

**The original documents are located in Box D17, folder “Citizens for Reagan Complaint Concerning Arrangements for the Republican National Convention” of the President Ford Committee Campaign Records at the Gerald R. Ford Presidential Library.**

### **Copyright Notice**

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Gerald R. Ford donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.



# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

June 30, 1976



Honorable Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D. C. 20003

HAND DELIVERED

Dear Mrs. Smith:

In recent days, as you know, we have sought to obtain equitable treatment from the Republican National Committee regarding rooms and convention tickets at the Republican National Convention for Citizens for Reagan, the official presidential campaign organization of Ronald Reagan. Because we have been unable to obtain equal treatment through amicable negotiations, Citizens for Reagan is insisting that the Republican National Committee fully comply with its legal obligation, under 26 U.S.C. Section 9008(c), to stage a national convention that does not benefit any Republican candidate for the nomination in any way over any other candidate.

As you, of course, know, this year for the first time the national convention of our party is fully funded by the taxpayers. Through a system of equal payments to both major parties, a public decision has been made to take the funding of this part of the nominating process out of private hands. In so doing, however, the legal mandate is clear: the convention shall not be a vehicle to advance the candidacy of any one person over another.

In Federal Election Commission Advisory Opinion - 1975 - 72, which you requested, the Federal Election Commission dealt with the problem of a political party benefiting only one candidate for its nomination. In that Advisory Opinion, the Commission found that it would be presumed an impermissible campaign contribution to pay Mr. Ford's travel to party events after January 1, 1976. Before that date the Commission noted:

"II n the period prior to January 1, 1976, I during which the Republican National Committee paid over

Mrs. Smith

June 30, 1976

Page two

three hundred thousand dollars in Ford travel expenses<sup>7</sup>, the RNC will accord equitable treatment to all of its presidential candidates." 40 Fed. Reg. 56589 (1975).

If the Republican National Committee is going to do something for one candidate, it must do it for every candidate for that same office.

Our committee is concerned about preferential treatment given by the convention managers and the Republican National Committee to the White House and, therefore, to the Ford Committee. The allocation of a quota of rooms and passes to the White House is grossly improper. Currently, 388 hotel rooms are allocated to the Ford campaign and White House, while only 100 rooms are allocated to the Reagan campaign. The Ford groups have received 650 gallery passes, while the Reagan campaign has received only 300. We must demand absolute numerical equality in all of these areas.

~~The White House and the incumbency have no proper role in this convention. Any special functional role granted to the White House officially recognizes a serious misuse of government funds and the incumbency by the Ford campaign.~~

I recognize that these are strong words, but they express deep concerns for a fair and honest convention. I am having this letter hand-delivered so we may resolve this matter this week. I will call you at 11:00 A.M. Friday hoping that this matter can be resolved. If we do not reach a mutually acceptable solution at that time, then I'm afraid we will have no recourse but to initiate litigation or complaint proceedings before the Federal Election Commission.

Sincerely,



Loren A. Smith  
General Counsel

cc: Honorable Ody J. Fish, Vice Chairman  
Arrangements Committee, Republican National Committee

William C. Cramer, Esq., General Counsel  
Republican National Committee

Robert P. Visser, Esq., General Counsel  
President Ford Committee



# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

HAND DELIVERY

July 2, 1976

The Hon. Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003



Dear Mrs. Smith:

Thank you for promptly responding to my letter of the 30th.

I have read your letter with some care and think I fully understand your position. However, I must respectfully reject the position you have taken because I deeply believe it is unfair and improper. I regret having to take this position; but our campaign must be dealt with fairly, the integrity of the political process, of our party and of our nomination all depend upon it.

Your letter talks in terms of "not realistic", "necessity" and "political decision-making." You mention several recent court decisions. However, the fundamental issue is none of these things. We are dealing with a simple matter of fairness; fundamental and real fairness.

I am sure you realize the very administration officials you indicated as the recipients of tickets and rooms are campaigning for Mr. Ford and have played an important campaign role. If they are allotted these things the truth is that the Ford campaign receives them.

Unfortunately, I can read your letter in no other way than saying: 'we will provide no remedy and no other authority has the power to make us.' We must therefore send the attached letter to the Federal Election Commission.

Sincerely,

Loren A. Smith  
General Counsel

PRC - 200  
WH - 450  

---

650

200  
500  
①  
200

RQ 300

15 each floor pane

PRC / on floor

PR 100

WH - 288

PRC  
Cabinet  
VIP + Staff  
WARRN  
SS.



# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

June 30, 1976



Honorable Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D. C. 20003

HAND DELIVERED

Dear Mrs. Smith:

In recent days, as you know, we have sought to obtain equitable treatment from the Republican National Committee regarding rooms and convention tickets at the Republican National Convention for Citizens for Reagan, the official presidential campaign organization of Ronald Reagan. Because we have been unable to obtain equal treatment through amicable negotiations, Citizens for Reagan is insisting that the Republican National Committee fully comply with its legal obligation, under 26 U.S.C. Section 9008(c), to stage a national convention that does not benefit any Republican candidate for the nomination in any way over any other candidate.

As you, of course, know, this year for the first time the national convention of our party is fully funded by the taxpayers. Through a system of equal payments to both major parties, a public decision has been made to take the funding of this part of the nominating process out of private hands. In so doing, however, the legal mandate is clear: the convention shall not be a vehicle to advance the candidacy of any one person over another.

In Federal Election Commission Advisory Opinion - 1975 - 72, which you requested, the Federal Election Commission dealt with the problem of a political party benefiting only one candidate for its nomination. In that Advisory Opinion, the Commission found that it would be presumed an impermissible campaign contribution to pay Mr. Ford's travel to party events after January 1, 1976. Before that date the Commission noted:

"In the period prior to January 1, 1976, during which the Republican National Committee paid over

three hundred thousand dollars in Ford travel expenses<sup>7</sup>, the RNC will accord equitable treatment to all of its presidential candidates." 40 Fed. Reg. 56589 (1975).

If the Republican National Committee is going to do something for one candidate, it must do it for every candidate for that same office.

Our committee is concerned about preferential treatment given by the convention managers and the Republican National Committee to the White House and, therefore, to the Ford Committee. The allocation of a quota of rooms and passes to the White House is grossly improper. Currently, 388 hotel rooms are allocated to the Ford campaign and White House, while only 100 rooms are allocated to the Reagan campaign. The Ford groups have received 650 gallery passes, while the Reagan campaign has received only 300. We must demand absolute numerical equality in all of these areas.

~~The White House and the incumbency have no proper role in this convention. Any special functional role granted to the White House officially recognizes a serious misuse of government funds and the incumbency by the Ford campaign.~~

I recognize that these are strong words, but they express deep concerns for a fair and honest convention. I am having this letter hand-delivered so we may resolve this matter this week. I will call you at 11:00 A.M. Friday hoping that this matter can be resolved. If we do not reach a mutually acceptable solution at that time, then I'm afraid we will have no recourse but to initiate litigation or complaint proceedings before the Federal Election Commission.

Sincerely,



Loren A. Smith  
General Counsel

cc: Honorable Ody J. Fish, Vice Chairman  
Arrangements Committee, Republican National Committee

William C. Cramer, Esq., General Counsel  
Republican National Committee

Robert P. Visser, Esq., General Counsel  
President Ford Committee

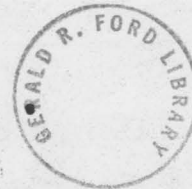


# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

HAND DELIVERY

July 2, 1976



The Hon. Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

Dear Mrs. Smith:

Thank you for promptly responding to my letter of the 30th.

I have read your letter with some care and think I fully understand your position. However, I must respectfully reject the position you have taken because I deeply believe it is unfair and improper. I regret having to take this position; but our campaign must be dealt with fairly, the integrity of the political process, of our party and of our nomination all depend upon it.

Your letter talks in terms of "not realistic", "necessity" and "political decision-making." You mention several recent court decisions. However, the fundamental issue is none of these things. We are dealing with a simple matter of fairness; fundamental and real fairness.

I am sure you realize the very administration officials you indicated as the recipients of tickets and rooms are campaigning for Mr. Ford and have played an important campaign role. If they are allotted these things the truth is that the Ford campaign receives them.

Unfortunately, I can read your letter in no other way than saying: 'we will provide no remedy and no other authority has the power to make us.' We must therefore send the attached letter to the Federal Election Commission.

Sincerely,

*Lou A. Smith*



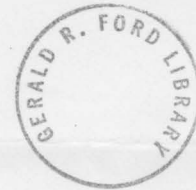


# Republican National Committee.

Mary Louise Smith  
Chairman

July 2, 1976

Loren A. Smith, Esquire  
General Counsel  
Citizens for Reagan Committee  
1835 K Street, N. W.  
Washington, D. C. 20006



Dear Mr. Smith:

This will acknowledge your letter of June 30 with respect to the decisions made by the Committee on Arrangements for the Republican National Convention for 1976 and ratified by the Republican National Committee at its meeting on June 25, 1976. You allege that the Citizens for Reagan Committee has "been unable to obtain equitable treatment" relating to allotment of rooms and Convention guest tickets at the Republican National Convention for Citizens for Reagan.

The Committee on Arrangements for the Republican National Committee did meet and had a full discussion of this matter on Thursday of last week. At that time the Citizens for Reagan Committee position was fully debated and discussed, and a decision was made by the Arrangements Committee and confirmed by the Republican National Committee on Friday, June 25. That decision followed traditional procedures relating to pre-Convention decision making, consistent with past precedents in relation to prior conventions.

The Committee on Arrangements and the National Committee apparently, by its action, has made its best efforts towards being fair and impartial with regards to rooms and guest tickets, the two issues raised in your letter. As I am sure you know, the Committee on Arrangements did, upon consideration of the appeal of the Citizens for Reagan Committee, increase the number of seats allocated to your Committee by 100, providing 300 guest passes for the Citizens for Reagan Committee and 200 passes for the President Ford Committee. The Committee also provided 450 guest passes for the Administration which includes the Vice-President, Cabinet officers, foreign dignitaries, independent agencies, and the personnel who traditionally and of necessity must be present wherever the President appears.

Loren A. Smith, Esquire  
Page Two  
July 2, 1976

Relating to the allotment of rooms, this, likewise, was decided by the Committee on Arrangements. And as I understand it further, the Citizens for Reagan Committee specifically requested to be housed with the California delegation in the Alameda Plaza Hotel and specifically asked for 100 rooms for the Citizens for Reagan Committee, which was granted. The President Ford Committee got 100 rooms, the Administration, 288.

These decisions were made after full consideration by the proper Committees. As Chairman, as I am sure you can appreciate, I have to give proper recognition to decisions that have been properly made through the Committee procedures, and ratified by the Republican National Committee.

I believe this to be a matter of political decision-making coming within the purview of recent Supreme Court decisions, including Cousins vs. Wigoda and Ripon vs. RNC as examples, which clearly permit a Party to make decisions of this nature with respect to the conduct of the Convention. I believe the action taken and the procedures followed are consistent with the law as well as the authority of political parties to make such decisions relating to their respective Conventions.

I understand that these matters have been under negotiation with the Committee on Arrangements for some time and, as you know, a final decision has to be made at some point. It is my opinion that the logical decision-making time was last week's meeting of the Convention Arrangements Committee and the Republican National Committee.

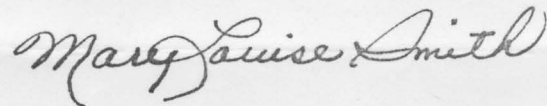
In reference to your suggestion that the Administration should not receive guest tickets or rooms in addition to those allotted to the President Ford Committee, this obviously is not realistic, in that there is a Republican administration which is entitled, and consistent with precedent has always been entitled, to recognition at the National Convention. I believe this is sustained by the tenor of the Advisory Opinion that you cited, 1975-72, which was requested by the Republican National Committee. In that opinion the Federal Elections Commission clearly recognizes that Administration personnel have official as well as Party functions that may be carried on, and are expected to be carried on, which of necessity differentiates the activities of the Administration from those of the President as a candidate.

Additionally, I would like to point out that in other areas as well our arrangements with the President Ford Committee and the Citizens for Reagan Committee have been totally equitable and impartial. I would note specifically the assignment of an equal number of floor passes, assignment and location of trailers for the candidates, and assignment and location of sky suites in Kemper Arena.

Loren A. Smith, Esquire  
Page Three  
July 2, 1976

This matter has been given my full and serious consideration. If there are any additional questions which you may have with regard to conforming with requirements of federal funding of conventions, objections of the Federal Election Campaign Act and other matters of a legal nature, I suggest that you confer with counsel for the Republican National Committee, William C. Cramer.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Louise Smith". The signature is written in dark ink and is positioned above the typed name.

Mary Louise Smith

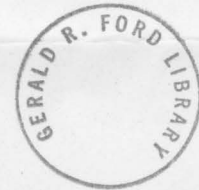


Republican  
National  
Committee.

Mary Louise Smith  
Chairman

July 2, 1976

Loren A. Smith, Esquire  
General Counsel  
Citizens for Reagan Committee  
1835 K Street, N. W.  
Washington, D. C. 20006



Dear Mr. Smith:

This will acknowledge your letter of June 30 with respect to the decisions made by the Committee on Arrangements for the Republican National Convention for 1976 and ratified by the Republican National Committee at its meeting on June 25, 1976. You allege that the Citizens for Reagan Committee has "been unable to obtain equitable treatment" relating to allotment of rooms and Convention guest tickets at the Republican National Convention for Citizens for Reagan.

The Committee on Arrangements for the Republican National Committee did meet and had a full discussion of this matter on Thursday of last week. At that time the Citizens for Reagan Committee position was fully debated and discussed, and a decision was made by the Arrangements Committee and confirmed by the Republican National Committee on Friday, June 25. That decision followed traditional procedures relating to pre-Convention decision making, consistent with past precedents in relation to prior conventions.

The Committee on Arrangements and the National Committee apparently, by its action, has made its best efforts towards being fair and impartial with regards to rooms and guest tickets, the two issues raised in your letter. As I am sure you know, the Committee on Arrangements did, upon consideration of the appeal of the Citizens for Reagan Committee, increase the number of seats allocated to your Committee by 100, providing 300 guest passes for the Citizens for Reagan Committee and 200 passes for the President Ford Committee. The Committee also provided 450 guest passes for the Administration which includes the Vice-President, Cabinet officers, foreign dignitaries, independent agencies, and the personnel who traditionally and of necessity must be present wherever the President appears.

Loren A. Smith, Esquire  
Page Two  
July 2, 1976

Relating to the allotment of rooms, this, likewise, was decided by the Committee on Arrangements. And as I understand it further, the Citizens for Reagan Committee specifically requested to be housed with the California delegation in the Alameda Plaza Hotel and specifically asked for 100 rooms for the Citizens for Reagan Committee, which was granted. The President Ford Committee got 100 rooms, the Administration, 288.

These decisions were made after full consideration by the proper Committees. As Chairman, as I am sure you can appreciate, I have to give proper recognition to decisions that have been properly made through the Committee procedures, and ratified by the Republican National Committee.

I believe this to be a matter of political decision-making coming within the purview of recent Supreme Court decisions, including Cousins vs. Wigoda and Ripon vs. RNC as examples, which clearly permit a Party to make decisions of this nature with respect to the conduct of the Convention. I believe the action taken and the procedures followed are consistent with the law as well as the authority of political parties to make such decisions relating to their respective Conventions.

I understand that these matters have been under negotiation with the Committee on Arrangements for some time and, as you know, a final decision has to be made at some point. It is my opinion that the logical decision-making time was last week's meeting of the Convention Arrangements Committee and the Republican National Committee.

In reference to your suggestion that the Administration should not receive guest tickets or rooms in addition to those allotted to the President Ford Committee, this obviously is not realistic, in that there is a Republican administration which is entitled, and consistent with precedent has always been entitled, to recognition at the National Convention. I believe this is sustained by the tenor of the Advisory Opinion that you cited, 1975-72, which was requested by the Republican National Committee. In that opinion the Federal Elections Commission clearly recognizes that Administration personnel have official as well as Party functions that may be carried on, and are expected to be carried on, which of necessity differentiates the activities of the Administration from those of the President as a candidate.

Additionally, I would like to point out that in other areas as well our arrangements with the President Ford Committee and the Citizens for Reagan Committee have been totally equitable and impartial. I would note specifically the assignment of an equal number of floor passes, assignment and location of trailers for the candidates, and assignment and location of sky suites in Kemper Arena.

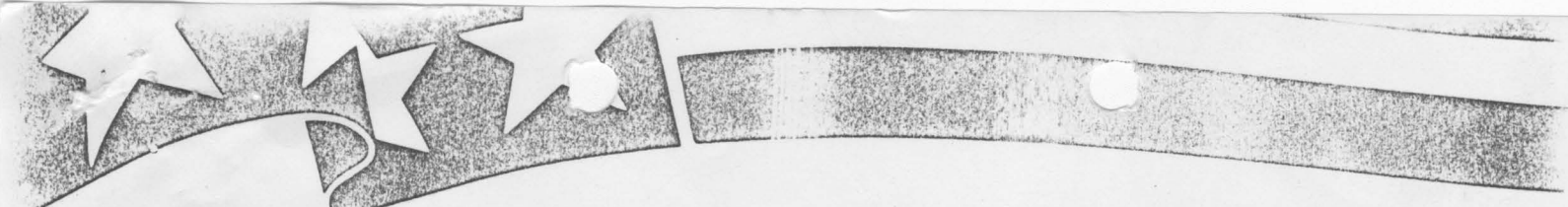
Loren A. Smith, Esquire  
Page Three  
July 2, 1976

This matter has been given my full and serious consideration. If there are any additional questions which you may have with regard to conforming with requirements of federal funding of conventions, objections of the Federal Election Campaign Act and other matters of a legal nature, I suggest that you confer with counsel for the Republican National Committee, William C. Cramer.

Very truly yours,

Mary Louise Smith

bcc: Honorable Ody Fish  
William C. Cramer, Esq.  
Robert P. Visser, Esq. ✓  
Jo Good



# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

July 2, 1976

The Honorable Vernon W. Thomson  
Chairman  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463



Dear Mr. Chairman:

On March 12, 1976, Citizens for Reagan sent a letter to the Commission calling for "An immediate investigation" of Secretary Kissinger's political activities on behalf of the Ford campaign. We hoped the Commission would look into the broad question of "the use of government powers for clearly partisan campaign purposes." We viewed this problem as "the greatest danger facing the current election laws," and therefore urged the Commission to "act on this matter immediately."

On May 13, 1976, the Public Citizen Litigation Group filed a memorandum of law with the Commission supporting the legal basis of our request. Since that date more and more questionable uses of the power of the incumbency and the resources of government by the Ford administration have come to our attention. We feel that these actions endanger our free political system and raise the specter of the abuses that the new election law was supposed to prevent.

We have noted numerous cases of Ford White House staff who are listed as reimbursed only for campaign travel on the Ford Committee's reports. Does this mean that their efforts and services can be used with impunity to promote Mr. Ford's election campaign while the taxpayer picks up the tab? Are these in-kind contributions of staff time allowed to escape all financial disclosure and remain unfettered by the contribution and expenditure limitations that bind all other presidential candidates?

Apparently, the Ford Committee has been financing much of its travel via government credit. While our committee has paid in advance over \$800,000 for our candidate's chartered airplanes, the Ford Committee reports a much lower rate of payment for their campaign travel (less than \$100,000 for Air Force One travel to date and helicopter charges as low as \$11.54 per trip); and these were billed on a credit basis providing immeasurable assistance to his campaign during the period when matching funds were not available. It would appear from the record

that while White House political press travel is financed by the government and uses government employees for arrangements, the other candidates must finance for as long as three months their press travel expenses and hire employees to plan and coordinate the trips. Only limited reimbursements for extensive campaign travel by various cabinet officials and holders of high administrative positions are apparent on the Ford Committee's reports. Given the unusually low charges for White House travel when compared to other campaigns, full disclosure of all political travel by the First Family should be required to give an equitable measure of benefits.

As the campaign spending limits close in on all the candidate's campaigns, the potential of government "fringe benefits" available to an incumbent President become even more significant and must be carefully monitored by the Federal Election Commission to insure that the spirit and the letter of the Federal Election Law is carried out. The spending limitation would otherwise be grossly unfair under our system. This is especially amplified in the setting of this campaign which is so close that virtually all political commentators agree it is too close to call.

On Wednesday of this week, our committee delivered the attached letter (Appendix A) to the Chairman of the Republican National Committee. It was motivated by what to us is not only a further abuse, but by what is an outrageous political advantage in a contest where even a slight political advantage might be critical.

On the basis of the public record, it appears that the Ford campaign is contemplating the massive use of White House personnel and resources at the Republican National Convention in Kansas City. The White House above and beyond the Ford Committee has been allocated 288 rooms and 450 gallery passes to the convention. In other words, it would appear that the White House is planning to bring almost 3 times the number of personnel to Kansas City as the amount that they are officially planning to report under their Ford Committee budget.

In running against an incumbent, one must expect to run against the normal advantages of the incumbency; the promises of federal projects, contracts and benefits, the distribution of federal appointments and jobs in primary states immediately before the election, and the ability to use White House dinners and facilities to woo party officials and delegates. We make no complaints about these practices; good, bad, legal or questionable, they are all part of a long established game. However, we must draw the line somewhere. When the White House staff, paid by the taxpayers, is massively used as an adjunct to the Ford Committee, this is improper in the worst sense. This strikes at the heart of fair elections. When the President can travel via government means for the entire campaign at a cost that would not total two full weeks outlay for air travel for other candidates and do it on credit, something is very wrong.

We are hoping the Commission would realize the seriousness of these facts and the urgency of doing something in light of the approaching Republican National Convention, now only 6 weeks away. So far, to our knowledge, nothing has been done. I, therefore, respectfully request a



special and public Commission meeting to deal with this problem during the week of July 6-9, 1976. This meeting should be public since the overriding question is one of basic legal principal: Does an incumbent have a legal right to use staff and the resources of this public office to promote his campaign? Do such uses constitute contributions and expenditures which must be disclosed? Once these legal questions are resolved, we understand that the normal executive session compliance procedures are mandated.

If the Commission chooses not to act, such refusal constitutes a denial of any relief to our committee. Additionally if the Commission takes no action, then we must assume it has chosen to exercise its exclusive primary jurisdiction under 2 U.S.C. Section 437c (b)(1) in a negative way. In view of the critically short time, our remedy must then be left to the Judiciary.

Sincerely,



Loren A. Smith  
General Counsel

LAS:ac

cc: All Federal Election Commissioners  
The Honorable Mary Louise Smith

# President Ford Committee

1828 L STREET, N.W., SUITE 250, WASHINGTON, D.C. 20036 (202) 457-6400

July 2, 1976

## MEMORANDUM

TO: Rog Morton  
Stu Spencer

FROM: Bob Visser *BV*  
Tim Ryan

RE: Citizens for Reagan - Rooms and Convention Tickets



Attached is a self-explanatory letter from Loren A. Smith, General Counsel to the Citizens for Reagan campaign committee, alleging that the President Ford Committee has received preferential treatment regarding the assignment of rooms and convention tickets at the Republican National Convention in violation of Section 9008(c), Title 26, United States Code. In particular, the Citizens for Reagan Committee has alleged that the allocation of Convention rooms and passes to the White House is grossly improper in that 388 hotel rooms are allocated to the Ford Campaign and White House, whereas only 100 rooms are allocated to the Reagan Campaign. In addition, the Ford "group" has been given 650 Gallery passes whereas the Reagan Campaign has been allotted only 300. Realistically, the facts in this matter are as follows.

The PFC has been afforded 200 Gallery passes and the Reagan Committee has been afforded 300 Gallery passes. In addition, the White House has been allocated 450 such passes to accommodate the official White House Staff, Cabinet and the like. With regard to rooms, both the PFC and the Citizens for Reagan Committee have received assignment of 100 rooms apiece and the White House has received an allotment of 288 rooms to provide for the President, Cabinet, Vice President and his staff, WHACA, and the Secret Service. It should also be noted that the PFC and Reagan Committee have each received 15 floor passes to the Convention. As you can see, the factual basis of the Reagan argument is specious and, in fact, the PFC has received a third less Gallery tickets than the Reagan Committee.

The argument that the above allocation of rooms and floor passes represents a "serious misuse of government funds and the incumbency by the Ford campaign" is ill founded. First, there is

Citizens for Reagan - Rooms  
and Convention Tickets Memo  
July 2, 1976  
- Page Two

no expenditure of funds involved with respect to the allocation of such rooms and passes. Moreover, of course, the extension of such courtesies to the Executive Branch of the Government by the Republican National Committee at the National Convention is a matter of long-standing tradition.

Second, Section 9008(c), Title 26, United States Code, is inapplicable. This Section of the Presidential Election Campaign Fund Act, entitled "Payments for Presidential Nominating Conventions" provides as follows:

Use of funds. No part of any payment made under subsection (b) shall be used to defray the expenses of any candidate or delegate who is participating in any presidential nominating convention. Such payments shall be used only --

(1) to defray expenses incurred with respect to a presidential nominating convention (including the payment of deposits) by or on behalf of the national committee receiving such payments; or

(2) to repay loans the proceeds of which were used to defray such expenses, or otherwise to restore funds (other than contributions to defray such expenses received by such committee) used to defray such expenses.

As noted above, no part of such funds would be used to defray the expenses of any candidate who is participating in the Republican National Nominating Convention.

Finally, following the basic tenants of Cousins v. Wagoda, 419 U. S. 477 (1975), the Federal election campaign laws do not apply to the determinations of the Convention or the Republican National Committee except as specifically provided in the Act as above. Accordingly, I do not believe that the Federal Election Commission has or will assume jurisdiction over this claim. It is more likely that this is another step in the Reagan public relations campaign to attempt to paint the Ford campaign as railroading the Republican National Convention and subsequent nomination. We should be alert to this tactic and be prepared to respond with our own public relations activities.



# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

June 30, 1976

Honorable Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D. C. 20003

HAND DELIVERED

Dear Mrs. Smith:

In recent days, as you know, we have sought to obtain equitable treatment from the Republican National Committee regarding rooms and convention tickets at the Republican National Convention for Citizens for Reagan, the official presidential campaign organization of Ronald Reagan. Because we have been unable to obtain equal treatment through amicable negotiations, Citizens for Reagan is insisting that the Republican National Committee fully comply with its legal obligation, under 26 U.S.C. Section 9008(c), to stage a national convention that does not benefit any Republican candidate for the nomination in any way over any other candidate.

As you, of course, know, this year for the first time the national convention of our party is fully funded by the taxpayers. Through a system of equal payments to both major parties, a public decision has been made to take the funding of this part of the nominating process out of private hands. In so doing, however, the legal mandate is clear: the convention shall not be a vehicle to advance the candidacy of any one person over another.

In Federal Election Commission Advisory Opinion - 1975 - 72, which you requested, the Federal Election Commission dealt with the problem of a political party benefiting only one candidate for its nomination. In that Advisory Opinion, the Commission found that it would be presumed an impermissible campaign contribution to pay Mr. Ford's travel to party events after January 1, 1976. Before that date the Commission noted:

"717 n the period prior to January 1, 1976, 717 during which the Republican National Committee paid over

Mrs. Smith

June 30, 1976

Page two



three hundred thousand dollars in Ford travel expenses<sup>7</sup>, the RNC will accord equitable treatment to all of its presidential candidates." 40 Fed. Reg. 56589 (1975).

If the Republican National Committee is going to do something for one candidate, it must do it for every candidate for that same office.

Our committee is concerned about preferential treatment given by the convention managers and the Republican National Committee to the White House and, therefore, to the Ford Committee. The allocation of a quota of rooms and passes to the White House is grossly improper. Currently, 388 hotel rooms are allocated to the Ford campaign and White House, while only 100 rooms are allocated to the Reagan campaign. The Ford groups have received 650 gallery passes, while the Reagan campaign has received only 300. We must demand absolute numerical equality in all of these areas.

The White House and the incumbency have no proper role in this convention. Any special functional role granted to the White House officially recognizes a serious misuse of government funds and the incumbency by the Ford campaign.

I recognize that these are strong words, but they express deep concerns for a fair and honest convention. I am having this letter hand-delivered so we may resolve this matter this week. I will call you at 11:00 A.M. Friday hoping that this matter can be resolved. If we do not reach a mutually acceptable solution at that time, then I'm afraid we will have no recourse but to initiate litigation or complaint proceedings before the Federal Election Commission.

Sincerely,

A handwritten signature in cursive script that reads "Loren A. Smith".

Loren A. Smith  
General Counsel

cc: Honorable Ody J. Fish, Vice Chairman  
Arrangements Committee, Republican National Committee

William C. Cramer, Esq., General Counsel  
Republican National Committee

Robert P. Visser, Esq., General Counsel  
President Ford Committee



## Demands by Reagan Campaign for More Convention Hotel Rooms, Passes Denied

BY PAUL HOUSTON  
Times Staff Writer

WASHINGTON—Republican National Chairman Mary Louise Smith gave a firm brush-off Friday to demands by the Ronald Reagan campaign for more hotel rooms and spectator passes at next month's GOP national convention in Kansas City.

Mrs. Smith insisted that the Republican National Committee had been "totally equitable and impartial" in making convention arrangements with the Citizens for Reagan and the President Ford Committee.

The Reagan campaign's general counsel, Loren A. Smith, had demanded "absolute numerical equality" in a letter to Mrs. Smith in which he noted that the Ford campaign and the White House had been given 388 hotel rooms and 650 passes to the spectators' gallery while the Reagan campaign had been given 100 rooms and 300 passes.

Mrs. Smith replied in a letter Friday that 288 hotel rooms and 450 guest passes allocated to the White House were for the Vice President, Cabinet officers, foreign dignitaries, independent agencies "and the personnel who traditionally and of necessity must be present wherever the President appears."

Smith immediately wrote Mrs. Smith in response: "I am sure you realize the very Administration officials you indicated as the recipients

of tickets and rooms are campaigning for Mr. Ford and have played an important campaign role."

Smith appealed for help from the Federal Election Commission, which administers full federal funding of the Republican and Democratic national conventions.

Asking the commission for a public hearing next week, Smith charged that the Ford forces would have "an outrageous political advantage" at the convention "in a contest where even a slight political advantage might be critical."

Smith said the Reagan campaign would seek relief in court if the election commission did not do something.

Commission sources indicated that the commission probably would not get involved on grounds the dispute was an internal party matter.

Another complaint over convention arrangements came Friday from Sen. Paul Laxalt (R-Nev.), chairman of Citizens for Reagan. He told a news conference here that it was unfair for the Republican National Committee to have designated Sen. Robert Dole (R-Kan.), a Ford partisan, as temporary chairman of the nominating convention.

The temporary chairman presides in the opening sessions when crucial decisions often are made on rules and challenges of delegates' credentials.

Calling on the national committee to name a chairman acceptable to

both sides, Laxalt said: "We could take the fight to the (convention) floor but we don't want it to come to that."

Smith, in his letter to the FEC, said his complaints centered on another example of the "questionable uses of the power of the incumbency." The Reagan campaign previously protested the use of White House staff in campaign roles, and the commission ruled that the Ford campaign would have to reimburse the government for travel expenses but not for salaries.

Smith renewed a complaint to the commission that "the Ford committee has been financing much of its travel via government credit."

While the Reagan committee has paid in advance more than \$800,000 for chartered planes, Smith said, the Ford committee reports "a much lower rate of payment for their campaign travel . . . less than \$100,000 for Air Force One travel to date and helicopter charges as low as \$11.54 per trip . . . these were billed on a credit basis providing immeasurable assistance to his campaign during the period when (federal) matching funds were not available."

Ford campaign officials have said that delayed reimbursement of the government is the only practical way to do it, considering the problems of separating official and political expenses.

July 15, 1976



MEMORANDUM

TO: Rog Morton  
Stu Spencer  
Jim Baker  
Senator Robert Griffin

FROM: Bob Visser  
Tim Ryan

RE: Ronald Reagan Complaint

(MUR (76))

This is to advise you that the Federal Election Commission has written a letter to Loren Smith, General Counsel to the Citizens for Reagan Committee, rejecting their request for a public hearing on the issues raised by Mr. Smith's letter, dated July 2, 1976, a copy of which is attached for your information. The FEC suggested that the Citizens for Reagan Committee follow the new informal compliance procedures and file a verified complaint if they wish to pursue this matter further.

I have also been informed that Jack Murphy, General Counsel for the FEC, considers the general allegations in Mr. Smith's letter to be an "intra-party fight" in which the FEC should not become involved.

# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

July 2, 1976



The Honorable\* Vernon W. Thomson  
Chairman  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Mr. Chairman:

On March 12, 1976, Citizens for Reagan sent a letter to the Commission calling for "An immediate investigation" of Secretary Kissinger's political activities on behalf of the Ford campaign. We hoped the Commission would look into the broad question of "the use of government powers for clearly partisan campaign purposes." We viewed this problem as "the greatest danger facing the current election laws," and therefore urged the Commission to "act on this matter immediately."

On May 13, 1976, the Public Citizen Litigation Group filed a memorandum of law with the Commission supporting the legal basis of our request. Since that date more and more questionable uses of the power of the incumbency and the resources of government by the Ford administration have come to our attention. We feel that these actions endanger our free political system and raise the specter of the abuses that the new election law was supposed to prevent.

We have noted numerous cases of Ford White House staff who are listed as reimbursed only for campaign travel on the Ford Committee's reports. Does this mean that their efforts and services can be used with impunity to promote Mr. Ford's election campaign while the taxpayer picks up the tab? Are these in-kind contributions of staff time allowed to escape all financial disclosure and remain unfettered by the contribution and expenditure limitations that bind all other presidential candidates?

Apparently, the Ford Committee has been financing much of its travel via government credit. While our committee has paid in advance over \$800,000 for our candidate's chartered airplanes, the Ford Committee reports a much lower rate of payment for their campaign travel (less than \$100,000 for Air Force One travel to date and helicopter charges as low as \$11.54 per trip); and these were billed on a credit basis providing immeasurable assistance to his campaign during the period when matching funds were not available. It would appear from the record



that while White House political press travel is financed by the government and uses government employees for arrangements, the other candidates must finance for as long as three months their press travel expenses and hire employees to plan and coordinate the trips. Only limited reimbursements for extensive campaign travel by various cabinet officials and holders of high administrative positions are apparent on the Ford Committee's reports. Given the unusually low charges for White House travel when compared to other campaigns, full disclosure of all political travel by the First Family should be required to give an equitable measure of benefits.

As the campaign spending limits close in on all the candidate's campaigns, the potential of government "fringe benefits" available to an incumbent President become even more significant and must be carefully monitored by the Federal Election Commission to insure that the spirit and the letter of the Federal Election Law is carried out. The spending limitation would otherwise be grossly unfair under our system. This is especially amplified in the setting of this campaign which is so close that virtually all political commentators agree it is too close to call.

On Wednesday of this week, our committee delivered the attached letter (Appendix A) to the Chairman of the Republican National Committee. It was motivated by what to us is not only a further abuse, but by what is an outrageous political advantage in a contest where even a slight political advantage might be critical.

On the basis of the public record, it appears that the Ford campaign is contemplating the massive use of White House personnel and resources at the Republican National Convention in Kansas City. The White House above and beyond the Ford Committee has been allocated 238 rooms and 450 gallery passes to the convention. In other words, it would appear that the White House is planning to bring almost 3 times the number of personnel to Kansas City as the amount that they are officially planning to report under their Ford Committee budget.

In running against an incumbent, one must expect to run against the normal advantages of the incumbency; the promises of federal projects, contracts and benefits, the distribution of federal appointments and jobs in primary states immediately before the election, and the ability to use White House dinners and facilities to woo party officials and delegates. We make no complaints about these practices; good, bad, legal or questionable, they are all part of a long established game. However, we must draw the line somewhere. When the White House staff, paid by the taxpayers, is massively used as an adjunct to the Ford Committee, this is improper in the worst sense. This strikes at the heart of fair elections. When the President can travel via government means for the entire campaign at a cost that would not total two full weeks outlay for air travel for other candidates and do it on credit, something is very wrong.

We are hoping the Commission would realize the seriousness of these facts and the urgency of doing something in light of the approaching Republican National Convention, now only 6 weeks away. So far, to our knowledge, nothing has been done. I, therefore, respectfully request a

special and public Commission meeting to deal with this problem during the week of July 6-9, 1976. This meeting should be public since the overriding question is one of basic legal principal: Does an incumbent have a legal right to use staff and the resources of this public office to promote his campaign? Do such uses constitute contributions and expenditures which must be disclosed? Once these legal questions are resolved, we understand that the normal executive session compliance procedures are mandated.

If the Commission chooses not to act, such refusal constitutes a denial of any relief to our committee. Additionally if the Commission takes no action, then we must assume it has chosen to exercise its exclusive primary jurisdiction under 2 U.S.C. Section 437c (b)(1) in a negative way. In view of the critically short time, our remedy must then be left to the Judiciary.

Sincerely,



Loren A. Smith  
General Counsel

LAS:ac

cc: All Federal Election Commissioners  
The Honorable Mary Louise Smith

# CITIZENS FOR REAGAN

1835 K Street N.W. • Washington, D.C. 20006 • 202/452-7676

HAND DELIVERY

July 2, 1976

The Hon. Mary Louise Smith  
Chairman, Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

Dear Mrs. Smith:

Thank you for promptly responding to my letter of the 30th.

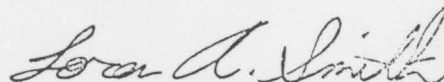
I have read your letter with some care and think I fully understand your position. However, I must respectfully reject the position you have taken because I deeply believe it is unfair and improper. I regret having to take this position; but our campaign must be dealt with fairly, the integrity of the political process, of our party and of our nomination all depend upon it.

Your letter talks in terms of "not realistic", "necessity" and "political decision-making." You mention several recent court decisions. However, the fundamental issue is none of these things. We are dealing with a simple matter of fairness; fundamental and real fairness.

I am sure you realize the very administration officials you indicated as the recipients of tickets and rooms are campaigning for Mr. Ford and have played an important campaign role. If they are allotted these things the truth is that Ford campaign receives them.

Unfortunately, I can read your letter in no other way than saying: 'we will provide no remedy and no other authority has the power to make us.' We must therefore send the attached letter to the Federal Election Commission.

Sincerely,



Loren A. Smith  
General Counsel

106  
Republican -  
National  
Committee.

Mary Louise Smith  
Chairman

July 2, 1976

Loren A. Smith, Esquire  
General Counsel  
Citizens for Reagan Committee  
1835 K Street, N. W.  
Washington, D. C. 20006

Dear Mr. Smith:

This will acknowledge your letter of June 30 with respect to the decisions made by the Committee on Arrangements for the Republican National Convention for 1976 and ratified by the Republican National Committee at its meeting on June 25, 1976. You allege that the Citizens for Reagan Committee has "been unable to obtain equitable treatment" relating to allotment of rooms and Convention guest tickets at the Republican National Convention for Citizens for Reagan.

The Committee on Arrangements for the Republican National Committee did meet and had a full discussion of this matter on Thursday of last week. At that time the Citizens for Reagan Committee position was fully debated and discussed, and a decision was made by the Arrangements Committee and confirmed by the Republican National Committee on Friday, June 25. That decision followed traditional procedures relating to pre-Convention decision making, consistent with past precedents in relation to prior conventions.

The Committee on Arrangements and the National Committee apparently, by its action, has made its best efforts towards being fair and impartial with regards to rooms and guest tickets, the two issues raised in your letter. As I am sure you know, the Committee on Arrangements did, upon consideration of the appeal of the Citizens for Reagan Committee, increase the number of seats allocated to your Committee by 100, providing 300 guest passes for the Citizens for Reagan Committee and 200 passes for the President Ford Committee. The Committee also provided 450 guest passes for the Administration which includes the Vice-President, Cabinet officers, foreign dignitaries, independent agencies, and the personnel who traditionally and of necessity must be present wherever the President appears.

Loren A. Smith, Esquire  
Page Two  
July 2, 1976

Relating to the allotment of rooms, this, likewise, was decided by the Committee on Arrangements. And as I understand it further, the Citizens for Reagan Committee specifically requested to be housed with the California delegation in the Alameda Plaza Hotel and specifically asked for 100 rooms for the Citizens for Reagan Committee, which was granted. The President Ford Committee got 100 rooms, the Administration, 288.

These decisions were made after full consideration by the proper Committees. As Chairman, as I am sure you can appreciate, I have to give proper recognition to decisions that have been properly made through the Committee procedures, and ratified by the Republican National Committee.

I believe this to be a matter of political decision-making coming within the purview of recent Supreme Court decisions, including Cousins vs. Wigoda and Ripon vs. RNC as examples, which clearly permit a Party to make decisions of this nature with respect to the conduct of the Convention. I believe the action taken and the procedures followed are consistent with the law as well as the authority of political parties to make such decisions relating to their respective Conventions.

I understand that these matters have been under negotiation with the Committee on Arrangements for some time and, as you know, a final decision has to be made at some point. It is my opinion that the logical decision-making time was last week's meeting of the Convention Arrangements Committee and the Republican National Committee.

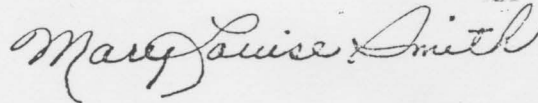
In reference to your suggestion that the Administration should not receive guest tickets or rooms in addition to those allotted to the President Ford Committee, this obviously is not realistic, in that there is a Republican administration which is entitled, and consistent with precedent has always been entitled, to recognition at the National Convention. I believe this is sustained by the tenor of the Advisory Opinion that you cited, 1975-72, which was requested by the Republican National Committee. In that opinion the Federal Elections Commission clearly recognizes that Administration personnel have official as well as Party functions that may be carried on, and are expected to be carried on, which of necessity differentiates the activities of the Administration from those of the President as a candidate.

Additionally, I would like to point out that in other areas as well our arrangements with the President Ford Committee and the Citizens for Reagan Committee have been totally equitable and impartial. I would note specifically the assignment of an equal number of floor passes, assignment and location of trailers for the candidates, and assignment and location of sky suites in Kemper Arena.

Loren A. Smith, Esquire  
Page Three  
July 2, 1976

This matter has been given my full and serious consideration. If there are any additional questions which you may have with regard to conforming with requirements of federal funding of conventions, objections of the Federal Election Campaign Act and other matters of a legal nature, I suggest that you confer with counsel for the Republican National Committee, William C. Cramer.

Very truly yours,

A handwritten signature in cursive script that reads "Mary Louise Smith". The signature is written in dark ink and is positioned above the typed name.

Mary Louise Smith

August 4, 1976



Richard E. Hill, Esquire  
Steptoe & Johnson  
1250 Connecticut Avenue, N. W.  
Washington, D. C. 20036

Dear Dick:

Pursuant to our telephone conversation, enclosed please find pertinent correspondence regarding the Citizens for Reagan campaign committee complaint alleging that the President Ford Committee has received preferential treatment regarding the assignment of foams and convention tickets at the Republican National Convention.

Best regards.

Sincerely,

Robert P. Visser  
General Counsel

RPV:dm  
Encls.