

MEMORANDUM

CLIENT-MATTER NUMBER
999100-0130

TO: Station Managers / Legal Counsel

FROM: Clela Mitchell, Esq.
Counsel to American Issues Project, Inc.

CC: Ed Martin, President
American Issues Project, Inc.

DATE: August 24, 2008

RE: Response to Obama Campaign Letter - August 23, 2008 Regarding American Issues Project Advertising

This letter is a formal response to the Memorandum dated August 22, 2008, from counsel to the Obama for President campaign, Mr. Robert F. Bauer (“Obama Memo”) in response to the advertising sponsored by my client for airing on your station(s), American Issues Project (“AIP”) (“the Ad”).

General Response. The Obama Memo argues initially that AIP’s substantial and thorough 167-page documentation and research in support of the Ad, which was provided to your station and publicly posted on the AIP website (www.americanissuesproject.org) was provided for the purpose of ‘hiding the truth’ or attempting to confuse station managers regarding the Ad. The purpose of the documentation is, of course, the opposite.

My client was well aware of the need to carefully and thoroughly research and substantiate every assertion in the Ad, which is exactly what has been done. The research document in your possession includes the full articles and transcripts, not excerpts or headlines. Every statement in the Ad is clearly stated, with the documentation for that statement furnished in its entirety.

By contrast, the Obama Campaign has furnished as its ‘documentation’ to refute the Ad a two and one-half page memorandum, with twelve footnotes, three of which are to AIP’s own research. None of the articles in their entirety were furnished, which would disclose that the ‘sources’ for the assertions in the Obama Memo include editorials by left-wing writers and publications, one transcript with an incorrect date, all without authors or titles of the articles, and none of which include the context of the statements cited to refute the factual statements in the Ad.

The Obama campaign asserts that the ad is "a malicious attempt to link Senator Obama to domestic terrorist activities." The Ad does absolutely nothing of the sort.

Instead, the Ad discloses information that is factually accurate regarding William Ayers and his domestic terrorist activities including bombing the U.S. Capitol and the Pentagon among other government buildings and targets. The fundamental information in the Ad discloses the relationship between Sen. Obama and Ayers, asking *why* a candidate for President of the United States chooses to associate himself with such an individual -- *ever*.

The Ad raises an important and quite legitimate issue that should be addressed by any candidate seeking the highest office in the land, which carries with it the responsibility of serving as Commander-in-Chief of America’s Armed Forces and the leadership of the free and democratic world. AIP questions why Senator Obama would be friends with William Ayers, someone who engaged in detestable acts against the United States, continues to insult American values, and refuses to apologize for attacks on his own country.

The voluminous documentation is furnished in order to assuage any doubts regarding the veracity of every statement and assertion in the Ad. The Obama Memo’s efforts to discredit the research by arguing that it is “too much information” ignores the depth and breadth of the research contents. Yes, it is a lot of information – which my client believed was important to provide in order to demonstrate the magnitude of this topic and the substance of the Ad.

Specific Responses. The Obama Memo expresses concern with two specific word choices in the Ad, to which we respond as follows, underscoring the hollow and wholly unsubstantiated objections raised by the Obama campaign to the Ad.

1. The Ad’s Reference to the Obama Defense of William Ayers as "Respectable" And "Mainstream"

The Obama Memo states that “Sen. Obama has never referred to William Ayers as ‘respectable’ and ‘mainstream’.” That is simply incorrect.

Sen. Obama and the Obama presidential campaign have *both* consistently defended Ayers as an upstanding member of the Chicago community. (Please refer to page 104 of the American Issues Project research document for the entire sequence of documentation related to this topic.)

Specifically:

- On a campaign fact check released after the Democratic presidential debate sponsored by ABC News on April 17, 2008, the Obama Campaign writes that "*Ayers And Dohrn Became Respectable Fixtures Of The Mainstream In Chicago.*"
- The Obama Memo confirms the Obama campaign posted those words on its website, www.BarackObama.com, and cites to the same left-wing op-ed article that described Ayers as a respected figure of education in "mainstream liberal Chicago."¹
- The Obama Campaign website *still* contains the following defense of Ayers: "Ayers Is A Tenured Professor At The University Of Illinois At Chicago And Was A 'Respected Advisor' To Mayor Daley On School Reform." See www.BarackObama.com, accessed 08/23/08
- On August 14, 2008, the Obama campaign released a forty-one page "fact check" refuting claims made in Jerome Corsi's book, *Obama Nation*. The Obama campaign did NOT choose to refute the relationship between Sen. Obama and Ayers, but instead defends Ayers' standing in the community. The Obama Campaign document released this past week describes Ayers and his wife as "members of the establishment." The exact statements *in their entirety* are attached to this Response and can be found on the Obama Campaign's website publication on page 16. The Obama Campaign has posted this week three "testimonials" to William Ayers and his wife Bernadine Dohrn as 'mainstream' and 'respectable'. The simple fact is that the Obama Campaign has *repeatedly* defended Ayers, including the defense published this past week.

The Obama Memo states that despite his campaign's defense of Ayers as respectable and mainstream, Sen. Obama 'himself' has not uttered those words. It is preposterous to suggest that the official campaign website does not represent Sen. Obama. Any campaign website is a sufficiently related surrogate to its candidate to belie such a statement and such an absurd claim hardly merits a response. Using that logic, your station would not be asking for my client's response since Sen. Obama did not himself write the memorandum to which we are now

¹ At some point, the Obama campaign removed the page referring to Ayers and his wife Bernadine Dohrn as "respectable" and "mainstream" from the campaign's website. A copy of the screen grab of the page that has subsequently been removed from the site is attached to this Response Memorandum. Attachment B.

responding. It would be a new and strange principle for a presidential candidate to claim that the official campaign website cannot be said to speak for him.

The Ad states, truthfully:

But Barack Obama is friends with Ayers, defending him as quote "respectable" and "mainstream."

The Obama campaign has defended Ayers in the past and continues to do so. Sen. Obama has *never* publicly repudiated either Ayers or his campaign website's defense of Ayers.

2. The Use Of The Word "Launched."

The Obama Memo misstates the words of the Ad, falsely stating that the Ad states or suggests that Sen. Obama's "career" was launched in the Ayers home. The Ad does NOT say that.

AIP recognizes, as the Campaign Memo pointed out, that Sen. Obama had worn many hats prior to the event in William Ayers' home. His work as a community organizer in Chicago, being the first African-American President of the Harvard Law Review, having run a successful voter registration drive in Chicago, lecturing at the University of Chicago Law School and as civil rights attorney, serving on two philanthropic boards in Chicago and winning numerous awards for civic engagement and legal work are all very impressive achievements.

However, none of his jobs, whether paid positions or volunteer, were part of his "political career." The exact language of the Ad states that Obama's *political* career was launched in William Ayers' home. That language is correct and was carefully chosen.

There are thousands of Americans who have won awards, lectured at universities, and assisted with voter registration drives, very few of whom have gone on to run for any political office. The Obama Memo manipulated the language of the Ad in an attempt to change the subject and refute a claim that the Ad does not make.

The language used to describe the Ayers' event is absolutely accurate for the following reasons:

a. AIP merely repeats the description of the event as a "launch". The word "launched" derives from two public sources, originally used in 2005 by a person who was in attendance at the event held in the home of William Ayers and Bernadine Dorhn to describe the event, then restated in an article published earlier this year.

"When I first met Barack Obama, he was giving a standard, innocuous little talk in the living room of those two legends-in-their-own-minds, Bill Ayers and Bernadine Dorhn...they were **launching** him—introducing him to the Hyde Park community as the best thing since sliced bread." From blog of Maria Warren, 2005.

An article in The Politico on February 22, 2008 by Ben Smith referenced and quoted the Warren blog in his article, “Obama Once Visited 60’s Radicals” and used the word “launched” in his article describing the event. That entire article was furnished as part of the research book documenting the ad and is also contained in the research posted on the AIP website.

b. The term ‘launch’ was first used to describe the event by a first-person witness to/at the event. The Ad relies on the actual written statement of an individual who was in attendance at the event and derives the word “launch” from that witness. A first person witness’s account and description of the event is the *best* documentation for the term.

c. There is no documentation of any other word to describe the event. To arbitrarily select another word or term to describe the event at Ayers’ home and its relationship to Sen. Obama’s political career would be un-sourced and un-documented. My client has made *every* effort to use *only* words and information that is completely sourced and well-documented.

d. There is no published record to document any organizing event for the Obama state senate race prior to the one held in Ayers’ home in 1995. The research discloses no public record of an event prior to the one in the Ayers’ home regarding the open state senate seat to which Sen. Obama had decided to seek.

In fact, the news that the state senate seat was being vacated by the incumbent Alice Palmer was announced to her closest supporters at the gathering in the Ayers home. There was no public record or announcement of her intention to vacate the seat to run for Congress prior to late June, 1995. We do not know the exact date of the Ayers event *because neither Sen. Obama nor William Ayers has been willing to publicly discuss the details of their relationship.*

Another attendee at the Ayers event, Dr. Quentin Young, stated that this event was the first he had heard that there was to be a vacancy in the state senate seat:

“I can remember being one of a small group of people who came to Bill Ayers’ house to learn that Alice Palmer was stepping down from the senate and running for Congress,” said Dr. Quentin Young, a prominent Chicago physician and advocate for single-payer health care, of the informal gathering at the home of Ayers and his wife, [Bernardune] Dohrn. “[Palmer] identified [Obama] as her successor.” (Ben Smith, , “Obama Once Visited ‘60s Radicals,” *Politico*, 2/22/08)

The Ayers event was a private gathering of the key political leaders in the state senate district, according to the attendees at the event.

Following the event, the sequence of public announcements and publicly filed information regarding the state senate vacancy and election is as follows:

Alice Palmer Announced On June 28, 1995 That She Would Run For The U.S. House Seat. "The expected stampede of politicians hoping to succeed Rep. Mel Reynolds began Tuesday with the first Democrat announcing her challenge to the beleaguered congressman in the primary. State Sen. Alice Palmer told supporters at the Bismarck Hotel she would work to create jobs and provide the leadership she says has been missing in the South Side and south suburban congressional district under Reynolds and his predecessor, Gus Savage." (Scott Fornek, "Reynolds' 1st Challenger Announces," *Chicago Sun-Times*, 6/28/95)

One week later, Sen. Obama Announced On July 7, 1995 That He Would Run For Palmer's Old Seat. "Barack Obama will announce he's running for the state Senate seat occupied by Alice Palmer, who's running for Reynolds' U.S. congressional seat. Obama, who has worked with Palmer, is an attorney at Davis, Miner, Barnhill & Galance-and newly published author of 'Dreams from My Father.'" (Judy Hevrdejs And Mike Conklin, "Something Different, Democrats Don't Add A Senate Candidate," *Chicago Tribune*, 7/7/95)

e. Neither the Obama Campaign nor Sen. Obama have previously objected to the description of the Ayers meeting as an important early event for his state senate campaign.

On April 16, 2008, during the ABC debate between Sen. Obama and Sen. Clinton, host George Stephanopoulos specifically asked Sen. Obama about the meeting at Ayers' home. Sen. Obama did NOT reject the notion that the meeting was 'an early organizing meeting' which is what the term "launch" also implies. The transcript specifically reads:

George Stephanopoulos: "An early organizing meeting for your state senate campaign was held at his [Ayers] house and your campaign has said you are "friendly"." (emphasis added)

Sen. Obama did not correct Stephanopoulos *nor* did he object to the representation or characterization of the meeting as an important beginning point for his state senate campaign and political career. Further, prior to the Obama Memo in responding to the Ad, neither Sen. Obama nor the Obama campaign had taken issue with the characterization of the description of the meeting as a 'launch' of his state senate campaign, despite the published references using that term dating back to 2005.

f. The meaning of the word 'launch' in this context is entirely appropriate. In checking the general meaning of the word "launch", the following definitions appear: "the act of starting out", "to commence", "to initiate", "to get going". It seems that the person attending the event chose exactly the right word to describe the event and the Ad's use of the term fully comports with a proper description of the event in the Ayers' home according to customary usage. The common vernacular and use of the term makes it entirely appropriate for this purpose.

The Obama Memo cites a *Sunday Times* [London] article from April 13, 2008 in a feeble attempt to prove the event in Ayers' home was not Obama's political 'launch'. However, nothing in the cited article proves the point of the Obama Memo.

Here is the quote in the Obama Memo:

"Sam Ackerman, a Chicago political activist and neighbour of Ayers, said: 'The whole thing is preposterous. I held the first fundraiser for Obama, when he ran for the state senate, in my house. A lot of people held little coffee meetings. It wasn't a big deal.'" (Sarah Baxter, "'Terrorist' Link Puts Obama Under Fire," *Sunday Times* [London], 4/13/08)

Sam Ackerman may have very well hosted the first *fundraiser* for Sen. Obama's first political campaign, but the first campaign contribution reported to the Obama state senate campaign was July 31, 1995, a full month *after* Alice Palmer announced publicly that she was vacating the office and three weeks *after* Sen. Obama announced his candidacy for the office. Further, the Friends of Barack Obama committee was not filed until August 7, 1995.

See Records of Illinois State Board of Elections, www.elections.state.il.us

The first fundraising event was obviously held *after* the Ayers event, which was described by two people who were there as an introduction to the chosen successor, Barack Obama, to the closest supporters of the incumbent, before their subsequent public announcements and before any fundraising or contributions were reported to the Illinois State Board of Elections.

The event in Ayers' home was never described as a "fundraiser", such as the event that Ackerman describes of the one that he hosted. In fact, there is a contribution reported on the Obama state senate finance report from Sam Ackerman on Dec. 31, 1995, and multiple other contributions are also reported on that date. Perhaps *that* was the campaign fundraiser to which Ackerman referred, but it is obviously well after the event in the Ayers home.

The Obama Memo twists the language of the Ad in an attempt to distract from the facts that have been thoroughly documented and the language describing the event having been extracted from an eye-witness who was present at the event.

Conclusion. The language of the Ad is precise and well-documented. The Obama Memo does not in any way provide support or substantiation for its objections to the Ad and its contents. If you have any further questions, do not hesitate to contact me at (202) 295-4081 or (202) 431-1950. Thank you.

Attachments:

A. Page from "Unfit for Publication", posted on the Obama for President website on August 14, 2008

B. Screen Grab from Obama for President Website, referring to William Ayers as “Respectable” and “Mainstream”

Attachment A

Obama Campaign *Still* Defending Ayers as Mainstream and Respectable

From “Unfit for Publication”, p. 16. A ‘fact check’ response from the Obama Campaign in response to the book “Obama Nation” by Jerome R. Corsi (www.barackobama.org, accessed 08/23/08)

LIE: “Sol Stern, a contributing editor of Chicago’s *City Journal*, has observed that while Ayers today ‘is widely regarded as a member in good standing of the city’s civic establishment, not an unrepentant domestic terrorist,’ the impression of Ayers’s good citizenship is incorrect.” [p 140 of “Obama Nation” by Jerome Corsi]

REALITY: AYERS AND DOHRN ARE MEMBERS OF THE ESTABLISHMENT WITH TIES TO THE MAYOR

Mayor Daley: Bill Ayers Worked With Me In Shaping Our Now Nationally-Renowned School Reform Program And Tarring Obama For Knowing Him Is Another Reason Americans Are Angry With Washington. “There are a lot of reasons that Americans are angry about Washington politics. And one more example is the way Senator Obama’s opponents are playing guilt-by-association, tarring him because he happens to know Bill Ayers. I also know Bill Ayers. He worked with me in shaping our now nationally renowned school reform program. He is a nationally-recognized distinguished professor of education at the University of Illinois/ Chicago and a valued member of the Chicago community. I don’t condone what he did 40 years ago but I remember that period well. It was a difficult time, but those days are long over. I believe we have too many challenges in Chicago and our country to keep re-fighting 40 year old battles.” [Tribune, 4/17/08]

FIU Law Professor Stanley Fish: I Too Have Eaten Dinner At Bill Ayers House (More Than Once), Served On A Committee With Him, And He Was One Of Those Who Recruited My Wife And Me At A Reception When We Were Considering Positions At UIC. Davidson-Kahn Distinguished University Professor and a professor of law at Florida International University, in Miami Stanley Fish wrote, “Confession time. I too have eaten dinner at Bill Ayers’s house (more than once), and have served with him on a committee, and he was one of those who recruited my wife and me at a reception when we were considering positions at the University of Illinois, Chicago. Moreover, I have had Bill and his wife Bernardine Dohrn to my apartment, was a guest lecturer in a course he taught and joined in a (successful) effort to persuade him to stay at UIC and say no to an offer from Harvard. Of course, I’m not running for anything, but I do write for *The New York Times* and, who knows, this association with former fugitive members of the Weathermen might be enough in the eyes of some to get me canned. Did I conspire with Bill Ayers? Did I help him build bombs? Did I aid and abet his evasion (for a time) of justice? Not likely, given that at the time of the events that brought Ayers and Dohrn to public attention, I was a supporter of the Vietnam War. I haven’t asked him to absolve me of that sin (of which I have since repented), and he hasn’t asked me to forgive him for his (if he has any). Indeed in all the time I spent with Ayers and Dohrn, politics — present or past — never came up.” [*New York Times*, 4/27/08]

Stanford Law Professor Lawrence Marshall: Ayers And Dohrn Are “Absolutely Upstanding Establishment Citizens.” The Washington Post reported, “‘It’s kind of laughable for people who have worked with Bernadine and Bill in the most boring and mundane settings and recognize that they’re absolutely upstanding establishment citizens today,’ said Lawrence C. Marshall, a Stanford University law professor. He recalled a juvenile justice project: ‘Judges who were lifelong ardent conservatives had no trouble recognizing that the work that Bernadine and Bill are now doing is completely divorced from anything in their background.’” [*Washington Post*, 4/8/08]

Attachment B: Screen Grab from official Obama website – see p. 2 Website describes Ayers as “respectable” and “mainstream”.

Barack Obama | Barry James Moore's Blog: Fact Check on Clinton Attacks on Obama and Ayers - Mozilla Firefox

File Edit View History Bookmarks Tools Help

http://my.barackobama.com/page/community/post/barryjamesmoore/gGCxRP

Norton Phishing Protection on Identity Safe Log-ins

More links at the end of this message.

Fact Check on Clinton Attacks on Obama and Ayers

http://factcheck.barackobama.com/factcheck/2008/04/17/fact_check_on_clinton_attacks.php

Fact Check on Clinton Attacks on Obama and Ayers

April 17, 2008

REALITY: OBAMA WAS EIGHT YEARS OLD WHEN THE WEATHERMEN WERE ACTIVE

Obama Turned Eight In September 1969, The Days Of Rage Occurred In October 1969. Barack Obama was born on September 4, 1961. He turned eight on September 4, 1969. The Days of Rage, in which William Ayers participated, occurred in October 1969. [Obama Birth Certificate, UPI, 10/21/81]

William Ayers Participated In The "Days Of Rage" In 1969. The AP reported, "In the autumn of 1969, the Weatherman, led by Bernardine Dohrn and Mark Rudd, converged on Chicago and planned a series of demonstrations to dramatize their beliefs. The riots, which came to be known as the "Days of Rage," caused thousands of dollars in damage in the downtown and Near North Side areas and resulted in injuries to several policemen. Rudd and Ms. Dohrn were named in federal riot indictments with ten others -- William Ayers, Kathy Boudin, John Jacobs, Jeff Jones, Michael Spiegel, Howard Machtlinger, Terry Robins, Lawrence Weiss, Linda Sue Evans and Judy Clark. Another prominent activist, Cathy Wilkerson, was arrested on state charges of mob action and resisting a police officer. Some surrendered years ago. Two -- Ms. Dohrn and Ayers, son of the former chairman of Commonwealth Edison Co. -- surfaced Wednesday. Charges against Ayers had been dropped in 1978 but Ms. Dohrn still faces charges of aggravated battery and jumping bail." [AP, 12/3/80]

REALITY: AYERS CONNECTION IS "PHONY," TENUOUS, "A STRETCH"

Chicago Sun Times: Obama's Connection To Ayers Is A "Phony Flap". The Chicago Sun-Times wrote in an editorial, "But Ayers, it is also true to say, has since followed in the footsteps of the great Chicago social worker Jane Addams, crusading for education and juvenile justice reform. His 1997 book, A Kind and Just Parent: The Children of Juvenile Court, has been praised for exposing how Cook County's juvenile justice system all but

Messages

Groups

Fundraising

My Blog

Write a Blog Post

Manage Blog

Blog Settings

Search All Blogs

View All Blogs

Done

start

Inbox - Microsof...

Untitled - Messa...

Barack Obama | ...

Document1 - Mic...

Norton

7:31 PM

Barack Obama | Barry James Moore's Blog: Fact Check on Clinton Attacks on Obama and Ayers - Mozilla Firefox

File Edit View History Bookmarks Tools Help

http://my.barackobama.com/page/community/post/barryjamesmoore/gGCxRP

Norton Phishing Protection on Identity Safe Log-ins

AYERS IS A TENURED PROFESSOR AT THE UNIVERSITY OF ILLINOIS AT CHICAGO AND WAS A "RESPECTED ADVISOR" TO MAYOR DALEY ON SCHOOL REFORM

Ayers Is A Professor Of Education At UIC. According to his website at UIC, "William Ayers is a school reform activist, Distinguished Professor of Education, and Senior University Scholar at the University of Illinois at Chicago where he teaches courses in interpretive research, urban school change, and youth and the modern predicament. He is the founder of the Center for Youth and Society and founder and co-director of the Small Schools Workshop. A graduate of the Bank Street College of Education and Teachers College, Columbia University, he has written extensively about social justice, democracy and education. His interests focus on the political and cultural contexts of schooling as well as the meaning and ethical purposes of teachers, students, and families." [Ayers UIC Site, Ayers Personal Site, Accessed 5/31/07]

Ayers Advised Chicago Mayor Richard Daley On School Reform Issues. Bill "Ayers is now mainstream -- an educator with distinguished professor status. He has written three books about education and has advised Chicago Mayor Richard M. Daley on the subject of school reform." [AP, 10/14/01]

Terkel: Ayers Is A "Sensitive And Gifted" Writer And Teacher. Studs Terkel wrote, "William Ayers is as sensitive and gifted a chronicler as he is a teacher." [Beacon]

AYERS AND DOHRN BECAME RESPECTABLE FIXTURES OF THE MAINSTREAM IN CHICAGO

Bill Ayers And Bernadine Dohrn "Became Respectable Fixtures In Mainstream Liberal Chicago Years Ago." Alexander Cockburn wrote in an op-ed for the Las Vegas Review Journal, "Late last week, the Clinton campaign was leaking stories about support for Obama from the former Weather Underground couple Bill Ayers and Bernadine Dohrn, both of whom became respectable fixtures in mainstream liberal Chicago years ago." [Las Vegas Review Journal, 3/2/08]

CHARGES AGAINST AYERS WERE DROPPED AND HE SERVED NO TIME

Done

start

Inbox - Microsof... Untitled - Messa... Barack Obama | ... Document1 - Mic... Norton

7:31 PM