

STATEMENT BY SENATOR ROBERT MORGAN
SENATE SELECT COMMITTEE ON ETHICS
MAY 4, 1979

In an afternoon newspaper in Atlanta, The Atlanta Journal, there appeared yesterday a story on the front page carrying a banner headline in large bold, black type: TALMADGE DIVERTED MILK FUNDS TO MORGAN. The headline clearly by implication and inference, was meant to lead the public to believe that in some way Senator Talmadge had surreptitiously and in a sinister manner diverted illegal funds to me.

The headline with its innuendos, inferences and implications is false, untrue and without any foundation in fact. The story itself, is not accurate and does not support the headline and I can only conclude that its writer knew of its falsity at the time it was written, or certainly demonstrated a reckless disregard for truthfulness and accuracy — an act unbecoming and unwarranted by a member of the press that enjoys a cloak of protection by the First Amendment.

I have read the story carefully and nowhere in the story is such a headline justified and nowhere in the story does it appear that Senator Talmadge ever delivered or even knew of any political contributions to my 1974 political campaign by anyone.

The story quotes an unnamed source that Mr. Minchew received a call from a "Morgan campaign staffer" asking for help in getting/^a contribution from one of the milk funds. The "Morgan campaign aide" was unnamed and again the source for the story is unnamed. No such call was made with my knowledge and neither I nor anyone ever associated with my campaign that I can find, made or knows of any such call. The statement is in my considered opinion a pure fabrication.

The last sentence of the story, which incidentally appears on a page different from the headline, contradicts the headline when it says that the records of the Special Political Agricultural Community Education fund indicates that "pursuant to a request from a North Carolina dairy farmer a legal contribution was made to the Morgan campaign fund.

A campaign contribution was made after my election in November 1974 through the efforts of many dairy farmers in my campaign who had actively supported me throughout the democratic primary and the general election, and not through any efforts of Senator Talmadge or Mr. Minchew.

The allegations of Mr. Minchew were made to the Ethics Committee last year and the matter was discussed openly and in full. The story was offered to a number of other news media at the time, but none to my knowledge accepted or used it.

To set the record straight, I ran for the Democratic nomination for the United States Senate in North Carolina in the May primary of 1974. With the help of thousands of relatively small contributors, the names of whom are on file, I won the primary election. We then contacted Mr. Nurdy Hoffman, the campaign director of the Democratic Senatorial Committee. We sought his advice and recommendations and among the advice sought was the names of Democratic Senators who might be willing to appear at fund raisers for me in North Carolina.

It was agreed that since I had known and worked for Senator Humphrey and Senator Jackson, I should ask them. Senator Lloyd Bentsen, the Chairman of the Senatorial Campaign Committee and a prospective candidate for President, had many friends in the Charlotte area and so we agreed to ask him.

Senator Robert Byrd, personally unknown to me at the time, is a native North Carolinian and beloved by all there — especially in the mountains — and he was asked to go to Asheville.

Senator Adlai Stevenson's father was a great favorite of North Carolina democrats and his aunt, Buffie Ives, still lives there, so we agreed to ask him. Senator Huddleston, Chairman of a subcommittee dealing with tobacco

was asked to come to the Raleigh area and it was suggested that the Chairman of the Agriculture Committee, Senator Talmadge, should be asked to go into the rural East. All were asked and graciously accepted.

My invitation to Senator Talmadge was extended by my campaign manager, Charles Winberry, and myself. We went into Senator Talmadge's office late one afternoon and were told to come back real early the next morning. Very early the next morning we went to his office and for the first time in my life I met Senator Herman Talmadge. He graciously agreed to come and told us to make arrangements with his appointments secretary. I have no independent recollection who the person was or even if the person was a man or woman.

During the conversation he mentioned that if we did not raise enough money for the fall campaign by our dinners that he might be able to find some agricultural PAC money. I told him that I thought I could get along without it.

Later during the campaign, he flew into Greenville, North Carolina, arriving at the Moose Lodge shortly before me. We had dinner, he spoke and he left. That is all the campaigning he did for me then or since.

He has since become a friend of mine like I believe every other member of the United States Senate has, but to imply that a "longtime friend" with some sinister or evil motive diverted milk funds to me or campaigned for me as a "longtime friend" does a discredit to the Senator, to me, this Committee and reflects unfavorably on the persons responsible for the publication of such articles.

Again, to set the record straight, a dairy farmer from North Carolina personally contributed to my campaign during the year and when it was known that I had a deficit after the election, he came to me and offered help. He told me there were about four or five hundred dairy farmers in North Carolina and that many had contributed to a political action committee and they were willing to help.

Through these dairy farmers a contribution was made by the Special Agricultural Community Education fund; it was properly reported and appears as a matter of record. I repeat again, that even the news article indicates that the contribution was made at the request of a North Carolina dairy farmer.

A free press is absolutely essential for a democratic society such as ours to survive and I support the right even when it is exercised by a few in a reckless and irresponsible manner.

As a lawyer, I knew when I offered myself for public office that I became in effect fair game for the media, responsible and irresponsible alike.

I knew that the Supreme Court has held on numerous times that where the criticism is of public officials and their conduct of public business, the interest in private reputation is overborne by the larger public interest, secured by the First Amendment, in the dissemination of news.

I knew that even when the reporting is false, the great principles of expression in the area of criticism of official conduct of public officials preclude attaching adverse consequences to any except where malice can be shown. I subscribe to the principle and accept it realizing that malice is a state of mind which often is difficult to prove and sometimes gives to the unscrupulous a license to abuse. I fear the public does not understand the application of this principle to public officials and thus often interprets lack of legal action as an admission. This is a risk we take.

At the same time I have the constitutional right to express my opinion and I have taken this opportunity to do so.

Mr. Chairman, I am a friend of Senator Talmadge as I have been of every other Senator whose actions have been called before this Committee. I intend in this matter to do justice as fairly and impartially as my abilities and understanding will permit, as I have tried to do in every other case. I will not let intimations, innuendos, or inferences of bias made by anyone or any other outside force affect my judgment, if it is in my power to prevent it.