 on its Debt Schedule
- G. On or about December 15, 1976, Mr. Conyers sent a letter to the Commission outlining a list of expenditures. Such alleged expenditures totaled \$16,276.88 but an incorrect totalization reflected expenditures of \$16,171.32.
- H. The Committee had never been presented with the December 15 list of expenditures until

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it received a copy of Mr. Conyers' letter of that date to the Commission. The Committee has never received from Mr. Conyers copies of any bills or statements evidencing the alleged expenditures.

- I. On February 24, 1977, Mr. Conyers filed the instant complaint with the Commission.
- J. Subsequent to filing the instant complaint, Mr. Conyers and/or his agents mailed copies of the complaint to at least one of his creditors without receiving written consent of Harris or the Committee to do so, in violation of 2 U.S.C. §437g(a)(3)(B) and punishable under 2 U.S.C. §437g(c).

WHEREFORE, the respondent agrees:

- A. That all expenses deemed by the Federal Election Commission to be reportable by respondent pursuant to 2 U.S.C. 434(b) will be reported by respondent in an amended report filed within 30 days of its receipt of the FEC's determination.
- B. That failure to report the expenditures allegedly made by Congressman Conyers on behalf of the Harris for President Committee did not and does

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not constitute a violation of 2 U.S.C. §434(b).

- C. That it specifically is agreed that nothing herein shall be construed as evidence that any debt or expenditure of Conyers is a debt or expenditure of the Committee or Fred Harris or any of their agents.

GENERAL CONDITIONS:

- A. The Commission on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning motion may review compliance with this agreement. If the Commission believes this agreement or any requirement hereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.
- B. It is mutually agreed that this signed agreement is effective as of the date of its approval by the Commission.
- C. It is agreed that respondent shall have no more than 30 days from the date on which this agreement becomes effective to comply with its requirements and to so notify the Commission.

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D. This agreement shall in no manner be construed as an admission by respondent that any provisions of Federal election law or Commission regulations have been violated.

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CASEY, LANE & MITTENDORF
815 Connecticut Ave. N.W.
Washington, D.C. 20008

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RECEIVED
FEDERAL ELECTION
COMMISSION

77 SEP 19 A 3.59

Ms. Judith Browning
Federal Election Commission
1325 K Street, NW
Washington, DC 20463



FEDERAL ELECTION COMMISSION

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

August 23, 1977

Dennis J. Whittlesay, Esq.
c/o Casey, Lane and Mittendorf
815 Connecticut Ave., N.W.
Washington, D.C. 20006

Re: MUR 372 (76)

Dear Mr. Whittlesay:

This is to inform you that with respect to the above-referenced notice the Commission has found reasonable cause to believe that the Harris for President Committee has violated 2 U.S.C. §434(b) by failing to report \$16,171.32 in campaign related costs incurred by Congressman John Conyers. These costs should have been reported as expenditures by the Harris Campaign.

Pursuant to 2 U.S.C. §437g(a)(5) the Commission shall make every endeavor for a period of not less than 30 days to correct this violation and enter into a conciliation agreement. If the Commission is unable to correct such violation it may after a further determination institute a civil action for relief.

Please contact us after receipt of this notice.

Sincerely yours,

William C. Oldaker
General Counsel

Charles N. Steele
Associate General Counsel

7304003073

7304003083



MWR 372 Browning

PS Form 3811, Nov. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Dennis J. Whittlesay, Esq.
70 Casey Lane, Middendorf
815 Conn Ave NW Wash DC

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943900	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Dawn Andrews

4. DATE OF DELIVERY AUG 24 1978	POSTMARK
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5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS
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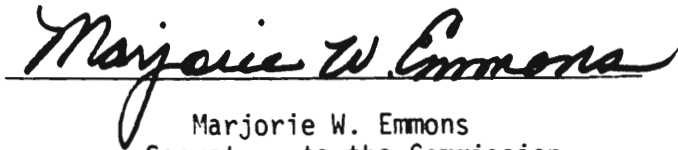
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)

MUR 372 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 18, 1977, the Commission determined by a vote of 6-0 to find Reasonable Cause to Believe that the respondent has violated 2 U.S.C. Section 434(b) in the above-captioned matter.



Marjorie W. Emmons
Secretary to the Commission

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78040060861

August 11, 1977

MEMORANDUM TO: Marjorie Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 (76)

Please have the attached General Counsel's Report on MUR 372 (76) distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of August 18, 1977.

Thank you.

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In the Matter of)
)
)
Harris for President)
Committee)

MUR 372(76)

General Counsel's Report

I. Allegations

This matter involves the question of whether respondent Harris for President Committee ("the Committee") failed to report certain expenditures in violation of 2 U.S.C. §434b(9), (10), (11), and (12). The complaint was brought by Congressman John Conyers, alleging that while campaigning in the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee, which the Committee never reported.

The Harris Committee disputes the allegation, contending that Mr. Conyers exceeded his authorization as a campaigner for Harris by incurring the debts in question. The Committee submits that Mr. Conyers was not authorized to make any expenditures for which the Committee would be responsible and maintains that the \$16,171.32 were independent expenditures under 2 U.S.C. §431(p). If the expenditures are found to be independent, complainant Conyers will have committed a reporting violation under 2 U.S.C. §434(e).

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On the other hand, as we suggest further on in this report, it is possible that the expenses incurred by Conyers were neither authorized Committee expenditures nor independent expenditures made by Conyers, but were contributions-in-kind impliedly accepted by respondent Harris Committee. If the expenditures were contributions-in-kind, the Committee will have committed a reporting violation. 2 U.S.C. §434(b)(2) and (3). In addition, Mr. Conyers will have violated 2 U.S.C. §441a(a)(1)(A) as defined by §441a(a)(7)(B)(i) for making in-kind contributions in excess of the Act's limitations.

II. Commission Action

On April 7, 1977, the Commission found reason to believe that Mr. Conyers disbursements were either unreported expenditures on behalf of the Committee (a violation of 2 U.S.C. §434(b)(9), (10), (11), and (12)) or unreported in-kind-contributions in excess of the Act's limitations which were impliedly accepted by the Committee (a violation of 2 U.S.C. §434(b)(2) and (3) and §441(a)(1)(A)). On May 23, 1977, additional information, including an itemized list of the expenditures in question and affidavits from two of Conyers' staff members were sent to the Commission.

On July 15, 1977, after numerous postponements and delays, the Harris Committee submitted its response to the complaint. The response included documentation (correspondence

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Respondent, on the other hand, contends that the expenditures in question were independent in that the activities and expenditures of Conyers were without the cooperation or consultation of Harris or his authorized committee, and were not in contact with, or at the request or suggestion of, Harris or his authorized committee.

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According to the July 15, 1977, Harris Committee response, all reimbursements for expenditures made by public officials campaigning for Mr. Harris were to be approved in advance by the national campaign organization, and Mr. Conyers did not get the requisite approval. The information submitted by respondent does, however, confirm the existence of many contacts and attempts at coordination between the Committee personnel and Conyers during the time of the New Hampshire and Massachusetts primaries. These contacts include the December, 1975, meeting, where the parties agreed that Conyers would campaign for Harris in New England, as well as a meeting Conyers had with Harris' national campaign coordinator in February, 1976, upon Conyers' arrival in New Hampshire, at which it was decided that his services could better be used in Massachusetts. On February 20, 1976, Harris' national field coordinator and his Massachusetts state coordinator met with Conyers to try to set up campaign plans with Conyers. Around February 25, 1976, Harris' national campaign coordinator again met with Conyers and agreed to pay for telephone lines in a Boston storefront headquarters

Conyers had rented for the campaign. Finally, in March 1976, Conyers and Harris met in Chicago to discuss the Harris campaign.

The essence of respondent's argument seems to be that, while the Committee did attempt to use Conyers' campaign services, Conyers exceeded any minimal authority he may have had to expend committee funds, and that Conyers was made aware of the committee's resistance and inability to finance his activities.

IV. Legal Analysis

Although this matter has been cast by complainant and respondent as one involving the federal election campaign laws, the underlying controversy is a dispute between Congressman John Conyers and the Harris for President Committee as to who should pay certain debts incurred by Conyers while he was campaigning in New Hampshire and Massachusetts. A resolution of this matter is dependent upon the nature of the fiduciary relationship by which the committee confided to Conyers the business to be transacted in the committee's name or on its account, and this relationship is grounded in the commercial or contractual dealings between the two parties. Such a dispute is not within the jurisdiction of the Commission.

A secondary question over which the Commission does have jurisdiction is whether respondent's reports must be

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amended with respect to the \$16,171.32. If the amounts in controversy are independent expenditures, Mr. Conyers would have a reporting obligation (2 U.S.C. §434(e)) while the Harris Committee would have none. However, if the amounts in controversy are either authorized Committee expenditures or contributions-in-kind, they would have to be reported by the Harris Committee (2 U.S.C. §434(b)(9), (10), (11), and (12)). If the amounts are contributions-in-kind, Conyers would be in violation of the Act's contribution limits (2 U.S.C. §441a(a)(1)(A)) for that amount of his expenditures over \$1,000 that fall outside the voluntary activity and travel exceptions in 2 U.S.C. §§431(e)(5)(A) and (D).

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While the Committee submitted evidence that tended to refute Conyers' allegations that respondent had authorized him to make all of the expenditures in question, the Committee did, nonetheless, exhibit a willingness to assist and cooperate with the Conyers' effort when requested to, although that cooperation was rarely financial. Since both Conyers and the Committee have admitted to numerous contacts and communications involving the New England primary campaign, it is our opinion that the expenditures in question would not meet the Act's definition of "independent expenditures." 2 U.S.C. §431(p). Regulation 109.1(b)(4)(i) states that

an expenditure is presumed not to be an independent expenditure when it is based on information about the candidate's plans, projects, or needs provided by the candidate or his agents.

If the expenditures in question are not "independent expenditures," then they are either expenditures authorized by the Committee or contributions-in-kind from Conyers, depending upon the outcome of the disputed claim mentioned above. In either case, a reporting violation by the Committee is indicated. The reporting provisions of the Act require that reports filed with the Commission include "...the amount and nature of debts and obligations owed by or to the Committee." 2 U.S.C. §434(b)(12). According to the Commission's regulations this includes any promises to make expenditures. §104.2(b)(11). The Act defines expenditures to include "...a contract, promise, or agreement, express or implied, whether or not legally enforceable, to make any expenditure." 2U.S.C. §431(f)(2). Thus, the fact that some of the vendors who extended credit to Conyers have not yet been paid does not mean that those debts would not have to be reported by the Committee.

V. Recommendation

Find reasonable cause to believe that respondent has violated §434(b). However, the issue of whether the items in

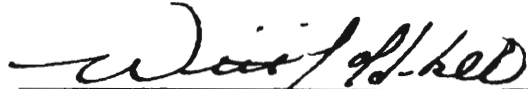
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question were authorized expenditures or contributions-in-kind appears to be a matter that should be resolved by private litigation rather than by the Commission. Accordingly, our conciliation of this matter would take into consideration the fact that the precise reporting form of the disputed costs (as opposed to the need to report the amounts) would be subject to further private litigation.

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8/11/77

Date



General Counsel

Attachment

VOLUNTEER OUT-OF-POCKET
EXPENSES**

% John Conyers, Jr.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Misc. meals, transportation,
and supplies, etc. - 2/19/76
to 3/5/76)-----

\$576.10

TOTAL AMOUNT DUE

\$16,171.32 plus
any interest due
through date of
settlement

**NOTE: Payment for the following items has been advanced
by the Friends of Congressman John Conyers Committee
to the volunteers making the expenditures so they
would not continue to suffer the financial conse-
quences of the delay in reimbursement. The Friends
of Congressman John Conyers Committee will continue
to press these claims on behalf of these individuals.

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JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Poll watchers, refreshments
and other election day misc.
- 3/2/76)----- \$180.00

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Sound equipment, dry cleaning,
reception refreshments -
2/23/76 to 3/3/76)----- \$557.39 plus 1 1/2 %
monthly interest to
date of settlement

JOHN CONYERS, JR
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Air fare, Hotel Room, misc.
expenses - 2/19/76 to 3/3/76)----- \$580.10

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Lennox Hotel, Boston -
Bill for Conyers and 5
volunteers - 2/19/76 to 3/5/76)----- \$473.31 including
\$50.72 in interest
as of 12/15/76 plus
any additional interest
to date of settlement

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(meals for volunteers
in Boston - 2/22/76 to
2/24/76)----- \$80.84 including
\$8.64 in interest as
of 12/15/76 plus
any additional inter-
est to date of settle-
ment

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Hertz Auto Rental - 2/20/76
to 3/3/76)----- \$361.08 including
\$38.72 in interest
as of 12/15/76 plus
any additional inter-
est to date of settle-
ment

AMERICAN EXPRESS
P.O. Box 16000
New York, N.Y. 10008
(Dunfey's Parker House Hotel,
Boston, - Hotel bill for 3
volunteers - 2/23/76 to 3/4/76)----- \$657.79 including
\$70.48 in interest
as of 12/15/76 plus
any additional inter-
est to date of settle-
ment

BANK AMERICARD
P.O. Box 1450
Lansing, Mich. 48904
(air fare, train fare, and car rental
2/19/76 - 3/3/76)----- \$710.36 including \$92.58
in interest as of 12/15
/76 & any additional
int. to date of settle-
ment

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EXPENSES OR EXPENDITURES MADE ON BEHALF OF THE
HARRIS FOR PRESIDENT COMMITTEE

AMOUNT

LINCOLN- DOUGLASS, TRAVEL, INC.
1150-17th St., N.W., Suite 305
Washington, D.C. 20036
(Air fare between D.C. and Boston
for Congressman Conyers and 5 volun-
teers, and between Detroit and Boston
for 11 volunteers - 2/19/76 to
3/5/76) -----

\$2,881.58 plus 1 1/2%
monthly interest through
date of settlement

DUNFEY'S HOTELS & MOTOR INNS
Hampton, New Hampshire 03842
(Hotel bill for Conyers and
13 volunteers at Parker House,
Boston - 2/23/76 to 3/4/76) -----

\$2,261.25 plus any inter-
est through date of
settlement

DUNFEY'S HOTELS & MOTOR INNS
Hampton, New Hampshire 03842
(Reception at Parker House,
Boston - 2/25/76) -----

\$1,039 plus any interest
through date of
settlement

NEW ENGLAND TELEPHONE
P.O. Box 2243
Boston, Mass. 02107
(Business phone installation/
service charge - 2/27/76) -----

\$72.02

WESTERN UNION TELEGRAPH COMPANY
7916 Westpark Drive
McLean, Va. 22101
(Telegram invitations -
2/24/76 and 2/27/76) -----

\$4,967.34

C & P TELEPHONE COMPANY
930 H St., N.W.
Washington, D.C. 20001
(Long distance calls from
2/19/76 - 3/4/76) -----

\$650.00

FAY FOTO SERVICES, INC.
201 South Street
Boston, Mass. 02111
(Photographic services 2/25/76) -----

\$90.00

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Springfield, Mass. Reception-
Refreshments
(2/28/76) -----

\$138.72

G.C. REPORT : ATTACHMENT A

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- 163/ Exhibit F.
- 164/ Exhibit G.
- 165/ Exhibit H.
- 166/ Ibid
- 167/ Exhibit J.

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Garr



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: Marjorie Emmons July 15, 1977
FROM: William C. Oldaker *Bill*
SUBJECT: MUR 372(76)

On July 15, 1977, an Interim Status Report and Subpoena for MUR 372 (76) were sent to you by Elissa Garr to be placed on the July 20, 1977, agenda.

Subsequently, the documents which we intended to subpoena were delivered to the Commission. Therefore, please remove the Interim Status Report and Subpoena from the next agenda.

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RECEIVED
JUL 16 1977
FEDERAL ELECTION COMMISSION



July 13, 1977

MEMORANDUM TO: Marjorie Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 372 (76)

Please have the attached Interim Status Report on MUR 372 (76) distributed to the Commission and placed on the Agenda for the Commission meeting of July 20, 1977.

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MEMORANDUM TO: Commission

July 14, 1977

FROM: William C. Oldaker

SUBJECT: MUR 372(76)

Bill

INTERIM STATUS REPORT

This matter involves the question of whether the Harris for President Committee failed to report certain expenditures in violation of 2 U.S.C. §434. The complaint was brought by Congressman John Conyers, alleging that in the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee, which the Committee never reported.

The Commission, on April 7, 1977, found reason to believe that Congressman Conyer's disbursements were either unreported expenditures on behalf of the Harris Committee or unreported in-kind contributions in excess of the Act's limitations.

A letter was sent to the Committee on May 18, 1977, requesting certain information. The Committee has repeatedly delayed and postponed submission of the requested materials. Therefore, we recommend sending the attached subpoena to the Harris for President Committee.

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FEDERAL ELECTION COMMISSION

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

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

SUBPOENA

TO: Harris for President Committee
815 Connecticut Avenue N.W.
Washington, D.C. 20006

At the instance of the Federal Election Commission pursuant to §437d of Title 2 of the United States Code, you are hereby required to deliver for inspection and copying the following documents to authorized representatives of the Federal Election Commission on the _____ day of July, 1977, at _____ p.m. of that day.

(a) Correspondence, memoranda, and any other documentation providing information of the relationship of the Harris for President Committee to Congressman John Conyers with particular regard to the New Hampshire and Massachusetts presidential primaries;

(b) Correspondence, memoranda, checks, receipts, and any other documentation relating to the amount and nature of the disbursements incurred by Mr. Conyers on behalf of the Harris presidential campaign, with particular regard to the New Hampshire and Massachusetts presidential primaries.



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WHEREAS, the Chairman of the Federal Election
Commission has hereunto set his hand at Washington, D.C.,
this day of July, 1977.

THOMAS E. HARRIS
Chairman

ATTEST:

Secretary to the Commission

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FEDERAL ELECTION COMMISSION

UNITED STATES OF AMERICA
Before the
FEDERAL ELECTION COMMISSION

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In re)
)
HARRIS FOR PRESIDENT) Docket No. MUR 372
COMMITTEE)

RESPONSE OF HARRIS FOR PRESIDENT
COMMITTEE TO COMPLAINT FILED BY
CONGRESSMAN JOHN CONYERS, JR.

INTRODUCTION

This Response is filed on behalf of the Harris for President Committee (hereinafter referred to as "Respondent" or as "National Committee") in answer to a formal complaint filed with the Federal Election Commission ("FEC") on or about February 28, 1977. The complainant is Congressman John Conyers, Jr., a United States Representative from the First Congressional District of Michigan.

This Complaint apparently alleges certain violations of the reporting requirements of the Federal Election Campaign Act of 1971, as amended, ^{1/} although such is not clear from the materials filed by Conyers or Conyers' demands for reimbursement from Respondent. However, the FEC's letter to Respondent of May 18, 1977, declares that the FEC

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has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§ 434(b)(2)(3) and 441a(a)(1)(A)).

So we assume that this is the extent to which the complaint pertains. Certainly, the Harris Committee does not ratify Conyers' debt and will not pay it.

In accordance with Section 439(g)(4), the National Committee has been afforded an opportunity to respond to the Conyers complaint, and the resultant "reason to believe" determination reached by the FEC. Accordingly, the National Committee has directed the preparation and filing of this Response, along with supporting affidavits from the following individuals:

1. James Hightower, Treasurer and National Coordinator for the National Committee;
2. Bert Jay De Leeuw, National Field Coordinator for the National Committee;
3. Richard D. Davis, National Committee's Regional Coordinator for the Middle Eastern States, which region included the State of Michigan;
4. Gary Manning Ford, State Coordinator for the Massachusetts Harris for President Committee (hereinafter referred to as "Massachusetts Committee");
5. Fred Droz, National Director for Advance and Scheduling for the National Committee; and,
6. James Carew Rosapepe, financial manager for the National Committee from March 1976 to September 1976.

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Each of these affidavits provides details on various aspects of the Conyers assertions. It is impossible to provide a sworn statement rebutting or explaining every single item in the Conyers chronology, because--as is clear from the materials here filed--the National Committee had no idea of what Conyers and his entourage were even doing, let alone who was present to witness it! However, Respondent submits that the facts presented herein make it undeniably clear the activities and expenditures of John Conyers were without cooperation or consultation of Fred R. Harris or any authorized committees or agents of Mr. Harris, and were not in concert with, or at the request or suggestion of, Mr. Harris or any authorized committees or agents of Mr. Harris.

Rather, the Respondent submits, the expenditures were "independent expenditures" under Section 431(p). As such, they are reportable by Conyers and not Mr. Harris or any of his authorized committees.

The Relevant Statutory Sections and Regulation

The National Committee has determined, and so-advised Conyers,^{2/} that all expenditures incurred during the Conyers foray into New England constituted "independent expenditures," as defined at Section 431(p). That section provides:

(p) "independent expenditure" means an expenditure by a person expressly advocating the election or defeat of a clearly identified candidate which is made without cooperation or

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consultation with any candidate or any authorized committee or agent of such candidate and which is not made in concert with, or at the request or suggestion of, any candidate or any authorized committee or agent of such candidate;*** [Emphasis supplied.]

In addition, FEC Regulation §109.1 provides in pertinent part:

(a) "Independent expenditure" means an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identifiable candidate which is not made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of such candidate.

(b) For the purpose of this definition--

* * *

(4) "Made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any agent or authorized committee of the candidate" means--

(i) Any arrangement, coordination, or direction by the candidate or his or her agent prior to the publication, distribution, display, or broadcast of the communication. An expenditure will be presumed to be so made when it is--

(A) Based on information about the candidate's plans, projects, or needs provided to the expending person by the candidate, or by the candidate's agents, with a view toward having an expenditure made;

(B) Made by or through any person who is, or has been, authorized to raise or expend funds, who is, or has been, an officer of an authorized committee, or who is, or has been, receiving any form of compensation or reimbursement from the candidate or the candidate committee or agent.

(ii) But does not include providing to the expending person upon request Commission guidelines on independent expenditures.

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(5) "Agent" means any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or means any person who has been placed in a position within the campaign organization where it would reasonable appear that in the ordinary course of campaign-related activities he or she may authorize expenditures. [Emphasis supplied.]

If the expenditures of Mr. Conyers are "independent" under the above-referenced definitions, then they are not reportable by the National Committee. Rather, Mr. Conyers is responsible for filing his own reports under Section 434(e) and Reg. § 109.2(b) and (c). Conversely, if those expenditures are not "independent" then the Respondent did have reporting violations.

ISSUE PRESENTED

Whether the expenditures of John Conyers, totalling \$16,171.32, as outlined in his December 15, 1976, letter to the FEC were "independent expenditures" under Section 431(p), or whether they were expenditures reportable by Respondent under Section 434(b) (9), (10), (11) and (12) or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by Respondent under Sections 434(b) (2) and (3) and 441a(1) (A).

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DISCUSSIONA. The History of Conyers' Assistance to Harris
Prior to the 1976 Primaries.

In 1975, Conyers was asked to assist the Harris campaign after it was learned that he had been making public statements of support for Fred Harris.^{3/} The initial contacts were made by Davis with Conyers' staff, resulting in the coffee for Harris held at Detroit's Summit Club. Davis did virtually all of the work on this function, although he did receive "some assistance"^{4/} from the Conyers staff. It is not true, as Conyers claims,^{5/} that "Conyers' volunteers" assisted with the function in any meaningful way. To the contrary it was Richard Davis--not the Conyers staff--who "set [the event] up."^{6/}

Although he was forced to do much of the work for the Summit Club event "by telephone from Washington",^{7/} Davis didn't give up on his hoped-for assistance from Conyers. He scheduled a coffee on October 31, 1975, and worked in "close cooperation with Conyers' district Congressional staff",^{8/} and specifically with one Nelson Saunders. It was a "disaster", and a "humiliation",^{9/} for the reason that Saunders was diverted to a local election campaign and failed to fulfill his commitment to "produc[e] a crowd".^{10/} The result was that only 10 people were present to hear a man speak who was a candidate for president, and among that

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small number was the candidate himself and people already committed to his campaign. It can be said that the event, which was closely coordinated with Conyers' organization, was a total waste of time and money.

Given the fiasco of the October 31 event, a function which was closely coordinated with the Conyers organization, it is no surprise to see this event not listed on the Chronology. The surprise would have been for Conyers to call attention to the function, for it is clear that he wants to forget it.

But Rick Davis didn't forget . . .

John Conyers was only one of many public officials who the Harris Committee sought out for campaign assistance. And there was a specific policy for handling them, as is made clear by Hightower.^{11/} As he noted, there were specific guidelines for appearances of the so-called "surrogate" speakers:

- (1) that any such activities be coordinated in advance with the national staff, (2) that scheduling be done by the staff or with direct approval of the staff, (3) that any expenditure of money for which we would reimburse the officials would be approved in advance by the national campaign, and (4) that the appearance of the surrogate comport with the overall practices of the Harris campaign (such as minimal pomp and circumstance, few--if any--staff aides and utilization of existing campaign organization and facilities). [Emphasis supplied.]

And these guidelines were not so strenuous that others were unable to follow them; to the contrary, they did follow

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them.^{12/} Hightower specifically cites campaign appearances of Congressman Michael Harrington, and observes:

What Harrington was told was what Conyers was told.

Respondent admits that it wanted and sought John Conyers' help,^{13/} just as it wanted the assistance of any official who might be able to aid the cause. But it was essential that the guidelines be met, because the campaign was critically short on money^{14/} and the impact per-dollar-spent had to be maximized. In fact, had Conyers been part of the Harris campaign he would have been kept out of New Hampshire "in the first place"^{15/} since the voters to whom he would appeal were not in New Hampshire or Massachusetts.^{16/} As Hightower stated, it made "no sense" to spend money to send Conyers to New Hampshire,^{17/} and the feeling was that his presence "could hurt".^{18/} It is clear that the Harris campaign never would have used Conyers in the way that he conducted himself if Conyers had been part of the campaign.

The reception at the National Black Elected Officials Institute of December 15, 1975, is touted by Conyers. He would have been wiser to have given it the same treatment (omission) he gave the October 31, 1975, coffee.

Rick Davis tells the story better than anyone else can: he was involved from the beginning and--for the second time in 45 days--he saw his work with Conyers turn into a humiliation. Davis had worked to arrange for Conyers to

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endorse Harris^{19/} and the Harris campaign universally believed that Conyers would do so.^{20/} It should be made clear that the reception was arranged solely by the Harris campaign and not by Conyers.^{21/} Conyers' sole contributions were the use of his name, the introduction^{22/} and --it was anticipated-- his endorsement.

Conyers did not endorse Harris; he embarrassed and humiliated him, and almost certainly cost him potential support from those in attendance. As De Leeuw said:

Rather than promote Fred Harris' candidacy at this point, Congressman Conyers in fact set it back.^{23/}

And the way he did this was with a rambling diatribe against the Democratic party and various national party figures.^{24/} They included Harris' close personal and political ally, Senator Hubert Humphrey, and other candidates such as Jimmy Carter and Henry Jackson.^{25/} All of this was in the context of "looking for" a candidate blacks should support, since Senator Edward Kennedy was not a candidate, and then Conyers dropped Harris' name with this statement:

I've supported losers before.^{26/}

And, of course, it got no better when he identified LaDonna Harris as someone more familiar to the crowd than was Fred.^{27/}

And these events were the Conyers groundwork before the primaries even began.

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B. New Hampshire

The Conyers arrival in New Hampshire was a surprise to the campaign staff.^{28/} It appears that De Leeuw attempted to line up Conyers for some campaigning in Massachusetts, among other states,^{29/} and he even instructed Gary Ford to give some thought as to how Conyers could be utilized in a "beneficial" manner.^{30/} However, the discussions on Conyers' participation broke down and the Harris campaign concluded that he would not campaign for Harris.^{31/}

But Conyers decided at the last minute not only that he would go to New England, but that he needed a full personal staff. So they went--on short notice, with no prior consultation and no approval from the Harris campaign for Harris funds to pay for the trip. The only advance word was a telephone call advising that Conyers cum entourage was arriving only a few hours later.^{32/} This was February 19, 1976. Hightower acted immediately when he learned of the telephone call, by returning a call to Conyers' staffer Christine Moore and making it clear that anything would have to be cleared with him in advance.^{33/} He learned that Conyers already had campaign plans and "an itinerary."^{34/} This schedule apparently is the same one as that which Conyers claims was prepared for him by Droz.^{35/} However, Droz denies having prepared it and feels that on its face it must have been prepared by Conyers' staff.^{36/} The Hightower

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telephone conversation with Ms. Moore supports Droz's conclusion as to the itinerary's source, since it already existed.

Furthermore, Conyers is incorrect when he asserts that Droz offered to provide lodging, food and transportation.^{37/} Droz flatly denies having done so, citing the fact that the Harris campaign staff was doing without such amenities.^{38/}

In the meantime, Hightower called Harris with this problem, and they agreed that Conyers could injure the effort in New Hampshire; thus, it was decided to divert him to Massachusetts in the most painless manner possible.^{39/} It also should be remembered that the New Hampshire primary was only a few days away and it was critical that any messy incidents be avoided.

So Hightower did what he had to do: he got Conyers out of New Hampshire with the least amount of fuss. And he did so by persuading Conyers that he could be of more value in Massachusetts.

But at the same time--and in that first meeting--Hightower laid bare the campaign's critical shortage of funds.^{40/} In fact, the financial situation was such that it dictated virtually every decision made at this time, and Conyers knew this.^{41/}

So Conyers agreed to move to Massachusetts, or--more important--to get out of New Hampshire. So he left by rental car,^{42/} but not before requesting a driver to take them to Boston, a request summarily denied.^{43/}

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In this initial meeting with Hightower, Conyers never requested any financial support and none was offered; instead, Hightower made clear that the campaign already was "broke and in debt".^{44/}

The Harris campaign was surprised that Conyers went to New England, and Hightower says he "never understood why he [Conyers] did so."^{45/} And maybe De Leeuw had the answer:

[I]t was clear to me that the Conyers political workers were promoting John Conyers first and foremost, and not Fred R. Harris.^{46/}

Certainly De Leeuw's theory is not inconsistent with what transpired.

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C. Massachusetts

So John Conyers hit Boston, much to the relief of those coordinating the New Hampshire primary. Hightower feared having him "running around New England . . . and our not knowing what he was doing", ^{47/} but on February 19, he was faced with the immediacy of the nation's first presidential balloting only days away and a fear that Conyers could cause problems in that all-important first primary. So he did what seemed reasonable: he passed the problem downstream to Ford and De Leeuw in Massachusetts.

It was clear to Ford and De Leeuw from their first meeting with Conyers that he was charting his own course. At Conyers' request, they met him for breakfast on February 20, 1976, for what they believed to be a campaign business meeting. Instead, they sat and watched him eat breakfast ^{48/} and visit with a local black newsman. ^{49/} It gradually became clear that no campaign business would be discussed, so Ford and De Leeuw left before Conyers had even finished eating. ^{50/}

Conyers held a press conference that same day, an event he falsely says was arranged by the Respondent's "national press staff." ^{51/} His own people set it up, made all media contacts and even prepared a press release on his letterhead. ^{52/} Conyers did not attach a copy of his press release to the complaint, and Respondent regrets that none have been located by it. However, Conyers did attach as his

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Exhibit I a copy of the Harris press staff "backup" release prepared at the last minute when it was feared that Conyers' staff might fail to have one.^{53/} It appears that the Harris-prepared release is getting the attention now which it did not receive seventeen months ago^{54/} since its use was not necessary.

Ford's work with Conyers lasted one day. He proposed several events to Conyers' staff on February 20 and late that evening was told that Conyers would do a "walk" the following day. This event is described by Conyers as

a highly publicized walk through
the community^{55/}

an event which was purportedly arranged by Ford and was the subject of a Ford memorandum, attached as Chron. Exhibit L.

First, it is noted that Conyers' staff screened a number of suggestions offered by Ford, a screening process which was at odds with the "surrogate guidelines" already established and previously discussed. Second, the walk was selected by Conyers' staff as having the "best chance of receiving [his] approval" because of the potential for "media exposure".^{57/} And "media exposure" was certainly on his mind; Hightower recalls that Christine Moore mentioned it in their February 19 telephone conversation^{58/} and he used it as an argument in getting Conyers to leave New Hampshire since local television "came from Massachusetts".^{59/} Which brings us back to De Leeuw's observation that Conyers, and not Harris, was being promoted on this junket.^{60/}

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The walk was hastily arranged by Conyers' staff^{61/} and not Gary Ford, as claimed by Conyers. However, Ford did issue an internal memorandum,^{62/} which is Conyers' Exhibit L. Ford also suggested a route and offered personnel.^{63/} However, due to short notice the walk was a "dismal failure"^{64/} since there were few people to see Conyers. In fact, this event, which is touted in the complaint, was one with which Conyers was "not happy"^{65/} and--as a result--Ford had no further communication with the Congressman after February 20. It must be remembered that Ford was the Massachusetts State Coordinator; he was the man with whom Conyers would have had to deal in order to campaign in cooperation or consultation with the Harris organization. Yet, Ford never heard from Conyers again.

Conyers claims that on February 21 he received "authority" from Ford to "locate, establish, and operate a [storefront] headquarters in the black community to serve as the base for the Congressman's efforts."^{66/} What he really got on that date was booted out of not one but two Harris offices by Ford--the state Harris headquarters and the Boston headquarters!^{67/} In fact, if Ford had given the approval claimed, then there would have been no need for Conyers to have called Hightower three days later, as he claims to have done^{68/} (although Hightower does not specifically recall the conversation^{69/}). Ford was forced to ask the Conyers entourage to vacate both places because they were in

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the way, contributing nothing of benefit and running up long distance telephone expenses.^{70/} De Leeuw remembers that they

sat around doing nothing.^{71/}

The request for authorization of a storefront came on February 22 in the form of a Nelson Saunders proposal and request for funding.^{72/} Rather than approve it, Ford denied this item because there was not money for such an expenditure.^{73/} In fact, Ford had already suggested that they operate out of their hotel,^{74/} which apparently was unacceptable to Conyers' staff. Saunders took issue with Ford's financial declaration and intimated that he was not being truthful as to available funds;^{75/} when Ford offered to show his checkbook, the Conyers people said Conyers would raise the money, and they left.^{76/} It was because Ford denied the request of February 22 that Conyers had to call Hightower two days later, and Hightower refused him too!

Repeated demands for money began to come from the Conyers group. First, the storefront, then "street money,"^{77/} then telephones,^{78/} and other "various proposed undertakings".^{79/} Each request was denied.^{80/} But, Conyers still plunged forward, incurring great expenses on a daily basis which he knew Respondent would not be responsible for because he was so told.

And we must remember that the Harris campaign didn't have any idea of what the Conyers group was doing, let alone

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done.^{87/} Hightower's reasoning was two-fold: (1) he could reduce the potential for "vocal dissention" only a few days before the Massachusetts primary and (2) Conyers already had obtained the space (without authorization from the Harris organization) and would have to have telephones if he was going to "accomplish anything".^{88/} Hightower saw this gesture as a way of

avoiding further disruption in a campaign which was only about a week away from election.^{89/}

But this check was for telephones only, and the Conyers Chronology boldly misrepresents that it was also for "rental".^{90/}

De Leeuw, for one, was glad to learn of the storefront's being opened, because this would keep the Conyers group "away from the campaign" and would not interfere with the "regular work".^{91/} This might seem to be a classic case of ingratitude on De Leeuw's part, since Conyers was ostensibly trying to help. But he wasn't helping, he was causing problems, as De Leeuw notes:

There were frequent disputes over money between us and the Conyers staffers, which resulted in their persuading Congressman Conyers to "go over our heads" and personally contact either Jim Hightower ... or Fred Harris himself.^{92/}

De Leeuw's report is supported by the Chronology, showing the February 24 telephone call to Hightower and Conyers' February 27 trek to the Casa Romero restaurant, which will be discussed infra.

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De Leeuw further notes that animosity was developing between the two groups, a situation Hightower hoped to defuse:

The Conyers staff engendered great resentment within our own campaign, because they had become a problem and were demanding special privileges. In light of the messy situation which had developed between the regular staff and the Conyers people, we finally began ignoring them and tried to keep them away from us.^{93/}

The storefront was the final split. After it was opened, the Harris staff almost never saw the Conyers group again. De Leeuw knows of no national Harris official (with one possible exception) who even saw the storefront^{94/} and Ford had only "second hand, at best"^{95/} reports of what they were doing.

The few reports which the Harris campaign did receive were frightening. Conyers brags about attending a reception in Springfield^{96/} (for which he spent \$138.72).^{97/} Much to his dismay, Ford learned about that gathering through the grapevine, and he learned that Conyers pulled another "endorsement" trick, by saying:

There are a lot of good candidates,
Fred Harris is one, Mo Udall is another.^{98/}

With this type of "support", De Leeuw's lack of gratitude is easily understood.

In addition, Ford had tried to work with Conyers and failed:

We made a few proposals for Conyers' campaign appearances, most of which were turned down by Mr. Conyers and/or his staff.^{99/}

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all. One case in point, however, is the February 27 "meeting" he had with Harris at a restaurant and describes in his

Chronology:

Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.102/

Respondent reiterates that there already had been "frequent disputes over money", 103/ and this "meeting" was one of those times that Conyers' staff persuaded him to go directly to Harris with a plea for funds. De Leeuw was at the Casa Romero that evening and recalls what happened. And his account

gives a profoundly different impression than does the Chronology. 104/

Harris was dining with his wife and various national staffers when Conyers entered the restaurant and called Harris from the table for only a couple of minutes. Conyers was not part of this dinner party, but he took the extraordinary step of interrupting dinner under pressure. De Leeuw remembers the occasion quite well:

I understood from Fred Harris' immediate recounting of the discussion [with Conyers] upon returning to the table that Conyers' staff had gone to the Congressman and complained that if he was influential with Fred Harris he should meet with Harris and secure a commitment for money to be used by the Conyers group.*** [Emphasis supplied.]105/

To this, Conyers was again told that there was no money available for his activities. He may, or may not, have mentioned to Harris an appearance at a school of fine arts

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at this time. If such was said, it was not central to the conversation^{106/} and did not have sufficient impact on Harris to be mentioned afterward.^{107/}

But the important point made here is that Conyers has not been forthright with the FEC in his complaint. If the events at the Casa Romero constituted a "political meeting" in Conyers' mind, then his thought processes are widely divergent from ours. This confrontation was the act of a man made desparate by pressure from his staff; it was not the "meeting" described in the Chronology.

And if Conyers' Casa Romero description is misrepresentation, his discussion of the Parker House reception^{108/} is "incredible".^{109/} Four of the attached Affidavits address this event^{110/}, and their accounts all take exception to Conyers' account. And these accounts are consistent with one another.

Ford should have had an inkling when he heard Conyers state during the February 20 breakfast conversation with the newsman that he was having a reception and described it as "his"^{111/} reception and "an event of my own".^{112/} Ford's impression was that it was to be "an event strictly by and for John Conyers".^{113/} And it was exactly that: an event honoring John Conyers! The Affidavits say it best.

Gary Ford states that

The reception ... was nothing but an affair for John Conyers just as he indicated it would be at the breakfast meeting at the Lennox Hotel.^{114/}

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And Bert De Leeuw had the same impression:

John Conyers staged a reception for himself It is my recollection that the telegrams [of invitation] announced a John Conyers reception, and not a reception for Fred Harris. In fact, I do not recall that Fred Harris' name was even on the invitation, and am certain that it was an invitation by John Conyers to various black leaders to come meet him, drink his liquor and eat his food I know that this reception was not [emphasis in the original] in Fred Harris' honor *** [Emphasis supplied.]115/

Had this been an event in Harris' honor, it is inconceivable that Conyers would--or even could--have planned and organized it without working closely with the regular Harris campaign. Yet, the Harris campaign had absolutely no role in this function 116/ and--more importantly--the Harris campaign did not even know that it was occurring until the reception was virtually underway. 117/ In fact, Fred Harris knew nothing about the event and had to be persuaded to attend. 118/

Respondent was not aware that this reception was "in Harris' honor" until Conyers' staff demanded reimbursement for the expenses long after the event had occurred. Droz was in charge of advance and scheduling, yet he never knew that any reception was planned, until late in the afternoon of February 25 when

A Harris volunteer advised ... that Conyers was hosting a reception for all the presidential candidates. I contacted a Conyers staff person told inquire about the reception and was that they (the Conyers staff) had been unable to reach us about the reception. [Emphasis supplied.]119/

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Droz realized that Harris should attend, especially if other candidates were going to be present. But Harris was not easily located. It was the day following the New Hampshire primary and Harris was in the middle of a series of walking tours, ^{120/} rather than resting to prepare for a reception. When finally located, Harris seemed to have no advance knowledge of the reception and announced he would not attend. ^{121/} He then reconsidered and ordered the staff to find out more about the event before he would attend; and, although the answers were not satisfactory, Harris later agreed to go. ^{122/}

And what Harris found was anything but a "400" ^{123/} person crowd there to honor him. The gathering was closer in number to 65 ^{124/} and one of Harris' opponents, Morris Udall, had already attended, ^{125/} been introduced by Conyers ^{126/} and departed. In fact, Udall attended when there were many more people present than Harris saw. ^{127/} And, for this, Conyers wants Harris to pick up the bill and report the expenditure as his!

Young Rick Davis was in awe during this reception, because it wasn't like any political event he had ever attended. Remembering that Davis was used to coffees in Detroit, we turn to his recollection upon entering the Conyers reception:

I recall wondering who was paying for this reception upon seeing (a) the plush room in which it was held, (b) an open bar, (c) all types of cheese and etc. ***^{128/}

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But he knew one thing:

I knew that there was no way the Harris campaign could or would pay for such a thing. This was because we were chronically short of money and it would have made no sense to have sponsored an event of this kind which obviously was wasting great sums of money and was attended by at least one other candidate, and since we were then almost totally out of money.129/

Harris almost didn't attend this event, and finally agreed to go because "a number of important black people would be present."130/ One cannot help but wonder what Conyers would now be claiming if Harris had not finally agreed to attend. One can only speculate, but it is just possible that Morris Udall, and not Fred Harris, today would be filing this Response.

Gary Ford describes the complaint materials filed with the FEC as follows:

The Conyers memorandum of December 15 is a blatant distortion of facts and his claim of \$16,171.32 against the Harris for President Committee is most ludicrous.131/

Certainly Ford's characterization of Conyers' account of various events is supported by the Affidavits filed herein. And although he was not part of the February 26 meeting at the Parker House, 132/ Respondent would adopt his description in regard thereto. As described by Conyers, this meeting appears to have been an important campaign strategy session, involving both the regular campaign staff and the Conyers'

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group. It shows that Conyers was an integral part of the Harris campaign effort in Massachusetts. Given this type of information, it is understandable that the FEC made its "reason to believe" findings outlined in the May 18 letter.

But there is one small hitch: the Conyers description is not true!

This meeting was simply another example of Conyers putting on the "big show", and in the process he humiliated Hightower, De Leeuw and a sports celebrity from whom he was seeking money. ^{133/}

The meeting did occur, although two of the four Harris staffers present had to leave halfway through it to meet responsibilities on a fund-raising concert; given the repeated demands for money from Conyers and his staff over the previous week, it was expected that such was the purpose of the meeting. ^{134/} Conyers may have had this in mind going into the meeting, as he outlined elaborate plans for a campaign to appeal to black votes, citing a budget figure to cover these plans of some \$50,000. ^{135/} There simply was no Harris money to do the things Conyers proposed, and Hightower explained--in as diplomatic and nice a manner as he could muster ^{136/} --that there was no money for such campaign activity. ^{137/}

In the face of Hightower's statements, Conyers insisted that he would pay all of his own expenses and would conduct independent fundraising, ^{138/} citing prospective benefit concerts he would stage. ^{139/} Not only did Conyers

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make it clear that he would pay his own debt, but he made it clear that he had the ability to raise the money without assistance from the Harris campaign. And, at the risk of being redundant, this followed Hightower's clear caveat that Conyers could expect no money from the Harris campaign. Yet, Conyers now claims that he suggested that the Harris campaign could finance the Conyers' effort by staging a fundraiser in the black community after the election. ^{140/}

This is at odds with multiple accounts presented in Respondent's Affidavits.

The fact is that Conyers seems to have forgotten what he did that night. He told Hightower and De Leeuw that he would pay his own way. ^{141/} And then he pulled a real stunt: he produced his own moneyman! De Leeuw tells it well:

Conyers told us that not only did he have the ability to raise money on his own, but that as a matter of fact he had [basketball figure] "Bill Russell in the hotel" who was a big money giver He told us that he would persuade Bill Russell to pay the Conyers expenses. But when Russell arrived, Congressman Conyers turned to Jim Hightower and said, "Jim why don't you tell Bill what we were talking about." [Emphasis supplied.] ^{142/}

So Conyers dumped into Hightower's lap the job of persuading a stranger that he should give a lot of money to Conyers. He tried to deal with an outrageous situation as best he could, although he was shocked at having this done to him. Finally, Conyers

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entered into the conversation and outlined to Mr. Russell that he was undertaking some fundraising to pay his expenses and, in essence, was asking Russell to be the underwriter for his fundraising activity.***
[Emphasis supplied.]143/

The end result was that Russell gave no money at all. 144/

But as shocking as the incident with Russell is Conyers' description of it:

The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.145/

Somehow, Conyers sees it a little differently than does Respondent. But, of course, we must remember that he does owe a lot of money

Speaking of money, Conyers did mention to Hightower that his expenses were mounting "at a precipitous rate". 146/

De Leeuw had the answer: move your entourage out of their sumptuous quarters at the Parker House and into the "dormitory" facilities being utilized by the Harris campaign staff. 147/

Conyers' reply showed his attitude about spartan living conditions:

These are Congressional staff people.148/ implying that they required a certain standard of living above that allowed under the Harris campaign guidelines and affordable under the Harris campaign budget. 149/ But he wants the Harris campaign to pay for it.

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The Massachusetts primary was held on March 2, 1976. And Conyers claims that, on the following day, he met with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris for President Committee. [Emphasis supplied.] 150/

This is another "example" of the integral role Conyers was playing in the Harris campaign. But there is one slight problem in that to this day Respondent doesn't know with whom Conyers met, or that such a meeting even occurred.

There is the possibility that the "key" supporters and staffers consisted of his own entourage and that they talked about the election while eating another large breakfast. But he didn't meet with Harris staffers because they were all on a train en route to Washington, D.C.! 151/

D. The Chicago Meeting.

Conyers reports another meeting he had with Harris at a "Chicago hotel headquarters" during the week of March 15. 152/ This was an ostensible follow-up on his reported telephone call to Harris of a week earlier to discuss "reimbursement" for his expenses incurred in Massachusetts. 153/

The Chronology does not reflect that Conyers actually raised the reimbursement issue, and De Leeuw--who attended that meeting with Harris--makes clear that Conyers did not. To the contrary, he recalls that Conyers "said he was raising his own money and would pay his own debts." 154/ It is

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possible that Conyers intended to do so, but backed off after learning from Harris of the campaign's "diminishing resources and increasing deficits."^{155/}

E. Conyers as a Surrogate.

The Conyers participation was never within the campaign's organized framework. And this point is reflected in his own Chronology, when he reports a telephone call in "March/April '76" from a Harris staffer requesting his presence at an event for which his airfare would be paid by the Harris campaign in advance.^{156/} This is the type of coordination which would have made him a part of the campaign, but it was not found in his New England foray.

F. Post Campaign Demands by Conyers.

The Chronology reflects that Rosapepe admitted the Conyers expenditures were de facto Harris debts.^{157/} Rosapepe never made such a statement, although he did express "hope" that the campaign could assist Conyers in retiring his debt after the campaign's own debts had been paid.^{158/}

Rosapepe did not ratify or accept the Conyers debt:

I never acknowledged Conyers' debts as being the Harris Committee's debts, nor did I ever ratify or adopt them.^{158/}

And any implication or statement to the contrary is false.

The claim was then presented to counsel for the Harris committee,^{160/} except that it was not a demand for the \$16,171.32 sought herein. By letter of October 5, 1976,

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H. The Curious Case of Marcia Elayne.

Included in the packet from Dunfey was a tale of personal woe on the part of Conyers' staff Marcia Elayne. As the correspondence attached as Exhibits C-G reflect, Ms. Elayne had some \$3,000 billed to her personal American Express account by the Parker House and this appears to have been a large portion of the total charges for the 18 members of Conyers' party.^{161/} She looked to Conyers--not Harris--for payment,^{162/} and later persuaded American Express that she should only be billed for her own charges of \$587.31.^{163/} She then advised Dunfey's Credit Manager that she would pay her own charges, and the remainder was then billed back to Conyers.^{164/}

So, Marcia Elayne was left holding the bag for her efforts, and there is no indication that her boss, John Conyers, has tried to help her. In fact, he didn't even list her as a creditor for the purposes of this claim. Respondent submits that this fact is relevant and should be examined by the FEC.

I. The Suzanne O'Neil Debt.

A Conyers staffer named Suzanne O'Neil also ran into debt problems at the Parker House, a matter also revealed in the Dunfey packet. The relevant letters are attached as Exhibits H-J. She received a bill for \$57.22 for conference room rentals, and directed Dunfey to send this to Conyers "to whom payment for all of our staff expenses were to be

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billed".^{165/} She stressed that "this bill, like many others, was signed by me only in the Congressman's behalf as his staff representative." [Emphasis supplied.]^{166/} In other words, it was Conyers'--not Harris'--debt. Conyers confirmed her statements in a letter dated July 2, 1976.^{167/}

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CONCLUSION

The Harris for President Committee rejects Conyers' contentions in toto. There was a time when his support was solicited, but he never became a part of the Harris campaign. Instead, he collected 17 staffers of his own and charged into New England. It is clear when all of the facts are reviewed that his were independent expenditures, and the accountability is his.

The Harris campaign never approved--or even approved of--the money expenditures Conyers made. It would be an incredible travesty for the FEC to now find that these expenditures are chargeable to the Harris campaign.

Respectfully Submitted,
CASEY, LANE & MITTENDORF

By 

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815 Connecticut Avenue, NW
Washington, DC 20006
(202) 785-4949

Attorneys for the Harris for
Committee

Dated: July 15, 1977

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FOOTNOTES

1/ Unless otherwise specifically noted, all references to the "Act" or citations to "Section" are references to this law.

2/ See letter of October 19, 1976, from Respondent's legal counsel to Conyers, attached to Conyers' December 15, 1976, letter to FEC as Exhibit P.

3/ Davis Aff., ¶¶3, 4; Hightower Aff. ¶ 6.

4/ Davis, ¶4.b.

5/ Conyers Chronology entry (Chron.) 9/10/75.

6/ Davis, ¶4.b.

7/ Ibid.

8/ Ibid., at ¶¶4.c., 5.

9/ Ibid.

10/ Ibid.

11/ Hightower, ¶9. Also note the guidelines as spelled out by De Leeuw at his ¶7.

12/ Ibid. ¶10.

13/ Ibid. ¶5.

14/ This fact is not in dispute. Not only do most of the attached affidavits so state, but this fact is conceded by Conyers in Exhibit K to his December 15, 1976, letter to the FEC. In that exhibit, Conyers is quoted as saying that Senator Bayh "has spent five or six times as much" as Harris on his campaign.

15/ Hightower, ¶11.

16/ Ibid., ¶5.

17/ Ibid.

18/ Ibid. ¶11.

19/ Davis, ¶6.

20/ Davis, ¶6; Hightower, ¶7; De Leeuw, ¶9.

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- 46/ De Leeuw, ¶5.
- 47/ Hightower, ¶12.
- 48/ In private conversations with counsel, De Leeuw recalled it as "the biggest breakfast I've ever seen."
- 49/ De Leeuw, ¶10; Ford, ¶6.
- 50/ Ibid.
- 51/ Chron. 2/20/76.
- 52/ De Leeuw, ¶11; Ford, ¶7.
- 53/ Ford, ¶7.
- 54/ In this regard, the FEC might even find the Conyers press release in the Congressman's files. Certainly, his failure to mention this document prepared by his staff is a significant omission!
- 55/ Chron. 2/21/76.
- 56/ Ibid.
- 57/ Ford, ¶8.
- 58/ Hightower, ¶11.
- 59/ Ibid.
- 60/ See fn. 46.
- 61/ Ford, ¶9.
- 62/ Ibid.
- 63/ Ibid.
- 64/ Ibid.
- 65/ Ibid.
- 66/ Chron. 2/21/76.
- 67/ Ford, ¶10.
- 68/ Chron. 2/24/76.

95/ Ford, ¶12.

96/ Chron. 2/28/76.

97/ Chron. Expenses Sheet.

98/ Ford, ¶12.

99/ Ibid.

100/ Ibid.

101/ See, De Leeuw's conclusion at fn. 46 that Conyers was promoting Conyers, not Harris.

102/ Chron. 2/27/76.

103/ De Leeuw, ¶16.

104/ See account of incident in Casa Romero Restaurant at De Leeuw, ¶17.

105/ Ibid.

106/ We term this confrontation a "conversation", since it hardly qualifies as a "meeting" in any sense of the word.

107/ De Leeuw, ¶17.

108/ Chron. 2/25/76.

109/ De Leeuw, ¶20.

110/ De Leeuw, ¶20; Droz, ¶6; Davis, ¶7; Ford, ¶13.

111/ Ford, ¶6.

112/ Ibid.

113/ Ibid.

114/ Ibid., at ¶13.

115/ De Leeuw, ¶20.

116/ Ford, ¶13; De Leeuw, ¶20; Droz, ¶6.

117/ Ford, ¶13; Davis, ¶7; Droz, ¶6.

118/ Davis, ¶7.

119/ Droz, ¶6.

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120/ Davis, ¶7.

121/ Ibid.

122/ Ibid.

123/ Chron. 2/25/76.

124/ Davis, ¶7.

125/ Davis, ¶7; De Leeuw, ¶20; Ford, ¶13.

127/ Davis, ¶7.

128/ Ibid.

129/ Ibid.

130/ Ibid.

131/ Ford, ¶14.

132/ Chron. 2/26/76.

133/ De Leeuw, ¶22. Furthermore, "humiliation" seems to have been a stock in trade of the Conyers staff. We already have noted the double shot given Rick Davis for his efforts: 10 people (including Harris) at a coffee and the debacle before the caucus of black elected officials.

134/ De Leeuw, ¶21; Hightower, ¶16.

135/ Hightower, ¶16.

136/ Ibid. It must be remembered that Hightower and Harris feared an "incident" with Conyers which could have been terribly damaging to the entire campaign effort. It was for this reason that Hightower manipulated the Conyers shift from New Hampshire in the least offensive manner possible. So, too, Hightower tried on February 26 to handle Conyers as gently as possible. So he began by expressing "how much we appreciated the campaigning he was doing for Harris". But his object was to shut down Conyers' demands for money, and he made it clear that there was no money for the Conyers proposals.

In this regard, Fred Droz recalls how clearly Hightower made his point. (Droz, ¶7.) Both Droz and Hightower recount Hightower's supporting his statements by referring to then-current cutbacks already being made in the regular campaign. (See, Droz, ¶7; Hightower, ¶16.)

137/ Hightower, ¶16. Droz, ¶7.

138/ De Leeuw, ¶21.

139/ Ibid. In this regard, a Conyers staffer reported to a creditor by letter dated October 7, 1976, that "Gladys Knight and the Pips have offered to do [a benefit concert] for the Congressman".

140/ Chron. 2/26/76.

141/ De Leeuw, ¶¶2122; Hightower, ¶16.

142/ De Leeuw, ¶22.

143/ Ibid.

144/ Ibid.

145/ Chron. 2/26/76.

146/ De Leeuw, ¶23.

147/ Ibid.

148/ Ibid.

149/ Ibid.

150/ Chron. 3/3/76.

151/ De Leeuw, ¶24; Hightower, ¶17.

152/ Chron. Week of 3/15/76.

153/ Chron. Week of 3/8/76.

154/ De Leeuw, ¶25.

155/ Chron. Week of 3/15/76.

156/ Chron. March/April '76.

157/ Chron. June/July '76.

158/ Rosapepe, ¶4.

159/ Ibid.

160/ Chron. September '76, et seq.

161/ Exhibit C.

162/ Exhibit D.

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JOHN CONYERS, JR.
1st DISTRICT MICHIGAN

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

October 5, 1976

Dennis J. Whittlesey, Esq.
Casey, Lane & Mittendorf
815 Connecticut Ave. N.W.
Washington, D.C. 20006

Dear Mr. Whittlesey:

Pursuant to our telephone conversation this morning, I am enclosing a list of the expenses incurred by Congressman Conyers, volunteers from his staff, and volunteers from Detroit while campaigning for Senator Harris in the New Hampshire and Massachusetts primaries. At the request of Sen. Harris, Mr. Conyers and his volunteers directly advocated the election of Mr. Harris as the Democratic Presidential nominee and incurred the expenses with the full knowledge, authorization, and in consultation with the candidate, his campaign manager and treasurer Jim Hightower or other committee officials. Consequently, it is essential that the committee list in its report and reimburse those expenses in order to comply with the Federal Election Commission's requirements. I will be happy to provide the receipts and any other documentation on the expenses upon request.

This indebtedness has severely interfered with the operation of the Congressman's office, and I am confident Sen. Harris shares our serious concern in resolving it. I would appreciate your assistance in expediting the matter, and am willing to work with you in any way necessary to liquidate this debt.

Sincerely,

Christine Moore

Christine Moore
Staff Aide

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Exhibit A

NEW HAMPSHIRE MASSACHUSETTS PRIMARY EXPENSES INCURRED
ON BEHALF OF SENATOR HARRIS

Airfare for Congressman Conyers, five Washington staff members, . . .	\$4,371.13	
five Detroit staff members, and six Detroit volunteers		
Hotel Rooms and Meals	\$3,271.16	
Harris Reception at Boston Parker House Hotel	\$1,268.88	
Reception at home of Springfield, Mass. lawyer (for Harris).	\$138.00	
Telegram Invitations to Hotel and Springfield Reception.	\$4,960.83	
Telephone installation in hotel room headquarters, service and . . .	\$880.60	✓
long distance calls		
Out of pocket misc. expenses for Mr. Conyers and staff.	\$1,357.26	
Photographer for Boston Parker House Hotel reception.	\$90.00	
Rental cars.	\$1,095.00	
Mobile sound equipment for rental cars	\$364.42	✓
Driver (from Cabbies for Harris Committee) for Congressman Conyers'. .	\$200.00	
instate travel and campaigning		
Office Supplies.	\$70.00	✓
Compensation and food for Poll Workers and other Roxbury volunteers. .	\$180.00	✓
on Massachusetts primary election day		
Air Freight shipping costs for office equipment, misc. items.	\$50.00	✓
<hr/>		
TOTAL AMOUNT DUE.	\$18,297.34	

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JOHN CONYERS, JR.
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Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

February 24, 1977

Mr. T. Houfarge
Corp. Credit Manager
The Dunfey Family's Hotel
and Motor Inns
Hampton, New Hampshire 03842

Dear Mr. Houfarge:

Per your request, I am enclosing a copy of the sworn complaint
Congressman Conyers filed this date with the Federal Election
Commission against the Harris for President Committee, in regards
to expenses incurred in February and March of 1976, during the
New Hampshire and Massachusetts primaries. William C. Oldaker,
General Counsel for the Commission, previously had confirmed in
writing that the Commission would act promptly by initiating an
investigation upon receipt of Mr. Conyers' affidavit. The deter-
mination of the Commission should resolve once and for all the
matter of payment to your company.

Thank you for your patience, and I will keep you advised on
the investigation by the Commission.

Sincerely,

Christine Moore

Christine Moore
Staff Aide

Enclosure

Exhibit B

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

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WASHINGTON, D.C. 20515
PHONE: 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress

Enclosure

Handwritten notes and signatures at the bottom of the page, including a date of 2/24/77.

78040033137
78040060897

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

COMMITTEES:
JUDICIARY

Congress of the United States
House of Representatives
Washington, D.C. 20515

CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

DETROIT OFFICE:
305 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

July 14, 1976

Ms. Judy Prior
Dunfey Hotel and Motor Inn
500 Lafayette Road
Hampton, New Hampshire 03842

Dear Ms. Prior:

7 8 0 4 0 0 6 0 9 0 0
6 3 1 4)
On February 26th (approximately) through March 10th of this year, Congressman John Conyers and an entourage of approximately seventeen (17) persons were in Boston, Massachusetts for the Massachusetts Presidential Primary. Myself, the Congressman and the others stayed at the Dunfey Parker House Hotel in downtown Boston.

7 8 0 4 0 0 6 0 9 0 0
6 3 1 4)
It seems that the charges for the entire entourage were charged to my American Express Credit Card (card # 013-932-518-7-500AX), a total of \$2,848.57. I think we both must admit that one person, visiting a city for a week and a half, rooming with two other women, that accumulating a bill of nearly \$3,000.00 is a little short of impossible.

7 8 0 4 0 0 6 0 9 0 0
6 3 1 4)
Therefore, I would like a complete itemization of the hotel expenses charged to my American Express Credit Card, plus an adjustment made on any expenses not personally signed for by me.

Please respond at your earliest possible convenience.

Sincerely,

Marcia Elayne

Marcia Elayne
Congressional Aide

Exhibit C

July 15, 1976

American Express Company
Card Division
Post Office Box 13789
Phoenix, Arizona 85055

Dear Sir/Ms.:

As you requested, my American Express Credit Card (#013-932-518-7-500AX), has been returned and is no longer in my possession.

I am in the process of requesting an adjustment on those expenses charged to me by the Dunfey Parker House Hotel (see enclosure), and have been assured by Congressman Conyers that payment for all of the expenses incurred from February 26th through March 10th are forthcoming.

I hope that when this matter is resolved, arrangements will be made for restoration of my American Express Credit Card privileges.

Sincerely,

Marcia Elayne

Marcia Elayne
Congressional Aide

78740063141
78040060901

Exhibit D

PROCESSING CHECK
\$ V.C.
199 F.
013-932-518-7
Account #

**THE DUNFEY FAMILY'S
HOTELS AND MOTOR INNS**

August 23, 1976

Ms. Marcia Elayne
1971 Orleans
Detroit, Michigan 48207

Re: 013-932-518-7-600
Amt.: \$2,848.57
Hotel: Dunfey's Parker House

Dear Ms. Elayne:

7 3 0 4 0 0 6 0 9 0
7 3 0 4 0 0 6 0 9 0
7 3 0 4 0 0 6 0 9 0
7 3 0 4 0 0 6 0 9 0

I am in receipt of your letter dated July 25, 1976 addressed to the American Express Company in Phoenix, Arizona and also a copy of the letter sent to Ms. Judy Prior, of our office.

Since you are protesting the amount of the charges, I don't feel that it is within reason of you to begin disputing charges going back to last February - almost 6 months later for the above mentioned amount.

As you checked out, I would have thought you would have questioned the charges at that time - not 6 months later. However, we will endeavor to locate all paid invoices - six months later - and provide it to the American Express Company.

Please bear in mind that this will take a couple of weeks before we do get this information to you - as well as to American Express.

Sincerely,

Thomas Moulfarge,
Corporate Credit Manager

TM/m-encl.
cc/ American Express- Phoenix, Ariz.
Bob Savio, Front Office Mgr. - Parker House Hotel
Louise Gorski, Accounting Dept. - Parker House Hotel

EXECUTIVE OFFICES: HAMPTON, NEW HAMPSHIRE 03842 • 603/926 8911

California
Dunfey Family's Royal Coach
San Mateo at San Francisco Airport

Connecticut
Sheraton E. Haven Dunfey Motor Inn
Westford Hartford

Georgia
Dunfey Family's Royal Coach - Atlanta

Louisiana
Chateau Capital Hotel - Baton Rouge

Maine
Dunfey Family's Royal Coach - Portland
Dunfey Family's Royal Coach - Portland

Maryland
Sheraton Dunfey's Hampton Inn
Hampton

Massachusetts
Dunfey Family's Royal Coach - Boston
Sheraton Dunfey's Motor Inn
Boston

Michigan
Dunfey Family's Royal Coach - Detroit

Massachusetts
Dunfey Family's Royal Coach - Boston
Dunfey Family's Royal Coach - Boston
Dunfey Family's Royal Coach - Boston

New Hampshire
Dunfey Family's Royal Coach - Portsmouth
Dunfey Family's Royal Coach - Portsmouth

New York
Dunfey Family's Royal Coach - New York
Dunfey Family's Royal Coach - New York

New York
Dunfey Family's Royal Coach - New York
Dunfey Family's Royal Coach - New York

Pennsylvania
Dunfey Family's Royal Coach - Philadelphia
Dunfey Family's Royal Coach - Philadelphia

Rhode Island
Dunfey Family's Royal Coach - Providence
Dunfey Family's Royal Coach - Providence

Texas
Dunfey Family's Royal Coach - Dallas
Dunfey Family's Royal Coach - Dallas

Exhibit E

American Express Company
Card Division
Post Office Box 13784
Phoenix, Arizona 85066

November 9, 1976



Handwritten: 1119
01-1770

Handwritten: 45-389

In reply refer to A/C#:

Parker House Hotel
60 School St
Boston MA 02107

SE: 013-932-518-7
SE: 220-010-236-6
Amt: \$2,848.57
Disp: \$2,261.26
Ref: 336072
Inv: 492931
SE: 728-010-143-7

7304006090
7304006090

Dear Member:

This letter is in reference to an inquiry received from Marcia Elayne concerning her hotel charge.

Our cardmember has contacted us as she is still disputing the \$2,848.57 hotel bill. The support does not bear her signature or name with the exception of Folio Numbers 087233, A015506 and A015865--totalling \$587.31. Therefore, we are charging back your establishment for the remainder of the charges. Please bill each person directly.

Your prompt attention to this matter will be appreciated.

Sincerely,

A. West

A. West
Customer Representative

AW/ji

Enclosure

cc: Establishment Services, SROC

cc: Marcia Elayne
1971 Orleans
Detroit MI 48207

cc: Dunfey Hotel Corp
Lamies Bldg
Hampton NH 03842
#728-010-143-7

Stamp area containing routing information, dates, and names. Includes text: 013 932 518, 12/75 TRND 11/76, MARCIA ELAYNE, and various initials and numbers.

18 FLOYNE, M

3 GOVT 28-

TO FOLIO NO. A015506

FROM FOLIO NO.

BY STATE ZIP

REGISTRATION

IF YOU HAVE ANY QUESTIONS... NOT PROPERLY SPECIFIED... PLEASE HOLD THE PHONE...
TAXES, FEES AND OTHER CHARGES... TO BE PAID IN THE... STATE WILL...
#12

73040060901

02-17 TR. OR.	1258	C*	288.97
02-17c ROOM	1258	C*	28.00
02-17c TAX	1258	C*	1.00
02-28 ROOM	1258	C*	28.00
02-28c TAX	1258	C*	1.00
02-29 ROOM	1258	B*	28.00
02-29c TAX	1258	B*	1.00
03-17c RESTR.	1258	B*	5.07
03-17c RESTR.	1258	B*	7.13
03-17c ROOM	1258	C*	28.00
03-17c TAX	1258	C*	1.00
03-27c ROOM	1258	C*	28.00
03-27c TAX	1258	C*	1.00
03-27c RESTR.	1258	C*	55.00
03-37c PHONE	1258	C*	.50
03-37c LBIST	1258	C*	2.26
03-37c LBIST	1258	B*	1.86
03-37c LBIST	1258	C*	1.73
03-37c LBIST	1258	C*	12.45
03-37c LBIST	1258	B*	1.96
03-37c LBIST	1258	B*	4.75
03-37c TR. OR.	1258	B*	530.13

* 318.57	C*	318.57 ✓
* 348.17	B*	348.17
* 377.77	B*	377.77 ✓
* 382.84	B*	382.84
* 390.32	C*	390.32
* 419.92	C*	419.92
* 449.52	C*	449.52
* 504.62	C*	504.62
* 505.12	B*	505.12
* 509.24	B*	509.24
* 530.13	B*	530.13
* .00		

PRINT SIGNATURE

I ACCEPT MY PERSONAL LIABILITY FOR THE AMOUNT OF THIS BILL

OR SUBJECT SUBJECT TO CREDIT EXTENSION

CITY

STATE COUNTY ZIP

Paid by M. Elayne TM

58 ELAYNE, M 3

Govt 3300 UNFEY'S
23800 PARKER HOUSE

1087233

STREET
SPEC RATE
GUEST REGISTRATION

70 SCHOOL STREET
BOSTON, MASSACHUSETTS
TEL. (617) 227-8200

IF YOUR NAME AS SHOWN IS NOT PROPERLY SPELLED, OR IF THE RATE IS NOT AS AGREED UPON, PLEASE NOTIFY THE ROOM CLERK IMMEDIATELY.
NOTE: JEWELS AND OTHER VALUABLES MUST BE PLACED IN THE FRONT OFFICE SAFE OTHERWISE THE HOTEL MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS.

GUEST SIGNATURE
GUEST LAST NAME
GUEST ADDRESS (P.O. BOXES NOT ACCEPTED)
CITY STATE ZIP COUNTRY
COMPANY OR NAME OF GROUP

- PRIOR GUEST
- FIRST VISIT
- MY BILL WILL BE HANDLED BY:
 - AMERICAN EXPRESS
 - DINER'S CLUB
 - CARTE BLANCHE
 - BANK AMERICA
 - MASTER CHARGE
 - CHECK
 - CASH
 - OTHER (SPECIFY)

#1

2376	ROOM	1258	C*	33.00		
2376	TAX	1258	C*	1.80	*	34.88
2476	RESTR	1258	B*	16.20	*	51.08
2476	RESTR	1258	B*	5.88	*	56.96
2476	ROOM	1258	C*	33.00		
2476	TAX	1258	C*	1.80	*	91.84
2576	PURCH	1258	C*	4.75	*	96.59
2576	ROOM	1258	C*	33.00		
2576	TAX	1258	C*	1.80	*	131.47
2676	RESTR	1258	B*	13.07	*	144.54
2676	ROOM	1258	C*	28.00		
2676	TAX	1258	C*	1.60	*	174.14
2776	RESTR	1258	A*	10.32	*	184.46
2776	RESTR	1258	B*	104.51	*	288.97

LAST BALANCE IS AMOUNT DUE

GUEST SIGNATURE
BILL TO
ATTN
COMPANY

I AGREE MY PERSONAL LIABILITY SHALL NOT BE WAIVED IN THE EVENT OF NON-PAYMENT OF THIS BILL

STREET ADDRESS
CREDIT IDENTIFICATION

OK Id C-116

CITY
C* 288.97

STATE
CASHIER'S INITIALS

58
NAME *Elayne M.*

4
OUT

20.00

TO FOLIO NO A015865

PEC RATE

3
T

FROM FOLIO NO

IF YOUR NAME AS CHOSEN IS NOT PRESENTLY SELECTED ON THE
CARD IS NOT AS ADDED UPON PLEASE NOTIFY THE HOTEL CLERK
IMMEDIATELY.
TAXES, FEES AND OTHER CHARGES MUST BE PAID BY THE
HOTEL GUEST. CALL OUR RATE THE HOTEL MANAGEMENT DEPT
FOR BE RESPONSIBLE FOR ALL COSTS.

DEBITATION

11-37 RESID.	1258	C*	21.88	*	21.88	C*	21.88
11-37 ROOM	1258	C*	20.00				
11-37 TAX	1258	C*	1.14	*	43.02	A*	43.02
11-47 RESID.	1258	A*	14.17	*	57.19	A*	57.19
11-57 TR. CR.	1258	A*	57.19	*	.00		

78040063145
78040060905

Paid by M. Elayne.
(M)

POST SIGNATURE

A GUEST'S PERSONAL LIABILITY WILL NOT BE HELD BY THE HOTEL IN CONNECTION WITH THIS BILL

ADDRESS AND PHONE NUMBER OF HOTEL

STATE AND COUNTRY OF HOTEL

STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail), CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, leaving the receipt attached, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article RETURN RECEIPT REQUESTED
4. If you want delivery restricted to the addressee, or to an authorized agent of the addressee, endorse RESTRICTED DELIVERY on the front of the article. Check the appropriate blocks in Item 1 of the return receipt card.
5. Save this receipt and present it if you make inquiry.



PLEASE MAIL

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE: \$300

12/2/76 Conyers @ 34

UNITED STATES POSTAL SERVICE, DC

OFFICIAL BUSINESS

AM

SENDER INSTRUCTIONS

Print your name, address, and zip code in the space below.
• Complete items 1, 2, and 3 on reverse slip.
• Moisten gummed ends and attach to back of article.

RETURN
TO



Dunfee Family Hotels
Att.: T. Moufarge
Corp. Credit Mgr.
500 Lafayette Rd.
Hampton, N. H. 03842

89-834-34 (3)

Suzanne O'Neil

Alden Park Towers
8104 E. Jefferson
Detroit, Michigan 48214

May 12, 1976

Dunfey's Hotels and Motor Inns
Hampton, New Hampshire 03842

Dear Sir or Madam:

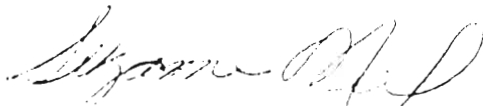
Today I have received the third notice of payment due for March charges at the Parker House, Boston, Massachusetts. The balance due is listed as \$57.22.

This payment is requested by you for rental of a conference on two occasions. I agree that I did sign the receipts for the room, but only in behalf of Congressman John Conyers, Jr., to whom payment for all of our staff expenses were to be billed. For this reason, I am now requesting that you change your records to correct this mistake.

From this time onward, this bill, if sent again, should be sent to Congressman John Conyers, Jr., 2444 Rayburn House Office Building, Washington, D.C. 20515. At this time I relinquish all responsibility for this bill and stress that this bill, like many others, was signed by me only in the Congressman's behalf as his staff representative.

I look forward to your cooperation with this matter.

Sincerely,



Suzanne O Neil

78040060915

Exhibit H

Mary Quant

June 30, 1976

Ms. Suzanne O'Neil
Alden Park Towers
8104 E. Jefferson
Detroit, Mich. 48214

Re: Acct. #84-834(34)
Dunfey's Parker House Hotel
Balance: \$57.22

Dear Ms. O'Neil:

Per your letter dated May 12, 1976 in regards to the above account. Until we receive written approval from Congressman John Conyers, Jr. that it is "okay to bill him", we must insist upon payment from yourself as you did sign for these charges.

You state in your letter "this bill... was signed by me only in the Congressman's behalf as his staff representative"- if this is the case as you state, please see to it that we do receive written approval from him or a check in the amount of \$57.22 in the immediate future.

Sincerely,

Wayne Bowlen,
Assistant Credit Manager

WB/m
encl.

cc/ Congressman John Conyers-2444 Rayburn Bldg., Washington, D. C. 20515

7804006091151
Exhibit I

ROOM NAME: *Congressman Conyers*
 STREET: *244 Rayburn St.* DATE: *3/1/76*
 CITY: *Wash* STATE: *DC* ZIP: *20515* CLERK: *Suzanne O'Neal*
 AFFILIATION: _____ NO. IN PARTY: _____

TO FOLIO NO. *1015881*
 FROM FOLIO NO. *84-834*
 IF YOUR NAME AS SHOWN IS NOT PROPERLY SPELLED OR IF THE RATE IS NOT AS AGREED UPON, PLEASE NOTIFY THE ROOM CLERK IMMEDIATELY.
 MONEY, JEWELS AND OTHER VALUABLES MUST BE PLACED IN THE FRONT OFFICE SAFE OTHERWISE THE HOTEL MANAGEMENT WILL NOT BE RESPONSIBLE FOR ANY LOSS. *84-803*

DATE	REFERENCE	CHARGES	DEBITS	BALANCE DUE	PICK UP
MAR-4-76	RESIR	ILLUM	20.00	20.00	
			17.22	37.22	
			20.00	57.22	



7804003152
 7804006001

March 4, 1976

Congressman Conyers

Folio #84-834

Banquet Charge - 3/3/76 - Rental.....\$20.00

Banquet Charge - 3/1/76 - Rental.....\$20.00

TOTAL DUE: \$40.00

Thank you!

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-9126

DETROIT OFFICE:
505 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

July 2, 1976

Mr. Wayne Bowlen
Assistant Credit Manager
Dunfey's Hotels and Motor Inns,
Hampton, New Hampshire 03842

Dear Mr. Bowlen:

Per your request, I am writing to verify that the \$57.22 in charges for use of the banquet rooms at the Parker House Hotel in Boston should have been billed to my account. Ms. Suzanne O'Neil signed the statement as my staff representative.

We have made arrangements through Mr. Thomas Moufarge of your company for payment of the former bill.

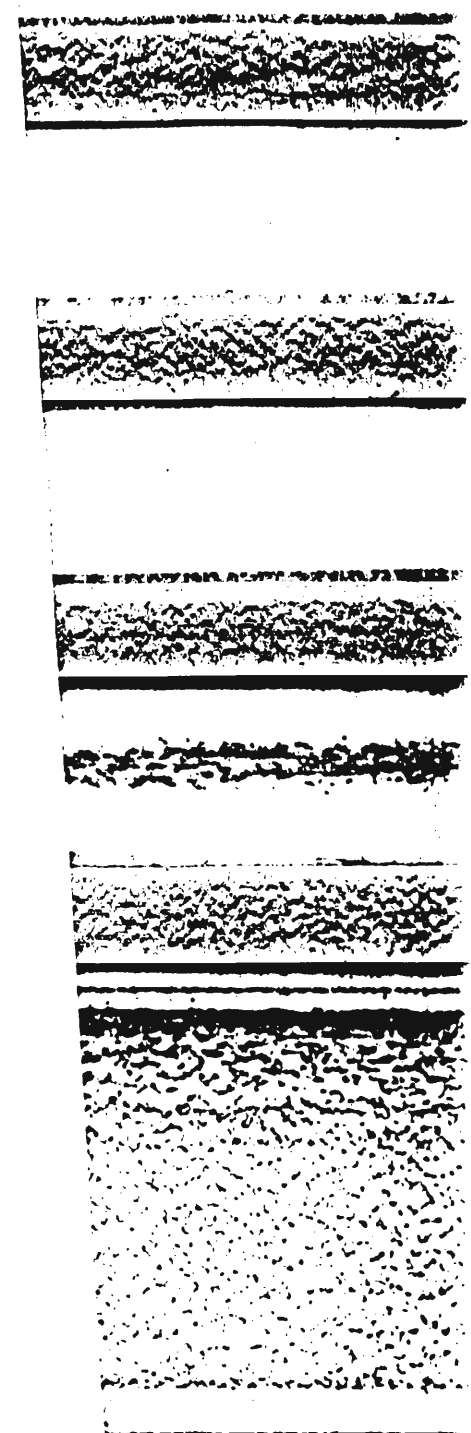
Sincerely,

John Conyers, Jr.
John Conyers, Jr.
Member of Congress

Exhibit J

7 9 7 4 7 0 3 1 5
7 8 0 4 0 0 6 0 9

3A 34
1807
7/1/76



District of Columbia) ss.

AFFIDAVIT OF JAMES HIGHTOWER

JAMES HIGHTOWER, being duly sworn, deposes and states:

1. I was Treasurer and National Campaign Coordinator for the national Harris for President Committee in 1975 and 1976, during the time in which Fred Harris was a candidate for the Democratic nomination for President.

2. I have met with counsel to the Harris for President Committee, Dennis J. Whittlesey, and have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr., on or about December 15, 1976. These materials detail a claim which Congressman Conyers apparently makes against the Harris for President Committee for some \$16,172.32. This claim represents sums of money reportedly spent by Congressman Conyers and political aides of his in campaigning for Fred Harris for President during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

3. As Treasurer, my duties included supervising the activities of various fund-raising personnel, coordinating the office of Controller and general fiscal and financial management of the national campaign effort. In addition, I was charged with filing periodic reports with the Federal Election Commission.

780400609154

4. As National Campaign Coordinator, my duties included supervision of virtually every detail of the national campaign for Fred Harris. This included direct oversight of the national staff and certain campaign functions, including scheduling, issues, press, field organization (including state campaigns), fund-raising, delegate selection and day-to-day trouble-shooting of problems which arose. In addition, I directly supervised our state primary campaigns in Iowa, Oklahoma and New Hampshire. I also was aware of what generally was being done on Fred Harris' behalf by local Harris campaign organizations in every other state in which Harris was a candidate in the Democratic primary.

5. In my opinion, the relationship between Congressman John Conyers' New England campaigning for Fred Harris and the Harris campaign was nothing more than that of two separate campaigns, independent from one another, which happened to be supporting the same candidate. He was never invited by any member of the national campaign to travel to New England on his own, and I have never understood why he did so. The black vote in New Hampshire is miniscule and only about six percent in Massachusetts. While we were seeking black support (in addition to other minority support) throughout the county, that support was not a major part of our strategy in either New Hampshire or Massachusetts. It made no sense for us to expend large sums of money to court a politically insignificant vote in New Hampshire and a non-crucial portion of the vote in Massachusetts. Our

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Massachusetts campaign was not racially-oriented; our strategy was to appeal to all voters on economics issues. There was no racial emphasis.

We sought John Conyers' support for the 1976 campaign, just as we sought the support of many other public figures (some of whom also were black). However, we sought such support under definite terms and conditions which involved these public figures directly in our campaign and under my guidance. Other public figures participated under the terms and conditions we established; John Conyers did not meet any of our terms and conditions in campaign activities for which he now is making a claim against the Harris campaign. Instead, he operated on his own, independently of our campaign organization, largely without informing us of what he was doing, and without meeting the standards of accountability otherwise placed upon public figures campaigning for Fred Harris through the coordination of our campaign organization.

6. I first learned that John Conyers was interested in Fred Harris' candidacy in early 1975 through reports of Harris supporters that he had made public statements on televised talk shows that Fred Harris was his candidate for the 1976 nomination. Rick Davis, who was our regional desk person for Conyers' home state of Michigan, was instructed by me to follow up on these reports with Conyers' staff.

From these conversations, we learned that Conyers was willing to be helpful to the Harris candidacy so we asked Conyers

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to help Harris have a coffee in Detroit, which he did. This was a specific request which we made to Conyers, with which he complied, and for which we had full information and participation in his activities. This was in early 1975.

7. From the time of the Detroit coffee, I know of no coordinated campaign activities by John Conyers on behalf of Fred Harris until December 1975. At that time, there was a conference of black elected officials from across the country meeting in Washington, D. C. Through other black Harris supporters--and not including John Conyers--the Harris campaign arranged for a reception at that conference for Fred and LaDonna Harris to meet those in attendance. It was decided by us that this was an appropriate place for Conyers to publicly endorse Fred Harris for President and it was my understanding that Conyers had agreed to do so in remarks introducing Fred Harris at the reception. This then was scheduled. Several national Harris staffers attended, although I did not.

After the reception, those staffers in attendance were upset because Conyers had botched what we understood he had agreed to do. He did not endorse Harris, but instead delivered a rambling diatribe against the national Democratic party and various national party figures, several of whom were close personal and political friends of Harris'. Fred Harris was very upset with Conyers' performance and discussed these feelings with me.

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8. Prior to John Conyers' trip to New England which is the subject of this dispute, neither Fred Harris nor any national staffer knew that Conyers was coming. In fact, it never even occurred to us (1) to request his presence or (2) that he would come. The first that I learned of Conyers' trip to New England was on the day of his arrival; I was advised that Conyers' Washington office had called our Manchester, N. H., office to advise that Conyers would be in Manchester that evening with his own staff to campaign for Fred Harris. There was no authorization by me, as national Treasurer, to finance Conyers' trip to New England out of campaign funds, nor were any expenditures authorized for the Conyers efforts except as otherwise specifically discussed in this affidavit. Furthermore, we didn't know what Conyers was even spending money for, until he began referring his creditors to us for payment--except as specifically noted herein.

9. We did have a policy for campaign appearances by public officials (including members of Congress) on Harris' behalf, and such speakers were referred to as "surrogates". It was our policy that any such appearances be in accordance with the following general guidelines: (1) that any activities be coordinated in advance with the national staff, (2) that scheduling be done by the staff or with direct approval of the staff, (3) that any expenditure of money for which we would reimburse the officials would be approved in advance by the

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national campaign, and (4) that the appearance of the surrogate comport with the overall practices of the Harris campaign (such as minimal pomp and circumstance, few--if any--staff aides and utilization of existing campaign organization and facilities).

10. As an example of how our surrogate policies were executed, I would point to the campaign activities of Congressman Michael Harrington, who campaigned for Fred Harris in Massachusetts in 1976. Congressman Harrington and his staff were a direct part of the national campaign. He made numerous appearances in our behalf each of which was either arranged by the national office or directly coordinated with us. When we sought the support of various Congressmen, we approached them in identical fashion. What Harrington was told was also what Conyers was told. They both knew the terms of our request, and Harrington campaigned within those terms for us. Conyers moved on his own and outside of our campaign organization. Harrington did not fly staffers to New England, he did not rent fleets of cars, he did not rent blocks of rooms in expensive hotels, he did not plan receptions in hotel ballrooms on his own and for his own benefit, he did not order outside telephone lines installed in hotel rooms, he did not order expensive meals and charge them to his hotel bill, he did not hire a personal driver, and he did not go into an area for campaign purposes without having coordinated the same with our staff

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in advance. Yet, all of these things were done by John Conyers, without approval or even knowledge from our staff and contrary to the principles guiding our use of surrogates.

Harrington was part of the national campaign; Conyers was not. We asked Conyers to be a surrogate within our guidelines, but he did not do so. Conyers was running his own campaign, and I never understood exactly why.

11. I met with Conyers upon his arrival in Manchester in the evening. This meeting was the focal point for the already recognized problem which his presence created. We were startled to learn earlier that day that Conyers was coming to New Hampshire, and I called his Washington office immediately upon learning of it. I spoke with Christine Moore of Conyers' staff, and advised her that Conyers would have to meet with me before doing anything, as we had a definite strategy for New Hampshire and any Conyers activity would have to coincide with it. She made clear to me that Conyers already had an itinerary and specific plans for his New Hampshire campaign activity, the first we knew of such plans. She advised that the Conyers group would see me later that evening in the Manchester headquarters. I suggested that he would be more helpful in Massachusetts than in New Hampshire, but she said he was determined to campaign for Fred in New Hampshire, that he would be an asset among blacks and working people, that he

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could get media exposure, and that he would not interfere with our main effort because he was bringing his own staff support.

In the meantime, I spoke by telephone with Fred Harris and we agreed that Conyers would not help us in New Hampshire and possibly could hurt us. We also agreed that we did not want to offend Conyers personally, and that our best tactic would be to divert Conyers to Massachusetts where there was a larger (although still small) black vote to which he might appeal.

At the time of Conyers' arrival, there were several Harris people in the Manchester office. Fred Droz and I (and possibly one New Hampshire state staffer) met with the Conyers group to discuss with them their campaign intentions, since I knew they already had plans of some type not known to our organization. But, more important, Droz and I intended to limit Conyers' New Hampshire activities to the few state appearances where he could be of value and then persuade him to go to Massachusetts where, if he would work within our campaign, he could be of greater value.

Conyers arrived, as best I can recall, around 8:30 p.m. in the evening. He was accompanied by several people whom I did not know, although it is my present impression that Christine Moore was one of them. I took over the meeting and first outlined the goals and strategies of the New Hampshire campaign which included a discussion of the fact that our campaign was then--in its final days--specifically targeted on moderate-to-conservative precincts, rather than on liberal areas where

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Conyers would have natural appeal. Consistent with my telephone conversation with Fred Harris earlier, I then attempted to divert Conyers to Massachusetts by arguing two basic points: (1) the Massachusetts primary was the following week and we needed more help there than in New Hampshire since funds were so short in both states and the greater size of Massachusetts made a low-budget campaign such as ours that much more difficult, and (2) the media for New Hampshire--which we desperately needed but could not afford (and, in fact, lack of funds had necessitated our already cutting back reserved media time, a point I made to Conyers)--primarily came out of Massachusetts, so that by campaigning there he would receive maximum New Hampshire media exposure.

During the meeting with Conyers, I made clear to him that our campaign was extremely short of money. (In this regard, it should be noted that financial discussions were part of every political strategy discussion which we conducted, since there was always the overriding question of whether we could afford an activity being proposed. Our strategy often looked to participation in so-called "media events" whereby we would receive free media attention. In fact, we often had Fred Harris travel to Massachusetts to take advantage of media coverage there, since New Hampshire television came from Massachusetts.) It was well-known that our campaign was critically short of money; in fact, our spartan living and

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dining conditions were themselves the subject of media attention. The "plight" of the Harris volunteer was well-known. That we were short of money was clear to Conyers, and he even noted in news interviews (see Exhibit K to his December 15, 1976, letter to the FEC) that other candidates were widely outspending the Harris campaign.

At the end of that meeting, Conyers said he was persuaded and they departed that night for Massachusetts. (At some time I learned that his group was traveling by rental car, something never discussed with us and never approved by me.) John Conyers was--in my mind--conducting his own campaign, because he certainly was never part of ours. Had he been part of our campaign effort, I never would have allowed him to be in New Hampshire in the first place but rather would have channelled his efforts to other parts of the country where he could have been of real political value. If he had been part of our campaign, I would have been in a position to direct his activities rather than having to spend valuable time persuading him to do something other than that which was already planned by him.

Neither Conyers nor his staff asked for financial support, and I offered none. In fact, in this initial meeting I made clear that we were broke and in debt, with enough money to run an adequate New Hampshire campaign, but not nearly enough to mount a full effort in Massachusetts. I told him

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we were relying on a third-place finish in New Hampshire to generate both publicity and money for our Massachusetts effort. (As it turned out, we ran fourth in New Hampshire.)

12. We agreed at this initial meeting to cooperate with Conyers' campaign in Massachusetts (and New Hampshire). This was necessary because we did not want to have someone running around New England campaigning for Harris and our not knowing what he was doing. As it developed, we had little knowledge of what Conyers did since he operated on his own. I learned of his activities either after the fact, or not at all.

13. Several of our national staffers were against allowing Conyers to campaign in New England at all and wanted to tell him to return to Washington immediately. I responded that we were not in a position to tell him to leave New England since he was there on his own and we did not want to offend him personally.

14. I do not recall receiving a telephone call from Conyers on February 24, 1976, as he relates. He may have made this call, but this was the day of the New Hampshire primary and obviously a day when I was very, very busy from early in the morning until very late at night. It was not a time for me to be concerned with renting space in Boston for a storefront headquarters.

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15. I was in Boston sometime around February 25, 1976. I met with our Massachusetts state coordinator, Gary Ford, at his headquarters for the purpose of reviewing the progress and current status of the campaign in Massachusetts. We discussed a number of subjects, including what was already being referred to by Ford as "the Conyers problem". He related that Conyers staffers had, on several occasions, come to the headquarters demanding money for various proposed undertakings and that he repeatedly had explained that no such money was available. Among things which he reported had been proposed were storefront headquarters and banks of telephones, items he specifically had rejected as being unaffordable.

Ford reported further that the Conyers group was running a campaign separate from the effort he was coordinating, and complained that he usually did not even know what they were doing until after the fact, or not at all.

At the conclusion of this discussion of "the Conyers problem", I decided that we should do something to placate the Conyers group since all of their requests for money had been denied, and we did not want vocal dissention so close to the Massachusetts election. I then suggested that we pay for two telephone lines into a storefront headquarters which they already had procured and which was not paid for by the Harris campaign. My reasoning was that they had this space and that telephones were necessary if they were going to accomplish anything. I recall authorizing Ford to issue a \$500 check

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for this purpose with the clear understanding that this would be the only money given to the Conyers group.

There was a clear conflict between the regular campaign staff and the Conyers group, and some of our staff wanted them out of Massachusetts altogether. This was a manner of avoiding further disruption in a campaign which was only about a week away from election.

16. I specifically recall the meeting with Conyers at the Parker House, which he says occurred on February 26, 1976. I do not know the exact date, but I do know that it was the same day as an Arlo Guthrie fund-raising concert which was held in Boston. I attended the meeting, along with our national staffers Frank Greer, Bert De Leeuw and Fred Droz. Conyers was present, accompanied by Christine Moore, Nelson Saunders and at least two other staffers whose names I do not recall. I have read the account of this meeting in the Affidavit of Bert Jay De Leeuw prepared for submission herein and concur with his statements as to what occurred. I would add that during the meeting, Conyers outlined what he thought should be done in Boston's black community and even cited a budget figure for such activity which I recall as exceeding \$50,000. I again expressed how much we appreciated the campaigning he was doing for Harris and said that we wished it was possible to run the kind of full-fledged campaign that he was proposing. But I told him that, far from being able to

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do that, we were being forced to cut back on the campaign we already had, because of the severe shortage of money and the debt which had accumulated by this time. I cited, as an example, that telephones were being removed in our headquarters because of lack of funds.

I made it clear that there was no way the Harris campaign could incur expenses for his campaigning.

17. I know of no meeting between Conyers and Harris staffers on the day following the Massachusetts primary. I was never asked to attend such a meeting and never knew one had occurred until the instant material was brought to my attention. Most of our national staff traveled by train to Washington that day and I know that every national staffer with major responsibility and authority was on that train, including Droz, Greer, De Leeuw, Barbara Shailor and Ralph Collins. They did not meet with Conyers.

18. In conclusion, I would point out that Congressman Conyers did campaign for Fred Harris, but that the expenditures which are the subject of this complaint were incurred in activities not coordinated with our staff. In fact, Conyers knew that we were desperately short of funds and could not pay for the type of campaign activity he pursued in New England. If he had been part of our campaign, he and his staff would not have stayed at the Parker House nor would they have had license to lease rental cars or schedule expensive receptions

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with invitations by telegram. There was virtually no coordination or communication of which I am aware between our staff and the Conyers group during his Massachusetts foray, and his expenses were not incurred in concert with our organization or at our request or suggestion. Congressman Harrington campaigned for us under circumstances which made him a bona fide part of our campaign. Congressman Conyers did not, except under some specific circumstances which are otherwise cited, and I feel that his expenditures are not reportable by our committee.

EXECUTED this 27th day of May 1977.

James Hightower
James Hightower

SUBSCRIBED AND SWORN to before me this 27th day of May, 1977.

Barbara C. Klein
Notary Public

My commission expires: June 30, 1977

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District of Columbia) ss:

AFFIDAVIT OF BERT JAY De LEEUW

BERT JAY De LEEUW, being duly sworn, deposes and states:

1. I was the National Field Coordinator for the Harris for President Committee from October 1975 through April 1976, or until Fred R. Harris ceased his candidacy for the Democratic nomination for President of the United States. As National Field Coordinator, my duties included: (a) working with state campaign coordinators; (b) making decisions as to the allocation of national resources among the various state campaigns; (c) providing strategy input to state campaigns; and (d) recruiting and managing a pool of national field staff personnel.

2. I have met with counsel to the Harris for President Committee, Dennis J. Whittlesey, and have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr., on or about December 15, 1976. These materials detail a claim which Congressman Conyers apparently makes against the Harris for President Committee for some \$16,172.32. This claim represents sums of money reportedly spent by Congressman Conyers and political aides of his in campaigning for Fred Harris for President during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

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3. As National Field Coordinator, I am aware of many of the facts pertinent to Congressman Conyers' activities during the 1976 presidential campaign, and will state that in my opinion the relationship between Congressman Conyers and the Harris campaign can only be described as "tenuous". While the Conyers political workers were in Boston, they ran their own show and to my knowledge, coordinated very few activities through the Harris for President campaign organization. (Most of these were in relation to scheduling.) Most communication between the Conyers group and the Harris staffers concerned their demands for money, and it should be noted that the people in the Harris organization charged with liaison functions between Harris and Conyers were told to keep contacts between the Conyers workers and the Harris campaign to a bare minimum because they created more problems for us than they solved. I know of no instance except those specifically mentioned below in which any expenditure of the Conyers organization was made in concert with, or at the request or suggestion of, Fred Harris, any authorized Harris Committee, or any agent of either.

4. During the Massachusetts primary, the Conyers staffers were not part of our campaign, and I never knew exactly what they were doing. In this regard, I communicated daily with Gary Ford, Massachusetts state coordinator for Fred Harris, and he often told me that he had no idea what the Conyers people were doing. We certainly had no knowledge of their expenditures.

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This development was especially disturbing, since we had attempted to enlist Conyers' campaign assistance as part of our regular campaign effort and under the coordination and control of the national staff.

In January and early February 1976, we had attempted to persuade Conyers to join the national effort. This, of course, would have brought him into our regular campaign activities and under our control and coordination. We hoped to target his efforts at black and liberal votes in early primary states, including but not limited to Massachusetts. I even advised Gary Ford in January or very early February that Conyers might be available for some campaigning in Massachusetts and suggested that he give thought to campaign activities for Conyers which would be beneficial to the Harris effort. However, communications broke down with the Conyers staff and it became apparent that further discussions would be fruitless. We gave no further thought to having him campaign, and it was a surprise to us when he suddenly appeared in New England with his own staff to campaign for Harris.

5. During the Massachusetts primary, it was clear to me that the Conyers political workers were promoting John Conyers first and foremost, and not Fred R. Harris.

6. I do know that some money was paid to the Conyers staffers for various political purposes. However, any money so delivered was made only after a conscious decision to give

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a definite sum of money for a designated purpose, and it was always in a finite amount. I know that some money was transferred to pay for a telephone in a storefront office in the black community, but I also know that the decision to make a transfer for this purpose rested in large part on a desire to terminate harassment which we were receiving from the Conyers people in efforts to persuade us to give them such money. This was a conscious decision to make a specific sum of money available for a very limited purpose. We did not authorize them additional phone service, nor did we authorize extensive long-distance calls to be made from their hotel. The only money we authorized the Conyers people to spend was money we gave to them in advance, or specific advance authorization to incur a debt and have us billed directly.

7. I am aware of some conversations between the Harris campaign and Congressman Conyers' staff prior to the Massachusetts primary, in which the national staff was requesting three or four political workers from the Conyers organization to be available to work in our campaign through the Massachusetts primary. However, we requested that such workers be available under terms and conditions as follows: (1) no salary (although we provided some stipends, based on need), (2) we provide transportation through our travel agent or by automobiles owned by staff travelling from state to state, rather than reimburse them for travel they otherwise contracted for, (3) they stay

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in quarters provided by our organization if they were unable to obtain free housing on their own, (4) they be made available to our staff and all of their activities be coordinated and supervised by our staff, (5) they would receive treatment identical to that received by every other campaign worker and (6) no special favors would be made available to them.

8. When the Conyers group appeared in Massachusetts, their people were never made available to us. In fact, it can safely be said that not one of the conditions which we imposed was met, and it can never be said they were working for the Harris campaign or in conjunction with the Harris campaign. Everything the Conyers group did was independent of the Harris campaign and, often, even contrary to our wishes. I do not believe that there was malicious intent on the part of the Conyers staffers--there simply was little or no communication between them and our campaign.

9. I was not present at the meeting in Washington, D. C. in December 1975 when John Conyers purportedly introduced Fred Harris to black elected officials. However, I do know that this particular incident was an embarrassment to Senator Harris and to us, for the reason that John Conyers had agreed in advance to endorse Fred Harris in front of these officials and to encourage them to support and work for his candidacy. At the time of the introduction, Congressman Conyers took the podium and made rambling remarks for a long period of time, during which he never once endorsed Fred Harris despite his prior agree-

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ment to do so. He was not forthright to the black officials about his purported support for Senator Harris and it can only be said that he failed to abide by the very agreements he made on which Harris relied in agreeing to appear. Rather than promote Fred Harris' candidacy at this point, Congressman Conyers in fact set it back.

10. On February 20, 1976, Gary Ford and I had breakfast with John Conyers in the dining room of the Lennox Hotel in Boston, a meeting arranged by Jim Hightower at the specific request of Congressman Conyers. We understood this was to be a business meeting, although no business was discussed. When we arrived, Congressman Conyers was having breakfast and meeting with a local black television reporter from Boston. Halfway through the meeting, we were joined by two women staffers of Conyers. Throughout this breakfast, Conyers did not discuss specific campaign business with us, but rather was mainly preoccupied with discussing various things of mutual interest with the reporter. In fact, Mr. Ford and I left before Mr. Conyers had even finished eating.

11. John Conyers recounts that our staff arranged a press conference at the Lennox Hotel on that date for him. This is untrue. Mr. Conyers' staff arranged that press conference and we heard about it later.

12. There was daily contact between the Conyers organization and the Harris campaign, but it mainly consisted of the Conyers people requesting money and our refusing those

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requests. Economics dictated the flow of the campaign, a point repeatedly made to the Conyers staff. Our lack of funds generally permeated every conversation dealing with strategy and we repeatedly emphasized to Mr. Conyers and his staff people that we had no money for any elaborate campaigning. In particular, I remember that Mr. Conyers' workers often were requesting "street money", requests which were uniformly rejected out-of-hand in advance. It is interesting to note that part of the claim against the Harris Committee is that we failed to report certain "street money" which was expended by the Conyers staff.

13. The few times that the Conyers people showed up at the State Harris Committee Headquarters, they generally sat around doing nothing. It was for this reason that we were pleased to learn that they had obtained a storefront headquarters. We felt that they then would stay away from the campaign and the regular work of the state office could be achieved with a minimum of disruption.

14. The Conyers staff frequently proposed various campaign activities, and I can say that we were always in favor of what they proposed. Generally, they proposed sophisticated campaign undertakings which would have been delightful if money had been available for them. We simply did not have money for this kind of effort and repeatedly told the Conyers staff that such was the case. In fact, at this time, we were cutting back expenditures at a precipitous rate. When the Conyers staffers

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requested money to put in telephones in their storefront office, I personally told them we had no money for that, as evidenced by the fact that we were at that time taking some 40 phones out of the Boston office. Finally, we agreed to have one or two telephone lines installed, and we paid the cost for it.

15. There was a phone bank in our Boston office, and we frequently offered to make it available to the Conyers staffers. They rarely came to the Boston office, insisting that they needed their own telephones for communication with the black community.

16. There were frequent disputes over money between us and the Conyers staffers, which often resulted in their persuading Congressman Conyers to "go over our heads" and personally contact either Jim Hightower, national treasurer of the Harris campaign, or Fred Harris himself.

17. Congressman Conyers refers to an incident at the Casa Romero Restaurant in Boston (February 27, 1976) in which he met with Harris "to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts." In fact, I understood from Fred Harris' immediate recounting of the discussion upon returning to the table that Conyers' staff had gone to the Congressman and complained that if he was influential with Fred Harris he should meet with Harris and secure a commitment for money to be used by the Conyers group. It was under this pressure that the Congressman

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came to Fred Harris at the restaurant.

Conyers related to Harris that his staff was unhappy and this is why he (Conyers) went to the restaurant to interrupt Harris' dinner with his wife and the national staff. (Conyers was not dining with us; he had to call Harris from the table to discuss the matters at hand.) Harris told us that he discussed with Conyers the general lack of money, and this seemed to satisfy the Congressman who then left. This meeting--which, again, called Harris from the table--lasted only from 3 to 5 minutes. I never heard Fred Harris say that an appearance at a school of fine arts was mentioned in that conversation.

18. As for the storefront headquarters, no national official of whom I am aware (with the possible exception of our minorities coordinator Charles Duncan) even visited that storefront headquarters. I was the national field coordinator, yet I only vaguely knew what was being done over there.

19. The Conyers staff engendered great resentment within our own campaign, because they had become a problem and were demanding special privileges. In light of the messy situation which had developed between the regular staff and the Conyers people, we finally began ignoring them and tried to keep them away from us.

20. Congressman Conyers has demanded reimbursement for a reception at the Parker House, a demand which borders on incredible. John Conyers staged a reception for himself at

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the Parker House and invited a number of Presidential candidates to attend, including Fred Harris. Fred Harris was present and so was Morris Udall. There was never any mention to us that telegrams were being sent, although we later learned that such was the fact. It is my recollection that the telegrams announced a John Conyers reception, and not a reception for Fred Harris. In fact, I do not recall that Fred Harris' name was even on the invitation, and am certain that it was an invitation by John Conyers to various black leaders to come meet him, drink his liquor and eat his food. Gary Ford will probably have many more details on this than I; but I know that this reception was not in Fred Harris' honor and was planned and staged with no consultation or coordination with our staff.

21. Congressman Conyers refers to a meeting between Conyers and five of his volunteers with Hightower, Frank Greer and me on February 26, 1976. There was such a meeting, which was also attended by our national staffer Fred Droz. The meeting began at 5:00 p.m., and halfway through it Messrs. Droz and Greer were forced to leave since we were having a benefit concert that evening for which they had responsibilities. We entered the meeting prepared to have Congressman Conyers demand money, but he never did that. Not only did he not ask for money from us, he advised us that he was undertaking fundraising to pay all of his own expenses. He specifically mentioned that he would probably stage some benefit concerts and said he had several groups already on line. We

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told him that sounded great and we would be glad to help him in his fund-raising efforts if we could. It was clear to me that Congressman Conyers was taking upon himself his own debt.

22. During the February 26 meeting, Congressman Conyers told us that not only did he have the ability to raise money on his own, but that as a matter of fact he had [basketball figure] "Bill Russell in the hotel" who was a big money giver. With that he turned to one of his staffers and had him bring Bill Russell down. He told us that he would persuade Bill Russell to provide money to pay the Conyers' expenses. But when Russell arrived, Congressman Conyers turned to Jim Hightower and said, "Jim why don't you tell Bill what we were talking about." Mr. Hightower was on the spot, having had an uncomfortable situation dumped on him. Mr. Hightower had never met Bill Russell before, and he was astonished--to say the very least. Despite this, he tried to outline the campaign as it had gone on and its objectives, although he was highly uncomfortable with the situation that had been dropped on him. I should say that Mr. Russell also was obviously uncomfortable. He said that he was not involved in politics and would get into politics only under conditions with which he was comfortable. He later declined to give any money at all, although Congressman Conyers had entered into the conversation and outlined to Mr. Russell that he was undertaking some fundraising to pay his expenses and, in essence, was asking Russell to be the

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underwriter for his fundraising activity. This was consistent with Congressman Conyers' earlier statements that he would pay his own way in these matters, and we thought that there was no doubt that he intended to do so. This impromptu meeting was humiliating to us and to Bill Russell, and was nothing more than an attempt by Congressman Conyers to show us that he could raise money to pay his own expenses. Only at a much later date did Congressman Conyers demand reimbursement from the Harris campaign.

23. During this same meeting, an interesting thing occurred in that Congressman Conyers raised the fact that his expenses were being incurred at a precipitous rate. He specifically complained about how much money it was costing him to keep his staffers at the Parker House. I suggested the Harris staffers just didn't stay at the Parker House and explained that we had a particularly attractive deal at the Bradford Hotel whereby large dormitory rooms were made available for our people at low rates. Congressman Conyers turned, looked at me and said with obvious disdain in his voice: "These are Congressional staff people". The implication was clear that Congressional staff people required higher standards of living care than did Harris staffers.

24. Congressman Conyers recites a meeting of March 3, 1976, in which he met with key Harris supporters and staffers to assess the results of the election in Massachusetts. I know

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EXECUTED this 8th day of June, 1977.

Bert Jay de Leeuw
Bert Jay de Leeuw

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Elizabeth A. Baldwin
Notary Public
District of Columbia

My commission expires: June 14, 1980

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District of Columbia) ss.

AFFIDAVIT OF JAMES CAREW ROSAPEPE

JAMES CAREW ROSAPEPE, being first duly sworn, deposes and states:

1. I was associated with the Fred Harris for President Committee from December 1975 to September 1976. From mid-March to September 1976 I was the financial manager for the Harris Committee.

My duties from mid-March to September 1976 included the supervision of payment of legitimate claims against the committee and negotiating with all creditors.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr. on or about December 15, 1976. These written materials detail a claim against the Harris for President Committee in the amount of \$16,171.32. This claim represents sums of money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris during the New Hampshire and Massachusetts Democratic Presidential Primaries of 1976.

3. When I assumed the duties of financial management of the Harris for President Committee in March 1976 I was vaguely aware that Congressman Conyers was making a financial claim against the Harris Committee. I was not aware of any of the specifics of the claim.

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My understanding at all times pertinent hereto from conversations with officers of the Harris Committee was that Conyers' claim was not legitimate.

I was instructed by both Fred Harris and Jim Hightower, National Coordinator of the Harris Committee, to advise Conyers and/or his representatives that only if funds were available after the Harris Committee discharged its own financial obligations could the Harris Committee even consider assisting Conyers in paying off expenses he incurred while in New Hampshire and Massachusetts.

At no time was it contemplated by the committee that the Conyers expenses would be included on the debt schedules filed with the Federal Election Commission, since officers of the committee knew the Conyers expenditures were not authorized by the committee. In fact, at that time (March 1976), the committee had no idea of what the expenditures included.

4. In late May, I received a telephone call from Christine Moore of Congressman Conyers office. Ms. Moore requested that the Harris Committee make payment of the Conyers' expenses. I asked her to forward to me a detailed itemization of the Conyers' claim.

I received the requested itemization of expenses from Ms. Moore and discussed the matter with Jim Hightower. I cannot specifically recall the conversation which took place after our review of the Conyers claim; however, I do recall that the

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initial view that the Harris committee did not owe the money was reinforced by the itemization.

Fred Harris and Jim Hightower instructed me to say that we had no money that could be used to pay those (Conyers') expenses. It was our position that we would like to assist him (Conyers) with his expenses, but would be able to do so only after we paid off debts authorized or incurred by the committee.

After receiving the itemized Conyers expenses, I talked again by telephone with Ms. Moore. I made it quite clear in the conversation that it was our hope that we would be able to help Congressman Conyers retire his debt, but that such assistance would be forthcoming only after all legitimate-- that is, authorized--debts of the committee had been retired. I never acknowledged Conyers' debts as being the Harris Committee's debts, nor did I ever ratify or adopt them.

EXECUTED this 8th day of June, 1977.

James Carew Rosapepe
JAMES CAREW ROSAPEPE

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Elizabeth A. Gaudin
Notary Public
District of Columbia

My commission expires:

June 14, 1980.

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District of Columbia) ss.

AFFIDAVIT OF RICHARD D. DAVIS

RICHARD D. DAVIS being first duly sworn, deposes and states:

1. I was the full-time regional coordinator for the Harris for President Committee for the middle eastern states, which region included the State of Michigan, from July 1, 1975, until the time Fred Harris ceased active campaigning for the Democratic nomination for president. Prior to that time, I had worked for the Harris Committee on a part-time basis beginning in February 1975.

My primary duties as regional coordinator were direct coordination of campaign activities within the region for which I had responsibility and to work personally with local Harris supporters in planning, coordinating and staging campaign events for Fred Harris, and in recruiting and developing local and state campaign organizations.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers on December 15, 1976. These written materials detail a claim against the Harris for President Committee for money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris in the New Hampshire and Massachusetts Democratic presidential primaries in 1976. The amount claimed by Conyers is \$16,172.32.

3. In mid-1975 I learned that John Conyers had made favorable public statements about the Fred Harris candidacy,

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which statements had been reported in various national media and various Michigan newspapers. A number of our Michigan supporters had reported such statements to me, and I in turn reported them to Jim Hightower. In addition, it is possible that I reported these statements to Fred Harris, although I do not recall specifically.

4. In conjunction with the preparation of this Affidavit, I have read the Affidavit prepared by James Hightower and specifically have reviewed his paragraphs numbered 6 and 7. These two paragraphs deal with matters with which I have specific knowledge, and I concur in his recollection as reported in them with several exceptions or additions, as follows:

- a. My best recollection is that I first learned of John Conyers' interest in the Fred Harris candidacy in-mid 1975, not early 1975, as recalled by Mr. Hightower.
- b. The Conyers group assisted us, albeit marginally, in the fall of 1975 in holding a coffee at the Summit Athletic Club in Detroit, a function not mentioned by Mr. Hightower. Congressman Conyers' chronology places this event as occurring on September 13, 1975, and I am sure that the date is accurate. Certainly, the Summit Athletic Club coffee occurred around

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that time. I was the principal person in charge of the event and set it up, although I did receive some assistance from Conyers aides. I worked by telephone from Washington, but did not personally travel to Michigan in conjunction with the event. Certainly, it was a Harris function organized and run by me and not by Mr. Saunders. It was my impression that Saunders was not a "volunteer" of Conyers as reported in the chronology. To the contrary, my impression was that he was a paid staff aide of the Congressman.

c. A coffee was held on October 31, 1975, in a Detroit church, which was planned and conducted in close cooperation with Conyers' district congressional staff, and principally Nelson Saunders, and which is discussed in greater detail in the following paragraph.

5. The October 31, 1975, coffee was closely coordinated with Nelson Saunders, who was in charge of producing a crowd to meet and hear Fred Harris. Saunders recommended the site, a church in Detroit, and we agreed to go along with his recommendation. The event was held at about 5:30 p.m. to accommodate Harris' schedule. Neither John Conyers nor, to the best of my recollection, Saunders attended this event.

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This coffee was a disaster, and personally humiliating to me since no more than 10 people attended. These 10 people included Fred Harris and several Harris supporters from our organizations in Ann Arbor and Pontiac who drove in for the event and who were contacted by me. The goal was to attract approximately 75 to 80 people, and it was Nelson Saunders' job to help turn out the crowd. A few days prior to the event I began to get worried, since Saunders quit returning my telephone calls, and I now know that he was instructed to work full-time on a local mayoral race.

6. Congressman Conyers' chronology asserts that he introduced Harris at a press reception of the National Black Elected Officials Institute. I attended that event and even helped set it up and am very knowledgeable as to all circumstances surrounding it. I have read Jim Hightower's account at paragraph 7 of his Affidavit and concur with what he said. However, I would add additional information as follows.

I had worked closely with the Conyers staff to arrange for the Conyers introduction and, I believed, endorsement of Fred Harris in front of the elected black officials. The Harris organization had arranged the reception so that Fred Harris could meet officials in attendance, and Conyers' sole functions were to lend his name to the event and to introduce Fred Harris. Conyers did introduce Fred Harris in one of the most backhanded and humiliating manners possible

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and Harris supporters in attendance were outraged at his performance. Conyers began his remarks by noting that Senator Edward M. Kennedy was not a candidate for President, and implying that in his absence blacks would have to look for an alternative candidate to support. The Congressman then made exceedingly derogatory remarks about Senator Hubert Humphrey, a close personal and political friend of Fred Harris', which in turn was followed with derogatory or unflattering remarks of several other candidates including Jimmy Carter and Henry Jackson. He finally noted that this leaves Fred Harris, implying that blacks were left with Senator Harris, at which point he stated "I've supported losers before". The crowd laughed at this comment, but I was sickened that he would say such a thing. I looked at Fred and LaDonna Harris to ascertain their reaction, and observed that they were trying to smile; in my opinion, they were as sickened as was I. Conyers never endorsed Harris in these remarks. Conyers stated that he had wanted to introduce Harris and to be part of the reception for the reason that Harris had been out in front on the issue of national unemployment, which he thought was of primary importance for black people. He then again demeaned Fred Harris by noting that more people present were familiar with LaDonna Harris than they were with Fred, but that he was the one who was running. This, again, was typical of his performance at this reception.

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7. I also attended the Parker House reception referred to in the Conyers chronology and was with Fred Harris at all times pertinent thereto.

The Parker House reception was held on the day following the New Hampshire primary. Fred had been up late the night before and had travelled to Boston for a full day of campaigning. Four walking tours had been scheduled and he was just completing the final one at Harvard Square at approximately 4:30 p.m. when one of our staff people approached us and declared that there was a reception within a few hours at the Parker House which Fred had to attend. Fred said that he was not going to go and suggested that either LaDonna or Hightower should attend, which was a signal that he did not want to go and was one which he frequently relied on through the campaign. I am confident that Fred had not heard of the event before, and I know that I had not. I was with Fred at all times that day from early in the morning through the reception. I was within a couple of feet of Fred at all times, and was familiar with his thoughts and concerns. In fact, Fred said that he had to learn more about the event before he would agree to attend and wanted our staffer Fred Droz to find out about it. I don't think he ever was really satisfied with the answers he got as to what the event was, although he later agreed to go and we did attend.

When we arrived, at the Parker House, there were not the 400 people present cited in the Conyers chronology,

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but rather there were approximately 65-70 people present. (I should note that we were always cognizant of the number of people at an event. I had begun, as a matter of course, estimating attendance at all events, whether they were ours or not, and by this time I was fairly experienced at this and very conscious of the size of a crowd.)

One of the first things we learned upon arriving was that Morris Udall, an opponent for the Democratic nomination for president, had already attended and left. We were told that if we had arrived sooner there would have been a lot more people there, and that there was a considerably larger crowd present when Udall was in attendance.

I recall wondering who was paying for this reception upon seeing (a) the plush room in which it was held, (b) an open bar, (c) all types of cheese and etc., and (d) John Conyers meeting and greeting people in an open-neck shirt. I did not know who was paying for the event, but I knew that there was no way the Harris campaign could or would pay for such a thing. This was because we were chronically short of money and it would have made no sense to have sponsored an event of this kind which obviously was costing great sums of money and was attended by at least one other candidate, and since we were then almost totally out of money.

I was very surprised that Morris Udall had been present, and I am sure that Fred was too, since he preferred not to attend an event unless it was exclusively for him. However,

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we were always confused about what this event was and, as I already stated, were never really satisfied in advance with answers we got in response to inquiries. In fact, even to this day I do not know what this event was or who it was to benefit. I do recall that we were told that it was an event he must attend because a number of important black people would be present. This was the overriding consideration in Harris' decision to attend it.

EXECUTED this 8th day of June, 1977.

Richard D. Davis
RICHARD D. DAVIS

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

James W. Malin
Notary Public
JAMES W. MALIN
Notary Public, District of Columbia
Commission expires June 30, 1977

My commission expires:

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STATE OF OKLAHOMA)
) ss.
COUNTY OF COMANCHE)

AFFIDAVIT OF GARY MANNING FORD

GARY MANNING FORD, being first duly sworn, deposes and states:

1. I was the State Coordinator of the Massachusetts Harris for President Committee from September of 1975 until Fred R. Harris ceased his candidacy for the Democratic nomination for President of the United States.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers, Jr. on or about December 15, 1976. Said written materials detail a claim which Congressman Conyers makes against the Harris for President Committee for some \$16,171.32. This claim represents sums of money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris during the Massachusetts and New Hampshire Democratic presidential primaries in 1976.

3. As the State Coordinator of the Massachusetts Harris for President Committee I am aware of pertinent facts relating to Congressman Conyers' participation in the Massachusetts Democratic presidential primary and do state that Congressman Conyers' presentation of the facts as outlined in his memorandum of December 15, 1976, is a distortion of the true nature of his activities during said primary.

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4. As Massachusetts State Coordinator my duties were to recruit staff personnel, secure and equip headquarters, oversee the scheduling of Fred Harris and any surrogate on his behalf, direct fund raising activities, develop advertising programs, and maintain controls on spending.

The Massachusetts committee had a very sophisticated financial control system which consisted of flow charts that allowed me to ascertain, at the close of each day, the nearly exact financial situation of the Committee. I was the officer responsible for authorizing any expenditures in excess of \$100.00.

The system we developed was mandatory due to the fact that the Massachusetts committee had an exceedingly meager amount of money to spend. We never used rented cars nor did we send telegrams to invite people to a function.

5. In late January or early February I was advised by Jim Hightower and/or Bert De Leeuw that Congressman Conyers might be coming to New England to campaign on behalf of Mr. Harris. I was instructed to be thinking of activities Congressman Conyers might participate in that would be beneficial to the Harris effort. I was not told that Mr. Conyers would be bringing a staff with him nor was I instructed to budget any funds for the contemplated Conyers appearances in Massachusetts.

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6. I heard nothing more about Conyers' campaigning for Harris until the morning of February 19, 1976, I received a telephone call from Bert De Leeuw, National Field Operations Director of the Harris for President Committee. De Leeuw informed me that Congressman Conyers was in Boston and wanted to have breakfast with me that morning in the dining room of the Hotel Lennox in Boston.

I first met Congressman Conyers in the presence of Bert De Leeuw, and Lavelle Diet, a local Boston T.V. newsman. When I arrived at Mr. Conyers' table he (Congressman Conyers) and Mr. Diet were involved in conversation. Mr. Diet had his address book out and was reciting names and phone numbers to Mr. Conyers.

Mr. Conyers made a perfunctory greeting to me and returned to his discussion with Mr. Diet.

Mr. Conyers stated, "I am having a reception here so I can get our folks together. I want to make contacts here."

He was asking Mr. Diet for names of individuals to invite to his reception. He never asked me for names of Harris supporters or to use the Harris mailing list nor for volunteer workers for the event.

But, more importantly, he never suggested that any financial assistance would be expected of the Harris Committee.

It was clear to me this was to be an event strictly by and for John Conyers. In fact, he called it "an event of my own".

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Two of Conyers' staff people joined us and they (Conyers, Diet and staffers) continued to discuss his reception.

When it became apparent that no Harris strategy was going to be discussed De Leeuw and I excused ourselves and left the hotel.

At this meeting, Conyers never requested financial support of the Harris Committee. He did not raise any questions of strategy nor did he notify me that he was bringing additional people from Detroit and Washington, D. C.

7. Congressman Conyers held a press conference at 11:00 a.m. on the morning of February 20th in the Lennox Hotel to announce he was in New England to campaign for Fred R. Harris. Congressman Conyers' staff made the media contacts for this event and prepared a press release on his letterhead which carried a text of his remarks. Our press staff prepared a release as backup in the event the Conyers staff failed to provide a release.

At the conclusion of the press conference Congressman Conyers and his staff departed the hotel in rented cars they had secured.

8. On the afternoon of February 20th a meeting took place in my office at the Massachusetts headquarters of Harris for President. Mr. Conyers was represented by Nelson Saunders, Marcia Elayne, Susanne O'Neil and several others.

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The purpose of the meeting was to discuss Conyers' activities within Massachusetts and I wanted to establish a liaison person from the Conyers group with whom I could communicate.

At this meeting I set forth some proposed events I had contemplated after learning that Conyers would be in Massachusetts. One of the suggestions was a walking tour by the Congressman from Boston's South End to Harvard Square. Several other proposals were made that would include activities for a period of a few days. The Conyers group thought the walk stood the best chance of receiving Congressman Conyers' approval because they said, he would "like the media exposure". I also told them Congressman Conyers could be helpful in the Roxbury area and with the liberal community.

At this meeting the Conyers group never mentioned any need for financial assistance and no budget for their activities was discussed. I was unable to establish a liaison contact with the Conyers group. The meeting concluded with the Conyers group saying they would talk with Mr. Conyers about the walk and let me know if he approved. Around 10:00 p.m. they told me that Mr. Conyers would do the walk.

9. The Conyers group made the press contacts for the walk and issued a press release. I issued an interoffice memorandum which encouraged the staff to support this effort. We supplied the Conyers group with a suggested route and offered support personnel.

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Due to the short notice given the event, the first half of the walk was a dismal failure and it was not until the group reached Harvard Square that people in any number were present to meet Conyers. That afternoon, Conyers, Saunders, et al., came to the state headquarters. Conyers was visibly displeased. Saunders told me "Conyers was not happy" with the walking tour and that was the last time I ever had any communication with the Congressman.

10. On the 21st of February, I requested of the Conyers group that they carry on their activities at their hotel since space and telephone availability was limited. I was particularly concerned about the long distance telephone calls they were charging to the headquarters telephones, especially when it became apparent to me that their presence afforded little or no advantage to the Harris effort. At my request they vacated the Harris state headquarters.

Later I received complaints from the Boston City Harris for President Headquarters about the presence of the Conyers group. I asked them to leave those premises and they did.

11. It was on or about the 22nd day of February that Nelson Saunders proposed to me that the Conyers group should open a storefront office in Roxbury and carry out their activities from that location. They requested money to execute this plan. This was the first time the Conyers group

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had requested funding from the Massachusetts committee or even suggested that financial support might be expected from the Harris organization. My reply to them was that the Roxbury headquarters idea was excellent, but I very emphatically stated that the Massachusetts Harris Committee did not have adequate funds for such a project and offered to show them the check book after they intimated that I was not being truthful about the financial condition of the Massachusetts Harris Committee. They said Conyers would raise the money, and left.

Shortly following the conclusion of this meeting I received instructions from Hightower to issue a check in the amount of \$500.00 to cover the cost of two telephone lines for the Roxbury headquarters which they had procured. Upon the orders from Hightower I did direct that a check for \$500.00 be issued to secure two phone units for the Roxbury headquarters.

12. Following the \$500.00 payment, my knowledge of Congressman Conyers' activities was second hand, at best.

I do know he went to Springfield, and was told that his statements there were very non-committal about Fred R. Harris. I understand that he said something like:

There are a lot of good candidates, Fred Harris is one, Mo Udall is another.

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We made a few proposals for Conyers' campaign appearances, most of which were turned down by Mr. Conyers and/or his staff.

Very quickly, I decided that we had better things to do with our time than to attempt (unsuccessfully) to coordinate this (the Conyers group) unproductive group. I concluded that Conyers was doing whatever he wished for whatever reasons, but that his aims or his presence was not lending an advantage to the Harris campaign.

13. The reception which was held at the Parker House Hotel was nothing but an affair for John Conyers just as he indicated it would be at the breakfast meeting at the Lennox Hotel. The Massachusetts committee did not participate in the planning of the reception, no invitations were sent in the name of the committee, the mailing list of the Massachusetts committee was not used, the Massachusetts committee did not contract with the Parker House Hotel for any services nor did any officer of the Committee sign for bills for the event. In fact, it was not until very shortly prior to the event that the Massachusetts committee even learned when and where it was to take place. No one from the full-time staff was invited or attended.

I understand that Congressman Morris Udall, also a candidate for the Democratic nomination for President, was invited to the Parker House reception, attended and was introduced by Mr. Conyers.

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14. To sum up: Conyers and his staff were in Massachusetts during the period of the Massachusetts Democratic Presidential primary. The Massachusetts Harris for President Committee attempted to communicate with the Conyers group so as to at least know what was happening. In this, we failed. The Massachusetts Harris for President Committee did not direct, coordinate, or control Mr. Conyers' activities. To the contrary, at the very first request for money made by the Conyers group I stated the true financial condition of the Massachusetts Harris Committee and told them in no uncertain terms that no funds were available for their activities and never gave them any reason whatsoever to believe that any funds would be available.

The Conyers memorandum of December 15 is a blatant distortion of facts and his claim of \$16,171.32 against the Harris for President Committee is most ludicrous.

EXECUTED, this 8th day of June, 1977.

Gary Manning Ford
 Gary Manning Ford

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Lorna Bainbridge
 Notary Public

My commission expires:

My Commission Expires September 20, 1977

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District of Columbia) ss.

AFFIDAVIT OF FRED DROZ

FRED DROZ, being first duly sworn, deposes and states:

1. I was the National Director of Advance and Scheduling for the Harris for President Committee from January 1976 to the time Fred Harris ceased active campaigning for the Democratic nomination for President.

My duties included personal supervision of all matters pertaining to Mr. Harris' travel, public appearances, and lodging. I coordinated the activities of LaDonna Harris and any surrogate appearing on behalf of the Harris for President Committee.

2. I have reviewed the materials sent to Fred Harris by Congressman John Conyers on December 15, 1976. These written materials detail a claim against the Harris for President Committee for money Congressman Conyers and his political aides allegedly spent on behalf of Fred Harris in the New Hampshire and Massachusetts Democratic Presidential Primaries. From my personal knowledge I find these materials to be misleading in characterizing Mr. Conyers' activities and blatantly false in at least one instance.

3. It was a surprise to me and everyone involved when we learned very shortly before his arrival that Congressman

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Conyers was coming to New Hampshire. The Conyers memorandum of December 15 indicates that I assured Mr. Conyers that I would provide hotel accomodations, food and transportation for him and his entourage. This simply is not true. Our own (Harris Committee) volunteers were going without eating and were staying wherever they could find a place to sleep. I am sure I offered to make reservations at hotels for them and to prepare a suggested schedule for his activities, but I never said that hotel space would be furnished.

4. The four day schedule attached as Exhibit H to Conyers' December 15 memorandum and attributed to me was not prepared by me. It apparently was authored by a member of the Conyers staff. I cite as evidence that it is not mine, the fact that it details a trip to Youngstown, Ohio, a destination of which I could not have had knowledge.

5. When the Conyers group arrived in New Hampshire on February 19, they rented a car and requested from the Harris campaign a driver to take them to Boston. I refused them a driver due to the limited staff we had available and pointed out that they had six people capable of driving to Boston.

6. I learned of the Conyers reception held on February 25, 1976, at the Parker House Hotel in Boston only a few hours before it took place. A Harris volunteer advised me that Conyers was hosting a reception for all the presidential

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candidates. I contacted a Conyers staff person to inquire about the reception and was told they (the Conyers staff) had been unable to reach us about the reception.

This reception was not in any way coordinated or authorized by the Harris for President Committee. In fact, Fred Harris was not even invited until a few hours before it was held, and the staff learned of the reception inadvertently. Fred Harris did attend the reception for a short time as did other candidates for the nomination.

7. I was present at the meeting held on February 26, 1976, at the Parker House Hotel between members of the Harris Committee and Congressman Conyers.

At this meeting Congressman Conyers outlined a number of campaign activities he felt essential for a successful campaign in the black community in Boston. Jim Hightower, National Coordinator of the Harris Committee, very clearly stated that no funds were available for the activities suggested by Mr. Conyers and pointed out that the Harris effort was, in fact, being scaled-down due to lack of funds. There is no way Congressman Conyers could have expected the Harris Committee to fund the program he was outlining and no hope was held out that funds would be available in the future.

8. To summarize: Mr. Conyers' activities in the New Hampshire and Massachusetts primaries were not directed by the Harris for President Committee. A number of statements

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he makes in the December 15 memorandum are untrue and the four day schedule he offers as proof of my direction of his activities is not my work product.

In every conversation I had with Congressman Conyers and his staff, I made it clear the Harris Committee did not have funds available. To my personal knowledge they were never led to believe money would be available or that any reimbursement would be forthcoming from the Harris campaign.

EXECUTED this 8 day of June, 1977.

Fred Droz

FRED DROZ

SUBSCRIBED AND SWORN to before me this 8th day of June, 1977.

Elizabeth A. Balaban

Notary Public
District of Columbia

My Commission expires: *June 14, 1980.*

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CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710-822-9285

FEDERAL ELECTION COMMISSION

JUN 27 AM 10:43

June 24, 1977

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
PATRICIA M. BASS
MARTHA P. PATTERSON

R. CLYDE HARGROVE
OF COUNSEL

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK

EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

77-922

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

Re: Complaint Against Harris for President
Committee, MUR 372

Dear Ms. Browning:

In accordance with our telephone conversation of this date, this is to request that the Harris for President Committee be given an extension of time in which to respond to the above referenced complaint, or until July 8, 1977.

This delay is necessitated by several unanticipated absences from this city on the part of various personnel critical to the preparation of a response.

We appreciate your consideration in this matter.

Sincerely yours,

Dennis J. Whittlesey
Dennis J. Whittlesey

DJW:ps

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DJW

CASEY, LANE & MITTENDORF

SUITE 802

815 CONNECTICUT AVENUE, N.W.

WASHINGTON, D. C. 20006



ALWAYS USE

ZIP CODE

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609001067

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

June 7, 1977

MEMORANDUM TO:

THE FILE

FROM:

DAVE ANDERSON

SUBJECT:

MUR 372

On Monday, June 6, 1977, at approximately 9:25am
Mr. Dennis Whittlesey called on this matter.

Mr. Whittlesey stated that while the Harris
Committee's response to Representative Conyer's
complaint generally had been assembled, that the
Committee would appreciate receiving an additional
week so that an individual in Boston could correct
his affidavit. In response to my inquiry, Mr. Whittlesey
stated that the Committee would not need more than this
additional week. I informally agreed to this extension
and stated that it would not be necessary for Mr. Whittlesey
to file a letter to this effect.

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DAnderson:dks:6/8/77

May 31, 1977

MEMORANDUM TO:

THE FILE

FROM:

DAVE ANDERSON

SUBJECT:

MUR 372

On Friday, May 27, 1977 at approximately 11:45p.m. I returned a call from Dennis Whittlesey the Harris attorney (785-4949).

Mr. Whittlesey informed me that he finally received today our letter of May 18th. He stated that he expected to respond by June 6th, and that he would be happy to provide any further information which we may require.

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D. Anderson:dks:5/31/77

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

400 534

WASHINGTON OFFICE:
RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

Congress of the United States
House of Representatives
Washington, D.C. 20515

COMMITTEES:
JUDICIARY

CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

May 23, 1977

Mr. David L. Anderson
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Dear Mr. Anderson:

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I am writing on behalf of Congressman Conyers to provide you with some additional information on his complaint against the Harris For President Committee - No. MUR 372. Enclosed please find a copy of Congressman Conyers' itemized expenditures and sworn statements by Dr. James Garrett and myself. In answer to the question raised by Mr. Oldaker in his May 3, 1977 letter, the expenditures reported in the 30-day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil were incurred on behalf of the Harris campaign. A separate communication was sent to the FEC at the time explaining that Mr. Conyers' campaign committee had advanced the money to the two individuals so they would not have to suffer financial hardships, and that he would continue to press their claims against the Harris Committee.

It may also be useful for you to know about a telephone call I received on or about May 3, 1977 from Tom Moufarge, credit manager of the Dunfey Family's Hotels and Motor Inns, Hampton, New Hampshire (603) 926-8911. Mr. Moufarge had been responsible for collecting \$3,271.16 plus interest owed to the Parker House Hotel in Boston, Mass. for hotel room and charges incurred by Mr. Conyers and his volunteers on behalf of Fred Harris in February and March of 1976. Mr. Moufarge told me Ralph Collins, who is handling the Harris campaign deficit, had met with the general manager of the Parker House Hotel, and had assured him the payment would be forthcoming from the Harris For President Committee within several weeks. Collins said the check would be in the hotel's hands following the approval of the FEC, according to Moufarge.

Should you have any further questions or need additional assistance, please feel free to contact this office. Although I will be leaving Mr. Conyers' employ at the end of this month, Ms. Heidi Napper will be available to answer any queries or correspondence regarding the complaint.

Sincerely,

Christine Moore
Staff Assistant

May 23, 1977

General Counsel
Federal Election Commission
1325 K St., N.W.
Washington, D.C. 20463

Dear Sir:

I, Dr. James P. Garrett, 1807 Ninth Street, N.W., Washington, D.C. 20001, telephone (202) 265-4123, wish to file a statement regarding complaint MUR 372.

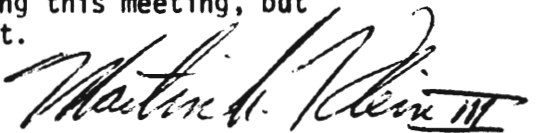
On or about Thursday, December 11, 1975, while in the employ of Congressman John Conyers, Jr. in Washington, D.C., I was asked to participate in a meeting held by Congressman Conyers and his Legislative Assistant, Neil Kotler, with Fred and LaDonna Harris and one of his campaign officials. Mr. Harris made a presentation on the strategy of his campaign for the Democratic nomination for President, and explained he needed a national black political leader to help him organize the black community in the primary states because one of his campaign's weaknesses was a lack of recognition and support by black voters. Mr. Harris asked Congressman Conyers if he would assume that essential, upfront role in his campaign. In addition to seeking his advice on strategy and organizing, Mr. Harris further requested that Congressman Conyers commit himself to speaking on Harris' behalf wherever needed throughout the country, and recruit black campaign workers from his own organization. Mr. Conyers said he would assist Mr. Harris in any way he could, and said he had persons in Washington, D.C. and Detroit who would be available for the campaign.

Following this exchange, Mr. Kotler asked me on the side where the funding would come for such an effort, since the Congressman obviously did not have the money available from his own personal funds. I raised the question out loud, and Mr. Conyers responded that he did not know, and instructed Mr. Kotler to find out from his administrative assistant where he might get such funding. While Mr. Kotler went out to talk to the administrative assistant, Mrs. Harris said, "Don't worry about that. We have more than enough money to cover your expenses." Mr. Harris obviously concurred, and did not contradict the offer. When Mr. Kotler returned, Congressman Conyers told him Fred and LaDonna had said they were going to take care of our expenses. With that question settled, we went on to discuss the specific strategies regarding the first primary elections in New Hampshire, Massachusetts, and Pennsylvania. In regard to Massachusetts, Harris said Mr. Conyers' contacts with elected Black Democrats would be greatly needed for that state, and requested that Mr. Conyers and his campaign workers/and/or paid volunteers go to that state, along with the others mentioned, to set up their organization several weeks before the primary election. I took detailed notes during this meeting, but I have not been able to locate them at the moment.

Sincerely,

James Garrett

*Sworn before
me this
23rd day of
May, 1977.*



MARTIN A. KLEIN, III
Notary Public, District of Columbia
My Commission Expires October 31, 1980

May 23, 1977

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

Dear Sir:

I, Christine Moore, 1310-35th Street, N.W. Washington, D.C., 20007, (202) 333-4869, wish to file a statement regarding complaint MUR 372.

From May through July of 1976, I had a number of conversations with Jim Rosapepe, who had been designated by Fred Harris to handle his campaign deficit, and the claim made by Congressman Conyers for his expenses incurred on behalf of the Harris For President Committee in February and March of 1976. At Mr. Rosapepe's request, I sent him an itemized list of the expenditures. After he was in receipt of the expenditures and I had not received a response, I again called Mr. Rosapepe to determine the status of Mr. Conyers' claim and the reason for the delay. Mr. Rosapepe explained that Mr. Harris had assets of \$40,000 in his campaign fund and debts totalling over \$100,000. He said, "Fred has every intention of paying back the Congressman as soon as he can pay off his direct expenses." I reminded Mr. Rosapepe that Mr. Conyers' expenses were also Mr. Harris's direct expenses, and should be given first priority for reimbursement because of the great hardship it imposed on Mr. Conyers. I added that Mr. Conyers had incurred the expenses at the request of Mr. Harris, and had been assured by Mr. Harris that the reimbursement would be forthcoming. Mr. Rosapepe assured me that Mr. Harris greatly appreciated the assistance he had received from Congressman Conyers, and that the matter of reimbursement was only a matter of time. I asked Mr. Rosapepe to give me a more definite date by when Mr. Conyers could expect to receive the reimbursement. He told me the Committee was planning a large fundraising effort in August, and that following the event we might expect to be reimbursed. I reported the conversation to Congressman Conyers and his Administrative Assistant Heidi Napper on the date it occurred, approximately late June or early July, 1976.

Sincerely,

Christine Moore

Christine Moore
Staff Assistant to Congressman John Conyers

Subscribed and sworn to me this

24 day of May 1977

Michael Henry

MR. HENRY, FBI, N.Y.

Subscribed and sworn to me this

24 day of May 1977

EXPENSES OR EXPENDITURES MADE ON BEHALF OF THE
HARRIS FOR PRESIDENT COMMITTEE

AMOUNT

LINCOLN- DOUGLASS, TRAVEL, INC.
1150-17th St., N.W., Suite 305
Washington, D.C. 20036
(Air fare between D.C. and Boston
for Congressman Conyers and 5 volun-
teers, and between Detroit and Boston
for 11 volunteers - 2/19/76 to
3/5/76)-----

\$2,881.58 plus 1 1/2%
monthly interest through
date of settlement

DUNFEY'S HOTELS & MOTOR INNS
Hampton, New Hampshire 03842
(Hotel bill for Conyers and
13 volunteers at Parker House,
Boston - 2/23/76 to 3/4/76)-----

\$2,261.25 plus any inter-
est through date of
settlement

DUNFEY'S HOTELS & MOTOR INNS--
Hampton, New Hampshire 03842
(Reception at Parker House,
Boston - 2/25/76)-----

\$1,039 plus any interest
through date of
settlement

NEW ENGLAND TELEPHONE
P.O. Box 2243
Boston, Mass. 02107
(Business phone installation/
service charge - 2/27/76)-----

\$72.02

WESTERN UNION TELEGRAPH COMPANY
7916 Westpark Drive
McLean, Va. 22101
(Telegram invitations -
2/24/76 and 2/27/76)-----

\$4,967.34

C & P TELEPHONE COMPANY
930 H St., N.W.
Washington, D.C. 20001
(Long distance calls from
2/19/76 - 3/4/76)-----

\$650.00

FAY FOTO SERVICES, INC.
201 South Street
Boston, Mass. 02111
(Photographic services 2/25/76)-----

\$90.00

JOHN CONYERS, JR.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Springfield, Mass. Reception-
Refreshments
(2/28/76)-----

\$138.72

780400609714

JOHN CONYERS, JR.
 2444 Rayburn H.O.B.
 Washington, D.C. 20515
 (Poll watchers, refreshments
 and other election day misc.
 - 3/2/76)----- \$180.00

JOHN CONYERS, JR.
 2444 Rayburn H.O.B.
 Washington, D.C. 20515
 (Sound equipment, dry cleaning,
 reception refreshments -
 2/23/76 to 3/3/76)----- \$557.39 plus 1 1/2 %
 monthly interest to
 date of settlement

JOHN CONYERS, JR.
 2444 Rayburn H.O.B.
 Washington, D.C. 20515
 (Air fare, Hotel Room, misc.
 expenses - 2/19/76 to 3/3/76)----- \$580.10

AMERICAN EXPRESS
 P.O. Box 16000
 New York, N.Y. 10008
 (Lennox Hotel, Boston -
 Bill for Conyers and 5
 volunteers - 2/19/76 to 3/5/76)----- \$473.31 including
 \$50.72 in interest
 as of 12/15/76 plus
 any additional interest
 to date of settlement

AMERICAN EXPRESS
 P.O. Box 16000
 New York, N.Y. 10008
 (meals for volunteers
 in Boston - 2/22/76 to
 2/24/76)----- \$80.84 including
 \$8.64 in interest as
 of 12/15/76 plus
 any additional inter-
 est to date of settle-
 ment

AMERICAN EXPRESS
 P.O. Box 16000
 New York, N.Y. 10008
 (Hertz Auto Rental - 2/20/76
 to 3/3/76)----- \$361.08 including
 \$38.72 in interest
 as of 12/15/76 plus
 any additional inter-
 est to date of settle-
 ment

AMERICAN EXPRESS
 P.O. Box 16000
 New York, N.Y. 10008
 (Dunfey's Parker House Hotel,
 Boston, - Hotel bill for 3
 volunteers - 2/23/76 to 3/4/76)----- \$657.79 including
 \$70.48 in interest
 as of 12/15/76 plus
 any additional inter-
 est to settlement date

BANK AMERICARD
 P.O. Box 1450
 Lansing, Mich. 48904
 (air fare, train fare, and car rental
 2/19/76 - 3/3/76)----- \$710.36 including \$92.58
 in interest as of 12/15/
 /76 & any additional
 int. to date of settle-
 ment

7374003321;
 7804006097;

VOLUNTEER OUT-OF-POCKET
EXPENSES**

% John Conyers, Jr.
2444 Rayburn H.O.B.
Washington, D.C. 20515
(Misc. meals, transportation,
and supplies, etc. - 2/19/76
to 3/5/76)

----- \$576.10

TOTAL AMOUNT DUE

\$16,171.32 plus
any interest due
through date of
settlement

**NOTE: Payment for the following items has been advanced
by the Friends of Congressman John Conyers Committee
to the volunteers making the expenditures so they
would not continue to suffer the financial conse-
quences of the delay in reimbursement. The Friends
of Congressman John Conyers Committee will continue
to press these claims on behalf of these individuals.

78040033215
78040060975

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20518
PHONE: 202-225-5126

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

April 5, 1977

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

Dear Ms. Lewis:

I am writing to confirm that payment in the amount of \$3,162.70 is being advanced to Lincoln-Douglass Travel, Inc. by the Friends of Congressman John Conyers Committee for travel expenses incurred in February and March of 1976 in behalf of the Harris for President Committee.

As you may be aware, I have filed a sworn complaint with the Federal Election Commission that this expenditure (\$2,881.58 plus interest) was made with the consultation and cooperation of the Harris For President Committee, and that its subsequent failure to acknowledge these expenditures constitute a violation of 2 U.S.C. 434, and Title 26, Chapter 96 of the Internal Revenue Code.

Although I deny responsibility for this indebtedness to Lincoln-Douglass and am confident that the FEC's investigation will bear this out, I do not feel it is fair to make a small minority business like Lincoln-Douglas suffer the financial consequences and hardship imposed by the delay in reporting and reimbursement of these expenses. Therefore, the Friends of Congressman John Conyers Committee is advancing the sum owed Lincoln-Douglass, and will continue to press this claim on its behalf. This payment is in no way to be construed as releasing the Harris For President Committee of its legal obligation to report and reimburse this expense.

Sincerely,

John Conyers, JR.
Member of Congress

cc: William Oldaker, General Counsel, Federal Election Commission

73040060977
73040060977

CM

CM

U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515
PUBLIC DOCUMENT
OFFICIAL BUSINESS

7 8 0 4 0 0 3 3 2 1 9
7 8 0 4 0 0 6 0 9 7 8
COMMISSION

'77 MAY



69
24
25
1.09

U.S. House of Representatives
WASHINGTON, D.C. 20515
PUBLIC DOCUMENT
OFFICIAL BUSINESS

John Longstaffe M.C.

Mr. David L. Anderson
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

MICHIGAN.

CERTIFIED
No. 461193
MAIL

77 MAY 25 PM 3:33

FEDERAL ELECTION COMMISSION

7 8 0 4 0 0 6 0 9 7 7

PC MUR 372

PS Form 3811, Mar. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
 Show to whom and date delivered..... 15¢
 Show to whom, date, & address of delivery.. 35¢
 RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
 RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
 Dennis J. Whittlesey.

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 438046

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE Addressee Authorized agent
 Nancy Belderson

4. DATE OF DELIVERY POSTMARK
 5/27/77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

5/18/77
5/18/77

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in

7 9 0 4 0 0 3 3 2 2 1
0 0 6 0 9 3 0

writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone No. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,



William C. Oldaker
General Counsel

78040033222
78040060981 Enclosures

7 8 0 4 0 0 6 0 9 3 4

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

6C

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:
Honorable John Conyers

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>438414</i>	<i>218</i>

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE Addressee Authorized agent

J. S. Guertsey

4. DATE OF DELIVERY	POSTMARK
	<i>APR 2 1976</i>

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:	CLERK'S INITIALS

03 MAY 1977

~~CONFIDENTIAL~~

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit an itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts. We would also find it helpful if you would include information as to whether any of the expenditures which you allege were not reported by the Harris for President Committee were reported as expenditures by your principal campaign committee or any committee affiliated with it. (For example, were the expenditures reported in the 30-day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Susanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

78040033224
780400983

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

78040033225

78040060984

Enclosure

DAnderson:cfb:4/7/77

cc: MUR 372

DA *DA*

JOHN CONYERS, JR.
1st DISTRICT, MICHIGAN

ALL
WASHINGTON OFFICE:
2444 FAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE 313-225-7022

COMMITTEE:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

April 5, 1977

file

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

771102

Dear Ms. Lewis:

I am writing to confirm that payment in the amount of \$3,162.70 is being advanced to Lincoln-Douglass Travel, Inc. by the Friends of Congressman John Conyers Committee for travel expenses incurred in February and March of 1976 in behalf of the Harris for President Committee.

As you may be aware, I have filed a sworn complaint with the Federal Election Commission that this expenditure (\$2,881.58 plus interest) was made with the consultation and cooperation of the Harris For President Committee, and that its subsequent failure to acknowledge these expenditures constitute a violation of 2 U.S.C. 434, and Title 26, Chapter 96 of the Internal Revenue Code.

Although I deny responsibility for this indebtedness to Lincoln-Douglass and am confident that the FEC's investigation will bear this out, I do not feel it is fair to make a small minority business like Lincoln-Douglas suffer the financial consequences and hardship imposed by the delay in reporting and reimbursement of these expenses. Therefore, the Friends of Congressman John Conyers Committee is advancing the sum owed Lincoln-Douglass, and will continue to press this claim on its behalf. This payment is in no way to be construed as releasing the Harris For President Committee of its legal obligation to report and reimburse this expense.

Sincerely,

John Conyers, JR.
Member of Congress

cc: William Oldaker, General Counsel, Federal Election Commission

73040763225
73040761986

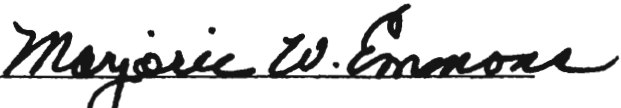
BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Harris for President Committee)
("the Committee"))

MUR 372 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on April 20, 1977, the Commission approved the General Counsel's draft letter to the Honorable John Conyers, Jr. requesting more information in the above-captioned matter.


Marjorie W. Emmons
Secretary to the Commission

78040053227
78040060986



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

- (1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.
- (2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.
- (3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.
- (4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.
- (5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

730400
730400
663220



FEDERAL ELECTION COMMISSION

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

Burphart
sent

April 19, 1977

MEMORANDUM TO: Marge Emmons
FROM: Charles N. Steele *CNS*
SUBJECT: MUR 372 (77)

Would you please distribute the attached to
the Commission on a 24 hour no-objection basis.

Attachment

78040063230
78040060980





FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372 (77)

Dear Mr. Conyers:

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78040060900
78040060900



Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

78040053231
78040060991



FEDERAL ELECTION COMMISSION

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

*Working copy -
Charlie 4/8/77*

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

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73040011233



Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202/523-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

780400609931
780400609931

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

DC # 162
WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126
DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

April 5, 1977

Ms. Hattie R. Lewis, Treasurer
Lincoln-Douglass Travel, Inc.
1150-17th St., N.W.
Washington, D.C. 20036

771102

Dear Ms. Lewis:

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Sincerely,

John Conyers, JR.
Member of Congress

cc: William Oldaker, General Counsel, Federal Election Commission

78040033235
78040060971

Congress of the United States

House of Representatives

Washington, D.C. 20515

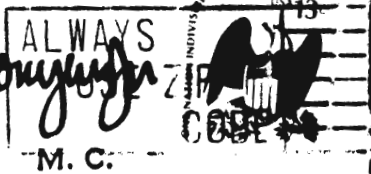
73040066
7804006

7711

Mr. [Name]
[Address]
[City, State, Zip]
Washington, D.C. 20515



John Lougheed





FEDERAL ELECTION COMMISSION

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

March 31, 1977

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *more by me*
RE: MUR 372 (77)

The above-mentioned document was transmitted to the Commissioners at 10:00 a.m., March 31, 1977.

An objection has been received. MUR 372 (77) will be placed on the Compliance Agenda for April 7, 1977.

A copy of Commissioner Harris' vote sheet has been enclosed for your information.

78040060997
78040060997





FEDERAL ELECTION COMMISSION

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

DATE AND TIME OF TRANSMITTAL 10:00 MAR 31 1977

Commissioner Harris

RETURN TO OFFICE OF COMMISSION SECRETARY BY: APRIL 1 - 10:00

MUR No. 372 (77)

I object to the recommendation in the attached report.

COMMENTS: This whole matter should be brought before & discussed by the Commission. I disagree with the proposed letters.

Date 3-31-77 Signature Thomas E. Harris

OBJECTIONS, SIGNED AND DATED, MUST BE RECEIVED IN THE COMMISSION SECRETARY'S OFFICE NO LATER THAN THE DATE AND TIME SHOWN ABOVE OR THE MATTER WILL BE DEEMED APPROVED. PLEASE RETURN ALL PAPERS TO THE OFFICE OF THE SECRETARY TO THE COMMISSION.

780400603331
780400603331



Mant

March 30, 1977

MEMORANDUM TO: Marge Emmons
FROM: Charles N. Steele
SUBJECT: MUR 372

Please distribute the attached on a 24 hour
no-objection basis.

C.Steele/pwb/3/30/77

78040033240
78040060999



FEDERAL ELECTION COMMISSION

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

March 30, 1977

MEMORANDUM TO: William Oldaker
FROM: Charles N. Steele *CS*
SUBJECT: MUR 372

The attached 48 hour report is submitted
for your approval.

OK w/ol

3/30

Attachment

78040066241
78040061000



DATE AND TIME OF TRANSFER: MAR 31 1977

NO. 372

REC'D: 3/1/77

FEDERAL ELECTION COMMISSION
Washington, D. C.

Steele

Complainant's Name: Representative John Conyers, Jr.

Respondent's Name: Harris for President Committee ("the Committee")

Relevant Statute: 2 U.S.C. §§434(b)(2)(3)(9)(10)(11)(12) and (e), 441a(a)(1)(A)

Internal Reports Checked: Reports of the Committee and Representative Conyers

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Representative Conyers alleged that during the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee. Mr. Conyers contended that the Committee's failure to report these expenditures constitutes a violation of the Act (See Attachment #1).

PRELIMINARY LEGAL ANALYSIS

(1) After several months of volunteer effort by Mr. Conyers in behalf of Fred Harris' presidential campaign, Fred and La Donna Harris met with Mr. Conyers to request that he "play an essential, upfront role in the Harris campaign." (See attachment #2 which sets forth a chronology of Mr. Conyers' involvement in the Harris campaign, attachment #2) At this meeting on December 15, 1975, Mr. Conyers asked about the financial resources of the Harris campaign with (cont.)

RECOMMENDATION

Reason to believe; send attached letters.

Date of Next Commission Review:

apparently, or impliedly authorized to either make expenditures on behalf of the Committee or to make an in-kind contribution of his services to the Committee. Yet an informal examination of the Committee's records has failed to reveal any instances where Mr. Conyers' disbursements were reported as expenditures by the Committee or debts owed by the Committee. 2 U.S.C. §434(b) (9) (10) (11) (12). It is also possible that since "the Act

operates to treat all expenditures placed in cooperation with or with the consent of a candidate, his agent, or an authorized committee of the candidate as contributions... , Buckley v. Valeo, 424 U.S. 1, 47 n. 53 (1976), that Mr. Conyers' disbursement of \$16,171.32 is an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee. 2 U.S.C. §§434(b) (2) (3) and 441a(a) (1) (A). Accordingly, the Committee should be requested to provide information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, and the Committee's reasons for concluding that the expenses incurred by Mr. Conyers were independent expenditures.

(3) Mr. Conyers apparently has reported at least \$275.44 as being expended by one of his campaign committees in connection with Conyers' associates in Massachusetts. (See Attachment #5 Report of Friends of Congressman John Conyers, December 2, 1976.) However, Mr. Conyers has not otherwise reported any of the disbursements allegedly incurred in connection with his activities in the Harris campaign. Thus, if Mr. Conyers expenditures were made independently from the Committee, as alleged by Mr. Whittlesey, then

Mr. Conyers has failed to report as required by 2 U.S.C. §434(e). In the alternative, if Mr. Conyers made these disbursements not as an agent of the Committee but with the Committee's cooperation and consent, then he made an in-kind contribution to the Committee in excess of the Act's limitations. 2 U.S.C. §441a (a)(1)(A). Accordingly, Mr. Conyers should be requested to provide additional documentation to support his view that he was authorized to incur these expenditures on behalf of the Committee.

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1 ● ATTACHMENT #2 ●

CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE
ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
- 4/12/75----- Conyers arranges Harris coffee cohosted by Dave Chaney, president of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, and sends letter of invitation to his friends (See Exhibit B).
- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
- 5/1/75----- Harris sends Conyers thank-you letter in which he states, "I look forward to working with you closely." (See Exhibit D)
- 9/10/75----- At the request of Rick Davis, deputy campaign coordinator for daily operations of the Harris For President Committee, Conyers' volunteers assist the campaign by distributing flyers, and through arranging details of a Harris meeting at the Summit Athletic Club in Detroit.
- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

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Week of-----
12/15/75

Fred and LaDonna Harris meet at their request with Conyers at his Congressional Office in Washington, D.C., and ask him to play an essential, upfront role in the Harris campaign. In addition to seeking Conyers' advice on strategy and organizing, the Harrises ask him to commit himself to speaking on Harris' behalf wherever needed throughout the country, and to help him recruit skilled black campaign workers and supporters. Conyers asks about the financial resources of the campaign in regards to his involvement, and Mrs. Harris responds that he does not have not worry - the committee has an adequate amount for this type of activity. Dr. James Garrett, of Conyers' staff, takes notes on the meeting. At the close of the meeting, Rick Davis repeats the request for Conyers' participation to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the Public Service Employees Hall in Detroit. Mrs. Harris tells the Congressman the campaign needs assistance in the New England primaries. (See Exhibits F and G)

2/18/76 ----- Conyers discusses strategy and his possible role in the New Hampshire primary with various key staffers at the Harris For President Headquarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers' campaign worker, Fred Drooze, director of scheduling for the Harris For President Committee, offers to handle travel, lodging, meal, and rental car arrangements for Conyers and his volunteers. Drooze relays tentative schedule of events planned for the Congressman, and arranges for staff person to pick up Conyers and his two volunteers upon arrival at the Airport in Manchester.

Immediately after arriving, the party is taken to The Harris For President Committee Headquarters where they meet with Jim Hightower, campaign manager of the Harris For President Committee, and Drooze. Drooze gives Conyers a four-day schedule of campaign events set up especially for him; one day in New Hampshire to fill in for LaDonna Harris, who has become sick, and the remainder in the Boston area. (See Exhibit H) Hightower explains that they felt the bulk of Conyers' time should be spent in building up support for Harris in Boston, where there are larger concentrations of black voters, than in New Hampshire.

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2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues on authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressmen and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

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2/21/76 (cont.)

On this date, Conyers' volunteers began working directly and on a daily basis with Charles Duncan, the National Minority Affairs Coordinator for the Harris For President Committee. Duncan states he assisted the Congressman and his volunteer staff, participated in the formulation and execution of the Congressman's strategy, and daily briefed Ford, the state coordinator, on these activities.

Duncan arranges for Conyers' volunteers to work on telephone bank at Harris' city headquarters in Boston, and helps the staff to compile a list of black leaders and potential Harris supporters to be invited to a reception the Congressman plans on the behalf of Harris. Duncan also aids the volunteers in compiling a list of ministers at whose churches the Congressman will speak.

2/22/76----- Ford assigns Pete Dillon, a paid Harris staffer, to be Conyers' chauffeur and guide to the Boston black community. Through coordination with the Harris For President Committee the Congressman speaks to church audiences during services while his volunteers and Harris staff and volunteers leaflet other churches.

2/23/76----- Conyers and aide fly to New Hampshire at the request of state coordinators who set up press conferences and appearances in Lebanon, Dartmouth, and Hanover. Conyers and aide fly back to Boston where the Congressman follows the schedule prepared by the Harris For President Committee and attends several receptions in the home of key black Harris supporters. - news media invited. (See Exhibit H)

Conyers' campaign workers search for available and suitable storefront office for a Harris For President Headquarters in the black community, map out precincts and compile a list of voters in the black community, and prepare list of persons to be invited to Parker House Hotel reception. First batch of telegram invitations go out.

2/24/76----- The Congressman talks on the telephone to Jim Hightower in Manchester regarding problem of getting adequate funds from Ford for rental of selected storefront office for Harris For President Headquarters in Roxbury, Mass. (See Exbt. H)

¹Statement of Charles Duncan in December 2, 1976 telephone conversation with Christina Moore.

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2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of Invitations to reception goes out.

2/25/76-----

Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black communit, Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76-----

Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafleting over the weekend in 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

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2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

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2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, a Harris supporter, and send out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers does a radio spot ad to be played on

²From notes taken at the meeting by Christine Moore and Suzanne O'Neil.

2/28/76 (cont.)

Stations he recommended to Hightower. The committee pays the cost of the ad.

Conyers and 3 volunteers attend Harris reception in Sheehy's home in Springfield, and provide the refreshments.

2/29/76-----

Conyers' volunteers and Duncan coordinate a speaking tour of black churches by LaDonna Harris, and introduce her and hand out literature.

Conyers speaks at church amnesty rally at the request of the Harris For President schedulers.

Conyers' volunteers and Duncan operated telephone bank geared to minority voters, and address and stamp envelopes designated for Harris fundraising event or solicitation.

3/1/76-----

Three Conyers' volunteers assist Springfield Headquarters in planning election day activities.

Conyers and the 13 other volunteers organize primary election day operation for Roxbury headquarters, and operate telephone bank.

3/2/76-----

Conyers and volunteers supervise primary election day operation out of the Roxbury headquarters, including such activities as printing up and distributing poll watcher challenger cards, payment for the compensation and food of workers, and compiling election results.

Conyers' volunteers in Roxbury and Springfield watch polls, provide voters with transportation, and acquire sound system for campaign mobile unit (car rented for use of Conyers and volunteers) on streets of black community. Harris staffers invite and escort the Congressman and his volunteers to Harris' election night gathering.

3/3/76-----

Conyers' volunteers close up Roxbury headquarters. The Congressman meets with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris For President Committee.

With the exception of two Conyers' volunteers who are given the job of completing all closing arrangements, the Congressman and the rest of his volunteers return home.

Harris personally sends Conyers a telegram that states: "Before our campaign begins to gear up for

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3/3/76 (cont.)

Illinois and New York, I want to first extend my deepest appreciation to you for all your work and support on my behalf in New England. Your invaluable assistance is a great asset to my campaign and I thank you again for your confidence and willingness to speak out on the issues."
(See Exhibit N)

Week of-----
3/8/76

Conyers speaks to Harris on the telephone to arrange meeting to discuss reimbursement of expenses for Roxbury headquarters, himself and volunteers. Schedule conflict prevents meeting.

Week of 3/15/76 --

Conyers meets with Harris at Chicago hotel headquarters. Harris advises Conyers of change of strategy, that due to diminishing resources and increasing deficits he will drop out of the next two primaries to concentrate on the primary in Pennsylvania.

March '76-----

Duncan contacts a Conyers' campaign aide to request that the Congressman provide names of persons who can help the campaign in Pennsylvania.

March/April '76---

Stephanie Soline, a national scheduler for the Harris For President Committee, relays through Christine Moore their request to have the Congressman appear on Harris' behalf at the March 28 Progressive Voters' League Annual Tea in Texas, and offer to pay his airfare in advance. When the Congressman receives a conflicting invitation to represent Harris at the Americans For Democratic Action annual dinner in Pennsylvania, Fred Droze advises Ms. Moore that the engagement in Pennsylvania should take precedence over any event in Texas. (See Exhibit O) Conyers accepts.

Additionally, Ms. Soline makes numerous other calls to Ms. Moore to request that the Congressman also appear on Harris' behalf in Baltimore, Md.

4/8/76-----

Harris announces he has become an "inactive candidate."

5/26/76-----

Conyers calls Harris in regard to reimbursement of his expenses and expenditures, and is told to have an aide contact Jim Rosapepe, A Harris For President staff person handling the campaign deficit.

5/27/76-----

Ms. Moore calls Rosapepe who requests a breakdown of the New England expenses.

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6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.

June/July '76 ----- Ms. Moore and Rosapepe discuss the expenses on the telephone. Roseapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."

September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.

Christine Moore contacts the firm and attorney Dennis Whittlesey, tell her to send him a breakdown of the expenses and expenditure.

October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.

10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.

10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit P)

1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

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1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

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FRED HARRIS FOR PRESIDENT '76

For release:
Friday, February 20 A.M.

715 BOYLSTON STREET, BOSTON, MA 02116, 617/252-9650

Contact: Winston Eamons (617) 262-9650
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

- 30 -

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

ATTACHMENT #4

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710 822-9285

OCT 21 1976

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
LINDA KURJAN

R. CLYDE HARGROVE
OF COUNSEL

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NEW YORK, N.Y. 10004
WHITENALL 3-3000
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

October 19, 1976

The Honorable John Conyers, Jr.
2444 Rayburn House Office Building
Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.


On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY:


Dennis J. Whittlesey

Attorneys for the
Harris for President Committee

DJW:ps

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Schedule B
 May 1976
 Federal Election Commission
 3 K Street, N.W.
 Washington, D.C. 20463

Itemized Expenditures
Campaign Fundraising, Loans, and Transfers
for Lines 20, 21, 22, and/or 23 of FEC Form 3
 (see instructions on back)

Page 1 of 1 for
 LINE NUMBER 20 (a)
 (Use separate schedule(s) for each numbered line).

Name of Candidate or Committee in full
FRIENDS OF CONGRESSMAN JOHN CONYERS

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Bob Frishman 1248 C St., S.E. Washington, D.C. 20003	Out of pocket expense Boston, Mass. 3/76	11/12/76	144.44
Suzanne O'Neil 8104 E. Jefferson Detroit, Michigan 48214	Out of pocket expenses Boston, Mass. 3/76	11/12/76	131.00
Lincoln-Douglass Travel, Inc. 1150 17th Street, N.W. Washington, D.C. 20036	Travel expenses not paid by groups inviting Congressman to participate	10/22/76	1,688.12
Western Union Telegraph Company 7916 Westpark Drive Lean, Virginia 22101	Business telegrams sent after H.O.R. acct. exhausted	10/27/76	1,000.00
Congressional Quarterly Service 1414 - 22nd Street, N.W. Wash., D.C. 20037	One year subscription 1977	10/27/76	215.00

Subtotal of expenditures this page (optional) > \$ 3,178.56
 Total this period (last page this line number only) > \$ 3,178.56



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

- (1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.
- (2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.
- (3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.
- (4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.
- (5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



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(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

78048061039



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in



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writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

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DATE AND TIME OF TRANSMITTAL: _____

NO. 372 _____

REC'D: 3/1/77 _____

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Representative John Conyers, Jr.

Respondent's Name: Harris for President Committee ("the Committee")

Relevant Statute: 2 U.S.C. §§434(b)(2)(3)(9)(10)(11)(12) and (e), 441a(a)(1)(A)

Internal Reports Checked: Reports of the Committee and Representative Conyers

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Representative Conyers alleged that during the New Hampshire and Massachusetts primaries he incurred authorized expenditures in the amount of \$16,171.32 on behalf of the Committee. Mr. Conyers contended that the Committee's failure to report these expenditures constitutes a violation of the Act (See Attachment #1).

PRELIMINARY LEGAL ANALYSIS

(1) After several months of volunteer effort by Mr. Conyers in behalf of Fred Harris' presidential campaign, Fred and La Donna Harris met with Mr. Conyers to request that he "play an essential, upfront role in the Harris campaign." (See attachment #2 which sets forth a chronology of Mr. Conyers' involvement in the Harris campaign, attachment #2) At this meeting on December 15, 1975, Mr. Conyers asked about the financial resources of the Harris campaign with (cont.)

RECOMMENDATION

Find reason to believe; send attached letters.

Date of Next Commission Review: _____

Preliminary Legal Analysis (cont.)

"regards to his involvement, and Mrs. Harris responds that he does not have not (sic) worry - the committee has an adequate amount for this type of activity." (Supra). Apparently relying on this statement, Mr. Conyers proceeded to act as a spokesman for the Harris campaign, to recruit black campaign workers and supporters for the Committee, and to coordinate certain activities for the Committee in Boston, Massachusetts. (See Attachment #2 in general)

During this period the Committee handled arrangements and scheduling for Mr. Conyers and his volunteers (supra, 2/19/76, 2/21/76, 2/23/76), publicly announced plans for Mr. Conyers to campaign on behalf of the Committee (see Attachment #3), maintained daily contact for strategy and scheduling (See Attachment #2, 2/20/76, 2/21/76), and rented a headquarters for use by the Mr. Conyers and his volunteers (supra., 2/25/76).

Following Harris' declaration on April 8, 1976 that he was becoming an inactive candidate, Christine Moore of Mr. Conyers' staff contacted Jim Rosapepe of the Committee. Mr. Rosapepe stated that "Harris has 'every intention' of paying the Congressman for his expenses, as soon as his (Harris) 'direct expenses' are covered." (Supra., June/July 1976). On October 19, 1976, Dennis J. Whittlesey, an attorney for the Committee, notified Mr. Conyers

that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

(See Attachment #4)

(2) Mr. Conyers has sufficiently alleged that he was expressly,

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apparently, or impliedly authorized to either make expenditures on behalf of the Committee or to make an in-kind contribution of his services to the Committee. Yet an informal examination of the Committee's records has failed to reveal any instances where Mr. Conyers' disbursements were reported as expenditures by the Committee or debts owed by the Committee. 2 U.S.C. §434(b) (9)(10)(11)(12). It is also possible that since "the Act operates to treat all expenditures placed in cooperation with or with the consent of a candidate, his agent, or an authorized committee of the candidate as contributions. . . , Buckley v. Valeo, 424 U.S. 1,47 n. 53 (1976), that Mr. Conyers' disbursement of \$16,171.32 is an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee. 2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A). Accordingly, the Committee should be requested to provide information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, and the Committee's reasons for concluding that the expenses incurred by Mr. Conyers were independent expenditures.

(3) Mr. Conyers apparently has reported at least \$275.44 as being expended by one of his campaign committees in connection with Conyers' associates in Massachusetts. (See Attachment #5 Report of Friends of Congressman John Conyers, December 2, 1976.) However, Mr. Conyers has not otherwise reported any of the disbursements allegedly incurred in connection with his activities in the Harris campaign. Thus, if Mr. Conyers expenditures were made independently from the Committee, as alleged by Mr. Whittlesey, then

Mr. Conyers has failed to report as required by 2 U.S.C. §434(e). In the alternative, if Mr. Conyers made these disbursements not as an agent of the Committee but with the Committee's cooperation and consent, then he made an in-kind contribution to the Committee in excess of the Act's limitations. 2 U.S.C. §441a (a)(1)(A). Accordingly, Mr. Conyers should be requested to provide additional documentation to support his view that he was authorized to incur these expenditures on behalf of the Committee.

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FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable John Conyers, Jr.
House of Representatives
Washington, D.C. 20515

Re: MUR 372

Dear Mr. Conyers:

This letter acknowledges receipt of your complaint dated February 24, 1977, alleging that the Harris for President Committee committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered your complaint as MUR 372. Please refer to this number in all future correspondence. For your information, we have enclosed a brief description of the Commission's preliminary procedures for the handling of complaints.

In order to facilitate our investigation of this matter, we request that you submit within ten days of the receipt of this letter:

- (1) A copy of Dr. James Garrett's notes from the meeting on December 15, 1975.
- (2) Any contemporaneous memoranda prepared by Christine Moore with regard to her phone conversation with Jim Rosapepe in June and July of 1976.
- (3) An itemized list of the expenditures which you incurred in behalf of the Harris for President Committee in New Hampshire and Massachusetts, including the amount, date, purpose, and payee of each expenditure.
- (4) Any copies of documents or statements which might tend to show that you made these expenditures as an agent of the Committee and that these disbursements were not in-kind contributions or independent expenditures.
- (5) A statement as to whether any of the expenditures which you allege were not reported by the Harris for President Committee, were reported as independent expenditures or expenditures by your principal campaign committee or any committee affiliated with it. If so, please identify the name under which such report was filed, the date of the filing, the identity of each payee, and the amount of each expenditure.



(For example, were the expenditures reported in the 30 day post election report of the Friends of Congressman John Conyers (December 2, 1976) for out of pocket expenses in Boston, Massachusetts for Bob Frishman and Suzanne O'Neil incurred on behalf of the Harris Campaign? Are these expenditures part of the sum which you allege has not been reported by the Harris for President Committee?)

Please include with your response any additional factual or legal materials which you deem relevant to our inquiry. Where possible, please supply affidavits from individuals having personal knowledge of the fact alleged.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission unless the respondent agrees in writing to make the investigation public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

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FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Dennis J. Whittlesey, Esquire
Casey, Lane & Mittendorf
815 Connecticut Avenue, N.W.
Washington, D.C. 20006

Re: MUR 372

Dear Mr. Whittlesey:

This is to notify you that the Federal Election Commission has received a complaint which we have numbered MUR 372, alleging that the Harris for President Committee ("the Committee") committed certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint and the chronology which accompanied it is enclosed for your information. Please refer to the number in all future correspondence.

The Commission has reviewed this information and has found reason to believe that Mr. Conyers' disbursements were either unreported expenditures on behalf of the Committee (2 U.S.C. §434(b)(9)(10)(11)(12)), or an unreported in-kind contribution in excess of the Act's limitations which was impliedly accepted by the Committee (2 U.S.C. §§434(b)(2)(3) and 441a(a)(1)(A)). Accordingly, we request that you submit an affidavit, pursuant to 2 U.S.C. §437g(a)(4), which provides information on Mr. Conyers' relationship to the Committee, the nature of the disbursements incurred by Mr. Conyers, the Committee's reason for concluding that the expenses incurred by Mr. Conyers were independent expenditures, and any reasons why no action should be taken against the Committee under the Act. Please submit your response within ten days, along with any other factual or legal materials you deem relevant to our inquiry. Where possible, please supply sworn statements by individuals having personal knowledge of the facts alleged.

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission, in



writing, that you wish the investigation to be made public. The unauthorized disclosure of this matter is subject to the fine provided in 2 U.S.C. §437g(c).

The attorney assigned to this case is David L. Anderson (telephone no. 202-532-4061). Please contact him if you have any questions.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

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JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEE:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

ATTACHMENT #

302 1901

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

Congress of the United States
House of Representatives
Washington, D.C. 20515

77 FEB 26 11:26
MUR37Z

February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers, Jr.
John Conyers, Jr.
Member of Congress

Enclosure

John Conyers, Jr.
John Conyers, Jr.
John Conyers, Jr.
John Conyers, Jr.

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CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

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- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
- 4/12/75----- Conyers arranges Harris coffee cohosted by Dave Chaney, president of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, and sends letter of invitation to his friends (See Exhibit B).
- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
- 5/1/75----- Harris sends Conyers thank-you letter in which he states, "I look forward to working with you closely." (See Exhibit D)
- 9/10/75----- At the request of Rick Davis, deputy campaign coordinator for daily operations of the Harris For President Committee, Conyers' volunteers assist the campaign by distributing flyers, and through arranging details of a Harris meeting at the Summit Athletic Club in Detroit.
- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

Week of-----
12/15/75

Fred and LaDonna Harris meet at their request with Conyers at his Congressional Office in Washington, D.C., and ask him to play an essential, upfront role in the Harris campaign. In addition to seeking Conyers' advice on strategy and organizing, the Harrises ask him to commit himself to speaking on Harris' behalf wherever needed throughout the country, and to help him recruit skilled black campaign workers and supporters. Conyers asks about the financial resources of the campaign in regards to his involvement, and Mrs. Harris responds that he does not have not worry - the committee has an adequate amount for this type of activity. Dr. James Garrett, of Conyers' staff, takes notes on the meeting. At the close of the meeting, Rick Davis repeats the request for Conyers' participation to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the Public Service Employees Hall in Detroit. Mrs. Harris tells the Congressman the campaign needs assistance in the New England primaries. (See Exhibits F and G)

2/18/76 ----- Conyers discusses strategy and his possible role in the New Hampshire primary with various key staffers at the Harris For President Headquarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers' campaign worker, Fred Drooze, director of scheduling for the Harris For President Committee, offers to handle travel, lodging, meal, and rental car arrangements for Conyers and his volunteers. Drooze relays tentative schedule of events planned for the Congressman, and arranges for staff person to pick up Conyers and his two volunteers upon arrival at the Airport in Manchester.

Immediately after arriving, the party is taken to The Harris For President Committee Headquarters where they meet with Jim Hightower, campaign manager of the Harris For President Committee, and Drooze. Drooze gives Conyers a four-day schedule of campaign events set up especially for him; one day in New Hampshire to fill in for LaDonna Harris, who has become sick, and the remainder in the Boston area. (See Exhibit H) Hightower explains that they felt the bulk of Conyers' time should be spent in building up support for Harris in Boston, where there are larger concentrations of black voters, than in New Hampshire.

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2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues on authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressmen and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

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2/21/76 (cont.)

On this date, Conyers' volunteers began working directly and on a daily basis with Charles Duncan, the National Minority Affairs Coordinator for the Harris For President Committee. Duncan states he assisted the Congressman and his volunteer staff, participated in the formulation and execution of the Congressman's strategy, and daily briefed Ford, the state coordinator, on these activities.

Duncan arranges for Conyers' volunteers to work on telephone bank at Harris' city headquarters in Boston, and helps the staff to compile a list of black leaders and potential Harris supporters to be invited to a reception the Congressman plans on the behalf of Harris. Duncan also aids the volunteers in compiling a list of ministers at whose churches the Congressman will speak.

2/22/76----- Ford assigns Pete Dillon, a paid Harris staffer, to be Conyers' chauffeur and guide to the Boston black community. Through coordination with the Harris For President Committee the Congressman speaks to church audiences during services while his volunteers and Harris staff and volunteers leaflet other churches.

2/23/76----- Conyers and aide fly to New Hampshire at the request of state coordinators who set up press conferences and appearances in Lebanon, Dartmouth, and Hanover. Conyers and aide fly back to Boston where the Congressman follows the schedule prepared by the Harris For President Committee and attends several receptions in the home of key black Harris supporters. - news media invited. (See Exhibit H)

Conyers' campaign workers search for available and suitable storefront office for a Harris For President Headquarters in the black community, map out precincts and compile a list of voters in the black community, and prepare list of persons to be invited to Parker House Hotel reception. First batch of telegram invitations go out.

2/24/76----- The Congressman talks on the telephone to Jim Hightower in Manchester regarding problem of getting adequate funds from Ford for rental of selected storefront office for Harris For President Headquarters in Roxbury, Mass. (See Exbt. M)

¹Statement of Charles Duncan in December 2, 1976 telephone conversation with Christime Moore.

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2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of Invitations to reception goes out.

2/25/76-----

Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black communit, Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76-----

Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign's strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafleting over the weekerqin 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

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2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

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2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, A Harris supporter, and sends out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers does a radio spot ad to be played on

²From notes taken at the meeting by Christine Moore and Suzanne O'Neil.

2/28/76 (cont.)

Stations he recommended to Hightower. The committee pays the cost of the ad.

Conyers and 3 volunteers attend Harris reception in Sheehy's home in Springfield, and provide the refreshments.

2/29/76-----

Conyers' volunteers and Duncan coordinate a speaking tour of black churches by LaDonna Harris, and introduce her and hand out literature.

Conyers speaks at church amnesty rally at the request of the Harris For President schedulers.

Conyers' volunteers and Duncan operated telephone bank geared to minority voters, and address and stamp envelopes designated for Harris fundraising event or solicitation.

3/1/76-----

Three Conyers' volunteers assist Springfield Headquarters in planning election day activities.

Conyers and the 13 other volunteers organize primary election day operation for Roxbury headquarters, and operate telephone bank.

3/2/76-----

Conyers and volunteers supervise primary election day operation out of the Roxbury headquarters, including such activities as printing up and distributing poll watcher challenger cards, payment for the compensation and food of workers, and compiling election results.

Conyers' volunteers in Roxbury and Springfield watch polls, provide voters with transportation, and acquire sound system for campaign mobile unit (car rented for use of Conyers and volunteers) on streets of black community. Harris staffers invite and escort the Congressman and his volunteers to Harris' election night gathering.

3/3/76-----

Conyers' volunteers close up Roxbury headquarters. The Congressman meets with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris For President Committee.

With the exception of two Conyers' volunteers who are given the job of completing all closing arrangements, the Congressman and the rest of his volunteers return home.

Harris personally sends Conyers a telegram that states: "Before our campaign begins to gear up for

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6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.

June/July '76 ----- Ms. Moore and Rosapepe discuss the expenses on the telephone. Roseapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."

September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.

Christine Moore contacts the firm and attorney Dennis Whittlesey tell her to send him a breakdown of the expenses and expenditure.

October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.

10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.

10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit P)

1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

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1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

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FRED HARRIS FOR PRESIDENT '76

For release:
Friday, February 20 A.M.

715 BOYLSTON STREET, BOSTON, MA 02116, 617/262-9600

Contact: Winston Eamons (617) 262-9650
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

- 30 -

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

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EXHIBIT P

ATTACHMENT #4

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710 822-9285

OCT 21 1976

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
LINDA KURJAN

R. CLYDE HARGROVE
OF COUNSEL

October 19, 1976

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

The Honorable John Conyers, Jr.
2444 Rayburn House Office Building
Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

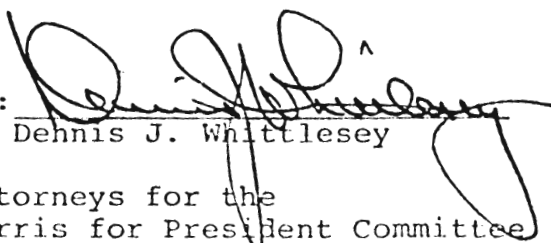
In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.

On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY: 
Dennis J. Whittlesey

Attorneys for the
Harris for President Committee

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DJW:ps

Module B
January 1976
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Itemized Expenditures
Campaign Fundraising, Loans, and Transfers
for Lines 20, 21, 22, and/or 23 of FEC Form 3
(see instructions on back)

Page 1 of 1 for
LINE NUMBER 20 (a)
(Use separate schedule(s) for each
numbered line).

Name of Candidate or Committee in full
FRIENDS OF CONGRESSMAN JOHN CONYERS

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Bob Frishman 1248 C St., S.E. Washington, D.C. 20003	Out of pocket expenses Boston, Mass. 3/76	11/12/76	144.44
Suzanne O'Neill 8104 E. Jefferson Detroit, Michigan 48214	Out of pocket expenses Boston, Mass. 3/76	11/12/76	131.00
Lincoln-Douglass Travel, Inc. 1450 7 17th Street, N.W. Washington, D.C. 20036	Travel expenses not paid by groups inviting Congressman to partici- pate	10/22/76	1,688.12
Western Union Telegraph Company 7916 Westpark Drive McLean, Virginia 22101	Business telegrams sent after H.O.R. acct. exhausted	10/27/76	1,000.00
Congressional Quarterly Service 1414 - 22nd Street, N.W. Washington, D.C. 20037	One year subscription 1977	10/27/76	215.00
Subtotal of expenditures this page (optional)			\$ 3,178.56
Total this period (last page this line number only)			\$ 3,178.56

which is made gratuitously, and is not supported by consideration, and is not made to serve in place of an honorarium or contribution.

(3) A stipend. A stipend is a payment for services on a continuing basis, including a salary or other compensation paid by news media for commentary on events other than the campaign of the individual compensated. A stipend cannot be paid by a political committee other than a candidate's principal campaign committee or other authorized committee to that candidate.

PART 111—COMPLIANCE PROCEDURE

- 111.1 Scope.
- 111.2 Complaint; filing.
- 111.3 Initial processing.
- 111.4 Notification.
- 111.5 Investigation.
- 111.6 Commission action.
- 111.7 Conciliation.
- 111.8 Disclosure of Commission action.
- 111.9 Civil proceedings.
- 111.10 Issuance of Subpoenas and Subpoenas Duces Tecum.
- 111.11 Depositions.
- 111.12 Service of subpoenas and notices of deposition.
- 111.13 Motions to quash.
- 111.14 Witness fees and mileage.
- 111.15 Ex parte communication.

Authority: See 316(3), Pub. L. 92-225, as amended by Sec. 298, Pub. L. 95-443, 98 Stat. 1719, and amended by Secs. 105 and 107(a) of Pub. L. 94-263, 50 Stat. 481 (2 U.S.C. 437(a)(1)), and Sec. 318(a) (9), Pub. L. 92-225, 86 Stat. 14, amended by Secs. 298(a) and 299(a)(1) and (2)(1), Pub. L. 95-443, 98 Stat. 1719, 1727, and Sec. 105, Pub. L. 94-263, 50 Stat. 481 (2 U.S.C. 437(a)(1)).

§ 111.1 Scope.

These regulations provide procedures for processing possible violations of the General Election Campaign Act of 1971, as amended (2 U.S.C. § 431, et seq.) and chapters 95 and 96 of the Internal Revenue Code of 1954 (26 U.S.C. §§ 9001, et seq. and 9001 et seq.).

§ 111.2 Complaint; filing.

(a) Any person may file a complaint with the Commission setting forth grounds for believing that a person has violated the Act or chapter 95 of the Internal Revenue Code of 1954. A complaint shall be in writing and signed, and shall be sworn to and notarized.

- (b) A complaint shall contain—
 - (1) The full name, address, and telephone number of the complainant;
 - (2) A clear and concise statement of the acts which are alleged to constitute a violation of the Act;
 - (3) Any documentation of allegations of the complaint available to the complainant; and
 - (4) An assertion that the person complained to is not a candidate, is not filing the complaint on behalf of or at the request or suggestion of a candidate, unless such is the fact in which case it shall be so stated.

§ 111.3 Initial processing.

The General Council shall review the complaint and all relevant material filed

with the Commission and report to the Commission on the factual and legal bases for the possible violation. On the basis of the General Counsel's report and the relevant materials, the Commission shall determine by the agreement of at least four of its members whether it has "reason to believe" that the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 have been or will be violated and order any investigation it believes necessary.

§ 111.4 Notification.

Upon determination by agreement of at least four members of the Commission that it has reason to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur, the General Council shall notify respondent of that determination, providing a copy of the complaint or summary of the matters brought into question and advising respondent that he or she should submit any factual or legal information which he or she believes demonstrates that no action should be taken against him or her. Such notification shall be confidential as required by 2 U.S.C. § 437(a)(3)(B).

§ 111.5 Investigation.

(a) In any case in which the Commission finds it has reason to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur, it shall order an investigation into those matters about which it believes it needs further information.

(b) If a complaint is filed by a candidate, any investigation shall include an investigation of the reports and statements filed by the complaining candidate, pursuant to 2 U.S.C. § 437(a)(3).

§ 111.6 Conciliation.

After review of the relevant materials obtained during the investigation, the Commission by agreement of at least four of its members shall determine whether there is reasonable cause to believe that respondent has committed or is about to commit a violation of the Act or of chapter 95 or 96 of the Internal Revenue Code of 1954. In the event that the Commission so determines, it shall inform the respondent of its decision and seek voluntary compliance by the respondent.

§ 111.7 Conciliation.

(a) Within a reasonable time after the Commission has determined that it has reasonable cause to believe that the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has been or will be violated, the General Council shall attempt to correct or prevent the violation by informal methods of conference, conciliation, and persuasion.

(b) If a tentative conciliation agreement is reached with respondent, the General Council shall submit it to the Commission for approval by agreement of at least four members.

(c) If, after attempting conciliation for the appropriate period of time (see 2 U.S.C. § 437(a)(5)(A)), the General Council concludes that no acceptable

conciliation agreement can be reached, he or she shall prepare a report for the Commission which sets forth the reasons for the inability to obtain a conciliation agreement.

§ 111.8 Disclosure of Commission action.

(a) If the Commission has notified respondent of its decision that he or she has not violated the Act or chapter 95 or 96 of the Internal Revenue Code of 1954, it shall make available to the public its determination and the basis for it.

(b) After the Commission has concluded any conciliation attempts, it shall make available the results of any such attempts, including any conciliation agreement entered into.

§ 111.9 Civil proceedings.

The Commission, on the recommendation of the General Council, after attempts to correct or prevent any violation by informal methods of conference, conciliation, or persuasion have been unsuccessful may determine by the agreement of at least four of its members that there is probable cause to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur and may direct the General Council to commence civil proceedings and seek appropriate relief.

§ 111.10 Issuance of subpoenas and subpoenas duces tecum.

(a) The Chairman or the Vice Chairman shall issue subpoenas requiring the attendance and testimony of witnesses and the production of documentary or other tangible evidence upon request by the General Council.

(b) Any party may request the General Council to subpoena particular persons or evidence, but such subpoenas shall not be obtainable as a matter of right.

§ 111.11 Depositions.

In any proceeding or investigation, the Commission, upon written notice, may order testimony to be taken by deposition before any person who is designated by the Commission and has the power to administer oaths.

§ 111.12 Service of subpoenas and notices of depositions.

(a) Service of a subpoena or notice of deposition upon a person named therein shall be made by delivering a copy to that person in the manner described by paragraphs (b), (c), and (d). Fees for one day's attendance and mileage shall be tendered as specified in § 111.14.

(b) Whenever service is to be made upon a person who is represented in the pending proceeding by an attorney, the service may be made upon the attorney.

(c) Delivery of a copy of a subpoena or notice of deposition and tender of the fees to a natural person may be made by handing them to the person; or leaving them at his office with the person in charge thereof; or leaving them at his dwelling place or usual place of abode with some person of suitable age and discretion then residing therein; or mailing them by registered

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or certified mail to him at his last known address; or by any method whereby actual notice is given to him and the fees are made available prior to the return date.

(b) When the person to be served is not a natural person, delivery of a copy of the subpoena or notice of deposition and tender of the fees may be effected by handing them to a registered agent for service, or to any officer, director, or agent in charge of any office of such person; or by mailing them by registered or certified mail to such representative at his last known address; or by any method whereby actual notice is given to such representative and the fees are made available prior to the return date.

§ 111.13 Motions to quash.

(a) Any person to whom a subpoena is directed may, prior to the time specified therein for compliance, but in no event more than 5 days after the date of service of such subpoena, apply to the Commission to quash or modify such subpoena, accompanying such application with a brief statement of the reasons therefor.

(b) The Commission upon the agreement of at least four of its members may deny the application, or, upon granting notice and an opportunity for reply to the person upon whose request the subpoena was issued, may--

- (1) Deny the application;
- (2) Quash the subpoena; or
- (3) Modify the subpoena.

§ 111.14 Witness fees and mileage.

(a) Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid to witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like services in the courts of the United States.

(b) Witness fees and mileage shall be paid by the party at whose instance the witnesses appear.

§ 111.15 Ex parte communications.

(a) In order to avoid the possibility of prejudice, real or apparent, to the public interest in enforcement actions pending before the Commission pursuant to 2 U.S.C. § 437g(a) (1) or (2), except to the extent required for the disposition of ex parte matters as required by law (for example, during the normal course of an investigation or a conciliation effort), no interested person outside the agency shall make or cause to be made to any Commissioner or any member of the Commission's staff involved in handling enforcement actions any ex parte communication relative to the factual merits of any enforcement action, nor shall any Commissioner or member of the Commission's staff involved in the decisional process make or entertain any such ex parte communications.

(b) The prohibition of this regulation shall apply from the time a complaint is filed with the Commission pursuant to 2 U.S.C. § 437g(a) (1) or from the time that

the Commission determines on the basis of information ascertained in the normal course of its supervisory responsibilities that it has reason to believe that a violation has occurred or may occur pursuant to 2 U.S.C. § 437g(a) (2), and remains in force until the Commission has finally concluded all action with respect to the enforcement matter in question.

PART 112--ADVISORY OPINION PROCEDURE

- Sec.
- 112.1 Requests for advisory opinions.
- 112.2 Public availability of requests.
- 112.3 Written comments on requests.
- 112.4 Issuance of advisory opinions.
- 112.5 Reliance on advisory opinions.
- 112.6 Reconsideration of advisory opinions.

Authority: Sec. 310(a), Pub. L. 92-225, 42 Stat. 923, Pub. L. 93-443, 81 Stat. 1279, and amended by Secs. 105 and 107 (a) (1), Pub. L. 94-204, 90 Stat. 491 (2 U.S.C. 410(a)(1)), and Sec. 215(a)(10), Pub. L. 92-225, 83 Stat. 15, amended by Secs. 203(a) and (c)(10), and 202(a)(1) and (b)(1), Pub. L. 91-444, 85 Stat. 1279, 1287, and Sec. 112, Pub. L. 91-203, 90 Stat. 491 (2 U.S.C. 422(c) (12)).

§ 112.1 Requests for advisory opinions.

- (a) Any--
 - (1) Holder of Federal office;
 - (2) Candidate for Federal office;
 - (3) Political committee;
 - (4) National committee of a political party; or
 - (5) Authorized agent of any of the foregoing persons if the agent discloses the identity of his or her principal;

may request in writing an advisory opinion concerning application of a general rule of law: (i) stated in the Federal Election Campaign Act of 1971, as amended, or chapter 95 or 96 of the Internal Revenue Code of 1954, or (ii) only prescribed as a rule or regulation by the Commission, in a specific factual situation that involves the requesting person.

(b) Requests shall include all facts relevant to the specific factual situation with respect to which the request is made. Hypothetical questions will not be treated as advisory opinion requests.

(c) Advisory opinion requests may be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, N.W., Washington, D.C. 20463.

(d) Upon receipt by the Commission, each advisory opinion request (AOR) shall be assigned an AOR number for reference purposes.

§ 112.2 Public availability of requests.

(a) Advisory opinion requests submitted under § 112.1 shall promptly be made public at the Commission.

(b) A copy of the original request shall be available for public inspection and purchase, except when it involves a compliance action (see Part 111), at the Federal Election Commission, Public Records Division, 1325 K Street, N.W., Washington, D.C. 20463.

(c) Advisory opinion requests may be made public through other means, and publication in those cases shall be either

in the form originally submitted or in an edited or paraphrased form as the Commission considers appropriate.

§ 112.3 Written comment on requests.

(a) Interested persons are invited to submit written comments concerning advisory opinion requests.

(b) Written comments may be submitted within 10 calendar days of the date the request is made public at the Commission. The Commission may in its discretion shorten or extend the comment period on a particular request where there is reasonable cause for doing so.

(c) Comments on advisory opinion requests should refer to the AOR number of the request, and statutory references should be to the United States Code citations, rather than to Public Law citations.

(d) Additional time in which to comment may be granted upon written request or in the discretion of the Commission.

(e) Written comments and requests for additional time to comment shall be sent to the Federal Election Commission, Office of General Counsel, Advisory Opinion Section, 1325 K Street, N.W., Washington, D.C. 20463.

(f) Before it issues an advisory opinion the Commission shall consider all timely comments received.

§ 112.4 Issuance of advisory opinions.

(a) Within a reasonable time after receiving a written request properly made under § 112.1 the Commission shall issue a written advisory opinion.

(b) The Commission may issue advisory opinions pertaining only to the Federal Election Campaign Act of 1971, as amended, chapter 95 or 96 of the Internal Revenue Code of 1954, or rules or regulations duly prescribed under those statutes.

(c) No advisory opinion may state a general rule of law, other than one which is stated in the Federal Election Campaign Act of 1971, as amended, or chapter 95 or 96 of the Internal Revenue Code of 1954, until that general rule is prescribed by the Commission as a rule or regulation pursuant to 2 U.S.C. § 422 (c).

(d) No opinion of an advisory nature may be issued by the Commission or any of its employees except in accordance with the provisions of this § 112.4; however, this paragraph does not preclude distribution by the Commission of information consistent with the Act and chapter 95 or 96 of the Internal Revenue Code of 1954.

(e) When issued by the Commission each advisory opinion shall be made public and sent by mail, or personally delivered, to the person who requested the opinion.

§ 112.5 Reliance on advisory opinions.

(a) An advisory opinion rendered by the Commission under this Part 112 may be relied upon by:

- (1) Any person involved in the specific transaction or activity with respect to

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JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

Congress of the United States
House of Representatives
Washington, D.C. 20515

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
PHONE: 202-225-5126

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

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February 24, 1977

Mr. William Oldaker
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Dear Mr. Oldaker:

I, Congressman John Conyers, 2444 Rayburn House Office Building, Washington, D.C. 20515, telephone (202) 225-5126, wish to file a complaint under Sect. 437(g) of the Federal Election Campaign Act of 1971, as amended by the Amendments of 1974 and 1976, against the Harris for President Committee.

In February and March of 1976, during the New Hampshire and Massachusetts primaries, I, along with supporters, incurred authorized expenditures in the amount of \$16, 171.32, to help elect Fred Harris for President. These expenditures were made with the consultation and cooperation of the Harris for President Committee. I believe the failure to acknowledge these expenditures constitutes a violation of 2 U.S.C. 434, and Title 26, Chapter 96, of the Internal Revenue Code.

I am enclosing attachments which are relevant supporting documents for this complaint. Thank you for your consideration.

I hereby certify that this complaint is valid and authorized.

Sincerely,

John Conyers
John Conyers, Jr.
Member of Congress
Enclosure

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CLB 1301

CONGRESSMAN JOHN CONYERS' EFFORTS DIRECTLY ADVOCATING THE
ELECTION OF FRED HARRIS AS THE DEMOCRATIC PRESIDENTIAL NOMINEE

A Chronology of Events Corroborating the Fact that Mr. Conyers' Expenditures Were Incurred With the Cooperation, Consent, or Authorization of The Harris For President Committee

- 2/11/75----- Conyers offers campaign assistance to Harris during telephone conversation. Harris sends thank-you letter that states he will be back in touch to work out the details of a meeting the Congressman has agreed to arrange between Harris and prospective supporters in his District in Detroit. (See Exhibit A)
- 4/12/75----- Conyers arranges Harris coffee cohosted by Dave Chaney, president of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, and sends letter of invitation to his friends (See Exhibit B).
- 4/25/75----- Conyers and Chaney co-host coffee for Harris at ACWU Hall. Conyers introduces Harris.
- 4/30/75----- Conyers sends Chaney thank-you note for co-hosting coffee for Harris. (See Exhibit C)
- 5/1/75----- Harris sends Conyers thank-you letter in which he states, "I look forward to working with you closely." (See Exhibit D)
- 9/10/75----- At the request of Rick Davis, deputy campaign coordinator for daily operations of the Harris For President Committee, Conyers' volunteers assist the campaign by distributing flyers, and through arranging details of a Harris meeting at the Summit Athletic Club in Detroit.
- 9/12/75----- Conyers sends Harris a letter noting the growing momentum of his campaign and the issues which need to be raised. (See Exhibit E)
- 9/13/75----- Conyers' volunteer Nelson Saunders introduces Harris at meeting at the Summit Athletic Club.
- 12/10/75----- At the request of The Harris For President Committee, Conyers introduces Harris at press reception of the National Black Elected Officials Institute, and notes he has been trying to arrange meetings between Harris and elected black officials.

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Week of-----
12/15/75

Fred and LaDonna Harris meet at their request with Conyers at his Congressional Office in Washington, D.C., and ask him to play an essential, upfront role in the Harris campaign. In addition to seeking Conyers' advice on strategy and organizing, the Harrises ask him to commit himself to speaking on Harris' behalf wherever needed throughout the country, and to help him recruit skilled black campaign workers and supporters. Conyers asks about the financial resources of the campaign in regards to his involvement, and Mrs. Harris responds that he does not have not worry - the committee has an adequate amount for this type of activity. Dr. James Garrett, of Conyers' staff, takes notes on the meeting. At the close of the meeting, Rick Davis repeats the request for Conyers' participation to Nelson Saunders.

2/17/76----- Conyers introduces LaDonna Harris at the Public Service Employees Hall in Detroit. Mrs. Harris tells the Congressman the campaign needs assistance in the New England primaries. (See Exhibits F and G)

2/18/76 ----- Conyers discusses strategy and his possible role in the New Hampshire primary with various key staffers at the Harris For President Headquarters in Manchester, N.H.

2/19/76----- In telephone conversation with Conyers' campaign worker, Fred Drooze, director of scheduling for the Harris For President Committee, offers to handle travel, lodging, meal, and rental car arrangements for Conyers and his volunteers. Drooze relays tentative schedule of events planned for the Congressman, and arranges for staff person to pick up Conyers and his two volunteers upon arrival at the Airport in Manchester.

Immediately after arriving, the party is taken to The Harris For President Committee Headquarters where they meet with Jim Hightower, campaign manager of the Harris For President Committee, and Drooze. Drooze gives Conyers a four-day schedule of campaign events set up especially for him; one day in New Hampshire to fill in for LaDonna Harris, who has become sick, and the remainder in the Boston area. (See Exhibit H) Hightower explains that they felt the bulk of Conyers' time should be spent in building up support for Harris in Boston, where there are larger concentrations of black voters, than in New Hampshire.

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2/19/76 (cont.)

A Harris staff person is assigned to drive the Congressman and his volunteers to a Boston hotel - The Lennox Hotel.

2/20/76-----

The national press staff of The Harris For President Committee helps to arrange a morning press conference at Conyers' hotel, and issues on authorized committee stationery a press release announcing the Congressman's support for Harris and the plans for him to campaign on Harris' behalf in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire (See Exhibit I) Conyers and aide fly to New Hampshire where he campaigns for Harris and is escorted by local Harris coordinators in the cities of Hannover, Keene, and Claremont. (See Exhibits J and K) A Harris coordinator drives the Congressman back to his hotel in Boston.

Three Conyers' volunteers arrive from Washington, D.C., and three come in from Detroit to serve as Harris' organizers and Conyers' support staff for his work on behalf of Harris. These volunteers, working in concert with various key Harris coordinators, schedulers, or their suggested contacts, line up an intensive daily schedule of speaking engagements and news media interviews for the duration of the Congressman's campaign on behalf of Fred Harris. From this date on, the Congressman and/or his campaign aides were in daily contact with the Harris For President Committee in regard to strategy and scheduling; these activities taking place at either one of the three authorized headquarters when there was space and telephones available, or at the Lennox Hotel or the Parker House Hotel where there wasn't.

2/21/76-----

Gary Ford, the Massachusetts State Coordinator for The Harris For President Committee, arranges a highly publicized walk through the community to call attention to Conyers' support of Harris. Ford issues an internal campaign memorandum to alert all staff to the Congressman's involvement in the campaign. (See Exhibit L)

In discussions on the Harris strategy to attract the black vote, Ford gives the Congressman and his campaign aides the authority to locate, establish, and operate a Harris For President Committee Headquarters in the black community to serve as the base for the Congressman's efforts.

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2/21/76 (cont.)

On this date, Conyers' volunteers began working directly and on a daily basis with Charles Duncan, the National Minority Affairs Coordinator for the Harris For President Committee. Duncan states he assisted the Congressman and his volunteer staff, participated in the formulation and execution of the Congressman's strategy, and daily briefed Ford, the state coordinator, on these activities.

Duncan arranges for Conyers' volunteers to work on telephone bank at Harris' city headquarters in Boston, and helps the staff to compile a list of black leaders and potential Harris supporters to be invited to a reception the Congressman plans on the behalf of Harris. Duncan also aids the volunteers in compiling a list of ministers at whose churches the Congressman will speak.

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2/22/76----- Ford assigns Pete Dillon, a paid Harris staffer, to be Conyers' chauffeur and guide to the Boston black community. Through coordination with the Harris For President Committee the Congressman speaks to church audiences during services while his volunteers and Harris staff and volunteers leaflet other churches.

2/23/76----- Conyers and aide fly to New Hampshire at the request of state coordinators who set up press conferences and appearances in Lebanon, Dartmouth, and Hanover. Conyers and aide fly back to Boston where the Congressman follows the schedule prepared by the Harris For President Committee and attends several receptions in the home of key black Harris supporters. - news media invited. (See Exhibit H)

Conyers' campaign workers search for available and suitable storefront office for a Harris For President Headquarters in the black community, map out precincts and compile a list of voters in the black community, and prepare list of persons to be invited to Parker House Hotel reception. First batch of telegram invitations go out.

2/24/76----- The Congressman talks on the telephone to Jim Hightower in Manchester regarding problem of getting adequate funds from Ford for rental of selected storefront office for Harris For President Headquarters in Roxbury, Mass. (See Exbt. M)

¹Statement of Charles Duncan in December 2, 1976 telephone conversation with Cristine Moore.

2/24/76 (cont.)

He also speaks with landlord to vouch for the proposed use of the rental property at 2163 Washington Street.

Conyers meets with community groups, labor organizations, news media, and represents Harris at reception at the Elma Lewis School of Fine Arts, the cultural and social center of Roxbury, at the request of the Harris For President Committee. Last batch of Invitations to reception goes out.

2/25/76----- Hightower authorizes Ford to issue check for the rental of the headquarters selected by Conyers and for deposit for telephone installation. Conyers' volunteers turn check over to landlord, clean up the office, stock it with Harris literature, answer its phones, and recruit persons from the community to assist in the overall operation of the headquarters.

Conyers hosts reception at the Parker House Hotel which is attended by more than 400 members of the black communit, Conyers personally introduces Harris to every guest as his choice for the Democratic nomination. Harris takes Conyers' campaign aide aside to thank him for the work he and the Congressman have done on behalf of the Harris candidacy.

2/26/76----- Conyers meets with the editorial board of Boston Globe regarding his support and participation in the Harris campaign.

Conyers meets with group of labor leaders to mobilize election day support for Harris.

Conyers and 5 volunteers meet with Hightower, Frank Greer,, a national press director for The Harris For President Committee, and Bert LeLew, national director of the field operations for the Harris For President Committee, in a conference room at the Parker House Hotel. Hightower advises the Congressman of the campaign's strategy and of the activities planned through the primary election date. Conyers outlines the strategy he says is essential if he is to turn out the black voters for Harris through the Roxbury headquarters operation. Conyers' plans includes radio spot on stations with large audiences of blacks; saturation leafleting over the weekerq in 25 selected precincts in the Roxbury area; operation of a telephone bank targeted to reach black registered voters; recruitment of paid poll workers for election day and 7

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2/26/76 (cont.)

experienced black campaign organizers to fly in from Detroit and supervise the activities; food for election day workers and other miscellaneous expenses; and the use of mobile sound equipment in the Roxbury area. Conyers breaks down the cost of these planned activities, and of the expenses he and his 9 volunteers have or will have incurred by election day on behalf of Harris. Conyers suggests that the Harris For President Committee can pay for the total cost of these expenses and expenditures by staging a fundraiser in the black community, immediately following the election. The Congressman invites a prospective contributor to join the meeting with Hightower. Hightower takes part in a solicitation for the needed campaign funds by outlining the objectives of the campaign and the issues which Harris is raising.²

2/27/76-----

On this approximate date or thereabouts, Conyers is asked to join Harris' daughter at the opening of the Harris For President Headquarters in Newton, Mass. Conyers participated in the subsequent press conference. On this approximate date or thereabouts, the Congressman also represented Harris at a Candidate's Night at Boston University at the request of the Harris For President Committee.

Also on this approximate date, Conyers met with Harris at the Casa Romero Restaurant to discuss Conyers' proposal to have Harris appear at the Elma Lewis School of Fine Arts.

Conyers' volunteers, with the aid of Harris coordinators for the headquarters in Springfield, compile list of black leaders and professionals to be invited to reception in the home of George Sheehy, A Harris supporter, and sends out telegram invitations.

2/28/76-----

Conyers' volunteers and recruits leaflet the black community of Boston, and are joined by Conyers' 7 Detroit volunteers who have flown in from Detroit. The Harris For President Committee provides the sound equipment for a mobile campaign unit manned by Conyers' volunteers. At the request of the Harris For President Committee, Conyers does a radio spot ad to be played on

²From notes taken at the meeting by Christine Moore and Suzanne O'Neil.

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2/28/76 (cont.)

Stations he recommended to Hightower. The committee pays the cost of the ad.

Conyers and 3 volunteers attend Harris reception in Sheehy's home in Springfield, and provide the refreshments.

2/29/76----- Conyers' volunteers and Duncan coordinate a speaking tour of black churches by LaDonna Harris, and introduce her and hand out literature.

Conyers speaks at church amnesty rally at the request of the Harris For President schedulers.

Conyers' volunteers and Duncan operated telephone bank geared to minority voters, and address and stamp envelopes designated for Harris fundraising event or solicitation.

3/1/76----- Three Conyers' volunteers assist Springfield Headquarters in planning election day activities.

Conyers and the 13 other volunteers organize primary election day operation for Roxbury headquarters, and operate telephone bank.

3/2/76----- Conyers and volunteers supervise primary election day operation out of the Roxbury headquarters, including such activities as printing up and distributing poll watcher challenger cards, payment for the compensation and food of workers, and compiling election results.

Conyers' volunteers in Roxbury and Springfield watch polls, provide voters with transportation, and acquire sound system for campaign mobile unit (car rented for use of Conyers and volunteers) on streets of black community. Harris staffers invite and escort the Congressman and his volunteers to Harris' election night gathering.

3/3/76----- Conyers' volunteers close up Roxbury headquarters. The Congressman meets with key Harris supporters and staffers to assess the results of the election and the implications for the minority strategy of the Harris For President Committee.

With the exception of two Conyers' volunteers who are given the job of completing all closing arrangements, the Congressman and the rest of his volunteers return home.

Harris personally sends Conyers a telegram that states: "Before our campaign begins to gear up for

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3/3/76 (cont.)

Illinois and New York, I want to first extend my deepest appreciation to you for all your work and support on my behalf in New England. Your invaluable assistance is a great asset to my campaign and I thank you again for your confidence and willingness to speak out on the issues."
(See Exhibit N)

Week of-----
3/8/76

Conyers speaks to Harris on the telephone to arrange meeting to discuss reimbursement of expenses for Roxbury headquarters, himself and volunteers. Schedule conflict prevents meeting.

Week of 3/15/76 --

Conyers meets with Harris at Chicago hotel headquarters. Harris advises Conyers of change of strategy, that due to diminishing resources and increasing deficits he will drop out of the next two primaries to concentrate on the primary in Pennsylvania.

March '76-----

Duncan contacts a Conyers' campaign aide to request that the Congressman provide names of persons who can help the campaign in Pennsylvania.

March/April '76---

Stephanie Soline, a national scheduler for the Harris For President Committee, relays through Christine Moore their request to have the Congressman appear on Harris' behalf at the March 28 Progressive Voters' League Annual Tea in Texas, and offer to pay his airfare in advance. When the Congressman receives a conflicting invitation to represent Harris at the Americans For Democratic Action annual dinner in Pennsylvania, Fred Droze advises Ms. Moore that the engagement in Pennsylvania should take precedence over any event in Texas. (See Exhibit O) Conyers accepts.

Additionally, Ms. Soline makes numerous other calls to Ms. Moore to request that the Congressman also appear on Harris' behalf in Baltimore, Md.

4/8/76-----

Harris announces he has become an "inactive candidate."

5/26/76-----

Conyers calls Harris in regard to reimbursement of his expenses and expenditures, and is told to have an aide contact Jim Rosapepe, A Harris For President staff person handling the campaign deficit.

5/27/76-----

Ms. Moore calls Rosapepe who requests a breakdown of the New England expenses.

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6/3/76----- Ms. Moore sends Rosapepe the requested breakdown of expenses, and states she will provide the receipts upon request.

June/July ----- Ms. Moore and Rosapepe discuss the expenses '76 on the telephone. Roseapepe tells her the committee doesn't have the money for reimbursement, but that a fundraiser is planned for August. He says Harris has "every intention" of paying the Congressman for his expenses, as soon as his (Harris) "direct expenses" are covered. Ms. Moore reminds Rosapepe that Conyers' expenses and expenditures are also Harris' "direct expenses."

September '76----- Conyers call Harris to again request reimbursement. Harris tells the Congressman the law firm of Henry Taliafero is now handling the deficit and to contact him for reimbursement.

Christine Moore contacts the firm and attorney Dennis Whittlesey tell her to send him a breakdown of the expenses and expenditure.

October '76----- Ms. Moore contacts Whittlesey regarding action taken on the Congressman's request for reimbursement. Whittlesey states that the claim is disputed because of an internal campaign memo Hightower wrote following the Massachusetts primary. In the memo, Hightower says the expenses and expenditures were incurred independently by the Congressman.

10/18/76----- Conyers calls Whittlesey to discuss the matter of reimbursement and the Hightower memo, in lieu a meeting Ms. Moore had independently scheduled with Whittlesey to air the contents of the memo.

10/19/76----- Whittlesey, as an attorney for the Harris For President Committee, writes the Congressman that they have concluded, "that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was." (Exhibit P)

1/31/77----- Harris sends letter acknowledging receipt of Conyers' December 15th, 1976 communication and supporting documents which refute the Harris for President Committee position that the incurred expenses were independent expenditures, and requests the proper reporting and reimbursement of same. Harris states his "hope something

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1/31/77

helpful can be worked out," and "...please know that I appreciate all you did to help me." (See Exhibit Q)

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EXHIBIT A

FRED R. HARRIS

1104 WAVERLY WAY
McLEAN, VIRGINIA 22101
(703) 356-1670

February 12, 1975

The Honorable John Conyers
U. S. House of Representatives
Washington, D.C. 20515

Dear John:

Thanks a million for your good call and for your expression of friendship and willingness to be helpful. I will be back in touch with you or Stan Bach on your staff about helping me set up a meeting where I could discuss my campaign with prospective supporters in Detroit.

John, I am a great admirer of yours and of what you are doing, so it was especially gratifying to hear from you. I will be back in touch.

Warmest personal regards,



FRED R. HARRIS

FRH/mt

780400033300
78040061053

JOHN CONYERS, JR.
1ST DISTRICT, MICHIGAN

EXHIBIT B

WASHINGTON OFFICE:
2444 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20518
PHONE: 202-225-5126

Congress of the United States
House of Representatives
Washington, D.C. 20515

DETROIT OFFICE:
307 FEDERAL BUILDING
231 W. LAFAYETTE
DETROIT, MICHIGAN 48226
PHONE: 313-226-7022

COMMITTEES:
JUDICIARY
CHAIRMAN
SUBCOMMITTEE ON CRIME
GOVERNMENT OPERATIONS

12 April, 1975

Dear Friend:

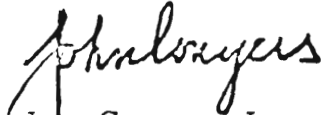
Please join me, Dave Chaney, President of the Amalgamated Clothing Workers Union, and other leaders of the greater Detroit community, Friday, April 25, when we will have an opportunity to meet my good friend, Fred Harris, former U.S. Senator, currently seeking the Democratic nomination for President. The occasion will be an informal coffee session at 8:00 P.M. at the Amalgamated Clothing Workers Union Hall, 1550 Howard near Trumbull, in downtown Detroit.

Fred Harris was born into a sharecropping family, worked his way through school and into the legal profession. He served eight years in the Oklahoma State Senate, another eight in the U.S. Senate, and launched significant new reforms to broaden the party base as Chairman of the Democratic National Committee in 1969 and 1970.

His proposals toward restructuring the internal revenue code, as well as his positions on many other vital matters, are unique and imaginative.

Of course acceptance of this invitation in no way constitutes an endorsement. All we ask is that you join us on this occasion.

Sincerely,



John Conyers, Jr.
Member of Congress

780400610391

EXHIBIT C

30 April 1975

Mr. Dave Chaney, President
Amalgamated Clothing Workers Union
1550 Howard Street
Detroit, Michigan 48226

Dear Dave:

I'm writing this letter to again thank you for co-hosting the coffee session for Fred Harris.

I'd also like to compliment both you and your staff for arranging the setting to reflect the comfortable, homelike style which has become Senator Harris' trademark. Although Friday night is a very competitive time, well over one hundred people came to hear him speak, and responded enthusiastically to what he had to say.

I am sure Fred appreciates the time and effort you gave to making Friday night such a success.

With warm regards,

John Conyers, Jr.

sl

780407610600

FRED R. HARRIS

EXHIBIT D

1104 WAVERLY WAY
McLEAN, VIRGINIA 22101
703-893-0830

May 1, 1975

The Honorable John Conyers
U. S. House of Representatives
Washington, D.C. 20515

Dear John:

Thanks a million for all your help in making the meeting in Detroit such an outstanding success. I was extremely pleased with the turn out and the percentage of those in attendance who signed commitments of support.

John, it was a great honor to be with you and to be introduced by you. I look forward to working with you closely. Together, we can make a difference.

Warmest personal regards,



FRED R. HARRIS

FRH/mt

780417337
78040761061



September 12, 1975

Fred Harris
1104 Maverly Way
McLean, Virginia 22101

Dear Fred:

Since I brought you into Detroit, your campaign has been steadily moving in an upward direction. Even the press, as much as they would like to, cannot ignore this fact, which suggests that you are doing far better than they imply.

Nothing makes me feel better about the prospects in '76 than a candidate who advances people issues.

Could it be that more of our citizens than were previously imagined are getting fed up with governmental lawlessness and corporate rip-off? To me, the answer is clearly yes and it is on those prospects that your candidacy turns.

You breathe life into this two party, no choice system, and like a breath of fresh air in the electoral process, you are talking about the things that need to be discussed. I hope you will continue to raise the question of Full Employment in the context of the '76 election, because to me the struggle for economic justice is a political issue.

A resolution of who is going to provide jobs for everybody in this country who needs work is an issue which has been ducked for thirty years.

Finally, let me say that you are a person for whom I have the utmost respect and admiration. You are dedicated to serving all but a few in this country instead of serving but a few.

Sincerely,

John Conyers, Jr.
Member of Congress

EXHIBIT F

CONGRESSMAN CONYERS DETROIT SCHEDULE

FRIDAY, FEBRUARY 13, 1976 THRU TUESDAY, FEBRUARY 17, 1976

CONTINUED:

MONDAY, FEBRUARY 16, 1976

ACCEPTED 8:00 P.M., Congressman Conyers will introduce Mrs. LaDonna Harris at the Public Service Employees Hall, 2604 4th at Grand River.

TUESDAY, FEBRUARY 17, 1976

CONFIRMED Congressman Conyers will be returning to Washington. Northwest Flight # 316 Departing Detroit at 8:00 A.M. and Arriving in Washington at 9:17 A.M.

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EXHIBIT G

A Diamond in the Rough?

BY TERRY ZINTL
Free Press Staff Writer

To read the campaign brochures, LaDonna Harris is the perfect wife for former Sen. Fred Harris, an ideal running mate for the populist, activist campaign he is waging for the Democratic presidential nomination.

A Comanche Indian, she is a founder and director of Americans for Indian Opportunity. She has been involved with the National Women's Political Caucus, the National Organization for Women, the Office of Economic Opportunity, the Urban League, the Urban Coalition. She was the first wife of a senator to testify before Congress.

Mrs. Harris' credentials are so impressive that when Congressman John Conyers introduced her to an audience in Detroit this week he suggested she might make a better candidate than her husband.

But in fact, Mrs. Harris is not an accomplished political performer. She seems nervous in front of an audience and appears to be much more at ease in private than she does in public. In an ag-

when we have come to expect smooth, highly polished candidates' wives, Mrs. Harris is rough around the edges.

Her present political activism doesn't come naturally. Like many women, LaDonna Harris has been working at becoming her own person.

"I've become enlightened as I grew and became involved," she said. "I was literally a stoic Indian at one time."

Mrs. Harris, 45, was raised by her Indian grandparents on a farm in southwest Oklahoma; Comanche was her first language. She met Fred Harris in high school and married him his sophomore year at the University of Oklahoma.

Detroit Free Press for and about Women

Thursday, Feb. 19, 1976 • 1-C

Harris is an energetic, ambitious man who was so involved with politics that he ran for state representative while still in law school. He later became the youngest state senator in Oklahoma history.

Mrs. Harris credits her husband for helping her with her development. "I could have been stifled by him, but he was very encouraging," she said. Harris used to try out his speeches on her and he urged her to get out of the house and represent him.

Mrs. Harris became an activist in the early '60s at a conference at the University of Oklahoma on black-white and labor-management problems. She said she was

astonished that no one at the conference had thought about Indian problems, despite the large number of Indians living in the area.

But she was even more upset at her inability to express herself. She became so frustrated, she said, that she broke out crying "at my own inarticulateness, at my inability to say what I felt and to make them understand how I saw the problem."

From that experience came an Indian advocacy group connected with the Office of Economic Opportunity. Mrs. Harris later became a member of the women's advisory board to OEO and testified before Congress.

If Harris is elected president, Mrs. Harris said she would use her position to remain active working for Indian and women's causes.

But she said her major effort would be to try to help the country "break out of the law and order mentality, alleviating the fears that people have about themselves and the country. You'd have to do things to demonstrate a sense of openness and trust. I'd almost like to take down the fence around the White House."

EXHIBIT H

JOHN MOYERS -- MASS SCHEDULE

Friday, Feb. 20

11:00 a.m. Press Conference, Lenox Rooms - Copy 1 & 2

1:30 p.m. Depart for Hanover, Claremont

9:00 p.m. Arrive Boston.

Tentative tour of Roxbury clubs with Errol Payne,
Community Training Dynamics

Saturday, Feb. 21

a.m. open Tentative - 3 elderly homes in the South End.
One sponsored by the church community.

3:15 p.m. Jerry Lobson interview, Radep WILD

5:00 p.m. Depart for Youngstown

Sunday, Feb. 22

10:51 Arrive Logan

11:30 a.m. Temple Israel, Swampscott

937 Humphrey St., Swampscott

Contact: Helen Kaplan, 595-6635

Breakfast Candidates Forum

Afternoon--

Tentative: 12th St. Baptist Church, Roxbury, Rev. Michael Haynes

Contact: Mrs. Small/Church Sec. 442-7854

Barbara Johnson, 262-2650

Tentative: Walk Through Boston

with Jack Backman and
Mike Harrington

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JOHN COLLERS--MASS SCHEDULE

Tuesday, Feb. 24.

Early afternoon: arrive in Boston

Tentative: Tour of Freedom House, Roxbury
Contact: Barbara Johnson, 262-9650

7:00-9:00 p.m. Reception at Elma Lewis School of Fine Arts,
Roxbury. Board member meeting and other members of
community. Contact: Gwen Richards 442-8829

Evening: Election Night Party in Cambridge at
home of Libby Holmans

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JOHN CONYERS--MASS SCHEDULE

Monday, Feb. 23

8:00 a.m. Depart for D.C., Logan Airport

Early afternoon: arrive in Boston

4:45 p.m. N. E. Law School Forum
126 Newbury St.
Boston, Mass..

*Tentative: NAACP
!(Atkins and Guscoff)
Tentative: J. Byrnes
Civil Rights Div. HEW*

Contact: ~~Mr. [unclear]~~, Steve Levine, 232-7411

Tentative Harvard event

Contact: Don Lehmann, ~~498-5949~~ 498-5949

6:00-7:30 p.m. Tentative: House Party/ Ed Costa
36 Vineyard Road, Newton

8:00-9:00 p.m. House Party at home of Peter & June Spackman
650 Center St., Newton
Contact: Mark Solomon, 969-5571

9:00-10:00 p.m. House Party at Toby Lingenman
89 Jordan Road, Brookline

Contact: Joanne Bloomsack, 566-0687

7804006300
78040061067

NEWS RELEASE

FRED HARRIS FOR PRESIDENT '76

For release:
Friday, February 20 A.M.

715 BOYLSTON STREET, BOSTON, MA 02116, 617/262-9650

Contact: Winston Emmons (617) 262-9650
or Frank Greer (202) 737-7000

CONGRESSMAN CONYERS VOICES SUPPORT OF HARRIS IN MASSACHUSETTS PRESIDENTIAL PRIMARY

BOSTON -- Congressman John Conyers, Jr., Democrat of Michigan, today announced that he will campaign for Fred Harris in the Massachusetts Democratic Presidential Primary.

In a statement this morning Conyers said: "There is one candidate who understands that the key to economic recovery and the restoration of public confidence is to put all Americans back to work and all machines back into full production. Fred Harris is the candidate."

Conyers plans to campaign for Harris in Swampscott, Roxbury, Newton, Brookline, and Boston, as well as in New Hampshire over the next few days.

- 30 -

TEXT OF CONYERS STATEMENT ON HARRIS CAMPAIGN ON REVERSE SIDE.

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EXHIBIT J
FRED HARRIS
FOR PRESIDENT '76

2/21/76

Christine:

Enclosed please find article re: Mr. Conyers' visit to Keene yesterday. We were all so pleased to have him here and only sorry that campaign chaos did not allow for a more gracious and expansive brand of hospitality.

The visit provided us with the newsworthy event that our local campaign efforts needed right at the moment; i.e. we got a local shot at radio & newspaper despite Carter's presence yesterday & Bayh's today.

Harmest wishes to the Congressmen, yourself, Suzanne & Conrad.

Betty Doyle
Cheshire Co. Coordinator
Box 275 Hurricane Rd.
Keene, N.H.

HARRIS FOR PRESIDENT • 45 MANCHESTER STREET • MANCHESTER, N.H. 03101 • 603/625-9644

034B1

Harris effort gets help

By DAVE KRIEGER
Eagle-Times Staff

CLAREMONT — "The Congress cannot function with an opposite party executive. You'll always have a Democratic majority in Congress so you've got to have a Democratic President. If you're going to have a Democratic President, you ought to have the best one."

In this election year, that's the analysis of Congressman John Conyers Jr., D-Mich., and he is doing something about it.

Conyers has decided the best candidate is former Oklahoma Sen. Fred Harris, and the Detroit representative



Rep. Conyers

will be in New Hampshire campaigning for Harris today and Monday.

Why Harris? "The whole idea of populism and privilege being seriously raised in a Presidential election is quite novel," Conyers said during a Claremont stop Friday. "Taking the elitism out of the Presidential contest, de-mystifying it, is extremely important."

Conyers did not, apparently, have a hard time choosing Harris. "Most of the candidates are phony, they're self-seeking," he said. "From that point of view they have to be dismissed out of hand."

Conyers is the second member of Congress to come to Sullivan County on behalf of a Presidential candidate. Congressman Paul N. "Pete"

Exhibit J
ATTACHMENT

Sunday Eagle Times
Claremont, N.H.
2/22/76

Harris aided in campaign bid

Continued

McCloskey, R-Calif., was here pushing President Ford's campaign a week ago. Harris is "expressing confidence in the average voter," Conyers said at the Goodwin Community Center Friday night. "The rest are saying 'If we can use the usual political stratagems more artfully than our competitors, we'll win the most votes.' His candidacy refutes that premise."

"The risk and the gamble that he took is paying off," Conyers said. "The American people are saying they're tired of the usual nonsense that characterizes Presidential elections." What about other candidates? The liberals, Conyers said cater to the "elitist" part of the electorate, "the intellectuals."

And former Georgia Gov. Jimmy Carter, the peanut farmer said to be the front-runner in the New Hampshire contest? "I wouldn't give you three peanuts for Jimmy Carter, but neither will anybody else when this thing is all over," Conyers said.

Conyers said Carter's "temporary popularity is because he is trying to be all things to all people," but he said that strategy is already failing.

The congressman also said he does not see Hubert Humphrey walking away with this year's Democratic nomination. "In my view, Hubert Humphrey is through," he said. "He knows what I know...if he got into any of the primaries, he'd be destroyed."

Conyers argued that the Harris campaign differs from those of Eugene McCarthy and George McGovern in 1968 and 1972, because the Oklahoman is "able to draw from a wide spectrum of the voters: would-be Wallacites, liberal intellectuals and everything in between. They are struck by the uncommon candidacy of Fred Harris."

A Republican Conyers sat beside on his plane trip east, was an example, the Detroit congressman said. The Republican traveler told him he would vote for Ronald Reagan, but that if the former California governor didn't make it past the convention, he would be ready to vote for Fred Harris.

"Harris' style appeals to them more than his ideology isolates him from the," Conyers said.

"In the next two weeks we're going to lose some Democratic aspirants and Harris will not be among them," he predicted.

Conyers conceded Carter and Arizona Congressman Morris Udall might defeat Harris in the New Hampshire primary, but predicted Harris would beat Indiana Sen. Birch Bayh, despite the fact that Bayh "has spent five or six times as much" on the campaign.

From an ideological point of view, Conyers argued Harris is the only candidate with the proposals to get the country out of its present economic troubles. "We are on the edge of a depression," he said. "workers sense the government doesn't have control of it, and they're correct."

"Common sense and rational evaluation would allow Fred Harris to whip the socks off of any of the other candidates," Conyers said. "There is every reason to suspect Harris can get the nomination and defeat Ford."

He argued other candidates sense that and are trying to pick up some of the Harris issues. "It's clear—all the other candidates are trying to sound like Harris. That's just the highest form of flattery."

Harris, said Conyers, "is banking the voters will sort out the real from the unreal."

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EXHIBIT K

Howard Hawkins
Jennie Acuña [husband]
J. [unclear]

8:35	Arrive at Lebanon Airport
9:15 to 10:15 am	The Upper Valley Shopping Plaza, West Lebanon (leafleting, handshaking, etc.)
10:15 to 10:30 am	Drive to Lebanon
10:30 to 11:00 am	Press Conference in Lebanon Courthouse
11:30 11:30 to 12:30	Visit the Senior Citizen Center in Lebanon in the Carter Community Building
11:30 to 11:45 am	One Lebanon Mall (leafleting, handshaking, etc.)
11:45 to 12:30 pm	Community Reception of the Lebanon Fire Station (coffee served)
12:30 to 12:45 pm	Drive to West Lebanon
12:45 to 1:00 pm	West Lebanon Business District (leafleting, handshaking, etc.)
1:00 to 1:45 pm	Community Reception at West Lebanon Fire Station (coffee served)
1:45 to 2:40 pm	The Upper Valley Shopping Plaza, West Lebanon
2:40 to 2:45 pm	Drive to Thermal Dynamics
2:45 to 3:30 pm	Thermal Dynamics (leafleting, handshaking, etc.)
3:30 to 3:45 pm	Drive to Hanover
3:45 to 4:00 pm	Hanover Business District (leafleting, handshaking, etc.)
4:00 to 4:40 pm	Dartmouth - Hitchcock Workers' Reception, Webster Hall
4:40 to 4:55 pm	Drive to Lebanon Airport
5:00 pm	Leave Lebanon Airport

CANCELLED

VERMONT: 6600
STATE: NEW HAMPSHIRE..
POPULATION
INCLUDING WEST
LEBANON: 9

all: If elected I shall go to New Hampshire
us: If elected I will go to Lebanon.

NO has a certificate of official registration
for being designated as a Bicentennial Community
by the American Revolution Bicentennial Commission
[Signed John D. Warner] Wash DC

EXHIBIT L

MEMO TO ALL CONCERNED
FROM GARY FORD
RE: CONYERS CAMPAIGN WALK

doc/cabbies

PURPOSE:

The campaign walk is designed primarily to call attention to Congressman Conyers' support of Fred. It is the sort of event which TV and the press will normally cover on a Saturday. The fact that Cong. Conyers is making this effort demonstrates the depth of his commitment.

PARTICIPANTS:

In addition to Cong. Conyers, Senator Jack Backman, highly respected liberal from Brookline, will participate. The Harris committee will provide leafleters, leaflets and a sound truck. Cong. Conyers staff will accompany him.

LOGISTICS:

The participants with the exception of Cong. Conyers will assemble at Harris Headquarters, 715 Boylston St., at 9 AM. We will proceed from there to Braddock and Columbus Ave. in the South End, and leave from Braddock and Columbus at 10 AM. Proceeding down Columbus to Mass Ave, turning right on Mass Ave., and proceeding down Mass Ave to Harvard Square, the last point on the route. Leafleters will work both sides of the street.

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2/22/72

SCHEDULE FOR CONGRESSMAN JOHN COYNE JR.

Tuesday, February 24, 1976

1:30 p.m. Congressman arrive at Logan Airport Delta #210. Steve Dillon meet Congressman at airport and bring to Parker House Hotel or other convenient location to telephone Jim Hightower in Manchester (603/625-9644) about finance for Roxbury headquarters. Next Congressman to contact Fedro Cotton (445-3577) to verify rental of Roxbury headquarters at 2163 Washington St.

Lunch break

3:15 - 4:15 Meeting with representatives of the Department of Justice, Community Relations Service to discuss Judge Garrity's busing order and other matters of interest. Contact: Ed McClure /223-5170 (o) 232-3539 (r). Place: 100 Summer St., Room 1920, Boston.

4:30 - 5:30 Meeting with Michael Mawema, Organizational Secretary, Zimbabwe African National Union. Contact: Jerry Lobson, WILD radio, 267-1900 (o) 277-4234 (r). Place: WILD radio, 390 Commonwealth.

5:30 - 7:00 Time for dinner, shower and change for

7:00 - 9:00 Elma Lewis Reception at the Elma Lewis School of Fine Arts to meet Balck community leaders. Place: 122 Elm Hill Ave., Roxbury. Contact: Elma Lewis 442-8820.

9:00 - 9:45 Radio interview on WBZ television with Sarah Shaw. Solo interview. Congressman's appearance following Bill Cobham, Republican State Committee and Doris Bundy, Democratic State Representative. Place: 1170 Soldiers Field Road. Contact: Sarah Shaw (787-7018).

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John Grasso Serv. Cntr Logan Airport
70 Macquis Brougham at Park Square Hertz
2163 Wash St. at Store.
Dudley Station



Telegram

EXHIBIT N

MGMPOMT HSA
2-042722E063 03/03/76
ICS IPMMTZZ CSP
2027377000 TDMT WASHINGTON DC 62 03-03 0446P EST
PMS THE HONORABLE JOHN CONYERS

CAPITOL ONE DC

BEFORE OUR CAMPAIGN BEGINS TO GEAR UP FOR ILLINOIS AND NEW YORK, I
WANT TO FIRST EXTEND MY DEEPEST APPRECIATION TO YOU FOR ALL YOUR
WORK AND SUPPORT ON MY BEHALF IN NEW ENGLAND.

YOUR INVALUABLE ASSISTANCE IS A GREAT ASSET TO MY CAMPAIGN AND I
THANK YOU AGAIN FOR YOUR CONFIDENCE AND WILLINGNESS TO SPEAK OUT ON
THE ISSUES

SINCERELY
FRED R HARRIS

16746 EST

MGMPOMT HSA

f

EXHIBIT O

INVITATION EXTENDED THROUGH HARRIS CAMPAIGN

4-6 p.m. Sunday, March 28 PROGRESSIVE VOTERS' LEAGUE
ANNUAL TEA, Dallas, Tex.
(1 Methodist Church)

This group composed primarily of active, influential blacks and some chicanos and whites, of all ages, is the oldest such black organization in the country.

Delegates from the Dallas area will be allowed to speak for 10 minutes for their candidate. They would like to have you be the keynote speaker, and speak for Harris and any other subject with no particular time limit. Harris schedulers say 75-100 people expected, but many more will be drawn by your name.

Texas primary is May 1.

Harris scheduler said they will pay airfare from Baton Rouge where you speak the night before to a law student group. Arrangements can be made for you to freshen up at home of black Harris supporter, Dr. Jesse Jones 214-376-1660. Transportation to and fro airport .

ACCEPT?

YES

NO

AM. Sunday, March 28

A black official in Beaumont would like to set up some campaign activities there in conjunction with your visit to Dallas.

ACCEPT?

YES

NO

-CM-

78040033317
78040061075

EXHIBIT P

CASEY, LANE & MITTENDORF

815 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20006

(202) 785-4949

CABLE ADDRESS: CALAMIT, WASHINGTON

TWX 710 822-9285

OCT 21 1976

HENRY B. TALIAFERRO, JR.
WILLIAM G. CINNAMOND
ROBERT J. WOODY
DENNIS J. WHITTLESEY
LINDA KURJAN

R. CLYDE HARGROVE
OF COUNSEL

October 19, 1976

NEW YORK OFFICE
26 BROADWAY
NEW YORK, N.Y. 10004
WHITEHALL 3-3000
CABLES: CALAMIT, NEW YORK
EUROPEAN OFFICE
56 GROSVENOR STREET
LONDON W1X 9DA
01-499-3112
CABLES: CALAMIT, LONDON

The Honorable John Conyers, Jr.
2444 Rayburn House Office Building
Washington, D. C. 20515

Re: Harris for President Committee

Dear Congressman:

In accordance with our telephone conversation of October 18, 1976, I have had further discussions concerning your \$18,000 claim with representatives of the Harris for President Committee and with Mr. Harris himself. As part of these discussions, I advised all concerned of the conversation between you and me and your threats to initiate litigation.

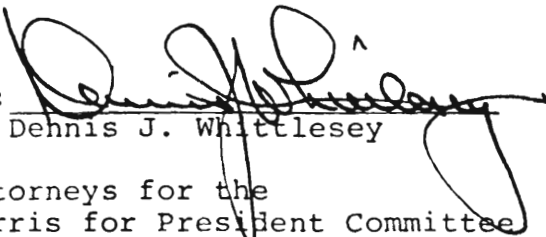
On behalf of the Harris for President Committee, this is to advise you that we have concluded that as a matter of fact and law, the expenses you incurred were independent expenditures and not reportable to the Federal Election Commission by the Committee. Accordingly, the Committee will not list this \$18,000 claim as its debt and does not recognize it as anything other than the independent expenditure that it was.

As I explained to you, I had scheduled a meeting with Ms. Christine Moore of your staff for a full ventilation of the contents of the internal Hightower memorandum concerning the activities which are the subject of this dispute. Unfortunately, you chose to have that meeting canceled and, under the circumstances, we have no alternative but to file our final debt schedule with the FEC excluding your claim.

Sincerely yours,

CASEY, LANE & MITTENDORF

BY:


Dennis J. Whittlesey

Attorneys for the
Harris for President Committee

DJW:ps

78040063313
78040061075

FRED R. HARRIS

POST OFFICE BOX 1203
CORRALES, NEW MEXICO 87048
(505) 277-5104

January 31, 1977

Dear John:

Back to teaching after the break between semesters, I wanted to let you know that I received your letter and supporting documents. Naturally, as I said on the telephone, I hope something helpful can be worked out, and I have discussed it with Attorney Whittlesey. He, together with Martha Davis and Ralph Collins, has been acting very much like a receiver in trying to wind up our campaign committee's somewhat distressed affairs.

I have been watching with interest and approval your actions, such as calling for more economic stimulus than that proposed by President Carter. Keep up the good work -- and please know that I appreciate all you did to help me.

Warmest personal regards,



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78040061071

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John

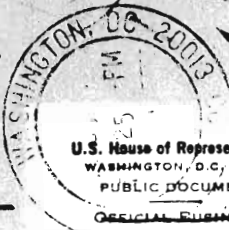
U.S. HOUSE OF REPRESENTATIVES

WASHINGTON, D.C. 20515

PUBLIC DOCUMENT

OFFICIAL BUSINESS

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U.S. House of Representatives
WASHINGTON, D.C. 20544
PUBLIC DOCUMENT
OFFICIAL BUSINESS



John Longenecker

Mr. William Oldaker
General Counsel
Federal Election Commission
1225 K Street, N.W.
Washington, D.C. 20462

MICHIGAN.

RECEIPT REQUESTED

CERTIFIED

No. 777225

MAIL



FEDERAL ELECTION COMMISSION

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

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THIS IS THE END OF MUR # 370

