



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE END OF MUR # 1031

Date Filmed Aug 29, 1981 Camera No. --- 2

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MUR 1031

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MUR 1031 *Lavin*

Form 3817, Jan. 1978

SENDERS: 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:
James T. Jones
P.O. Box 30
Jerome, Idaho

3. ARTICLE DESCRIPTION: *83838*

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>12666</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Mary Goodman

4. DATE OF DELIVERY: *4-28-80* POSTMARK

5. ADDRESS (Complete only if requested)

PO: Box 414418

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

U.S. POST OFFICE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 20, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James T. Jones, Esquire
Seeley, Jones & Fuller
P.O. Box 30
Jerome, Idaho 83338

Re: MUR 1031

Dear Mr. Jones:

On April 17, 1981, the Commission accepted the conciliation agreements signed by your client, Don McFarland, and the checks for the civil penalties in settlement of violations of 2 U.S.C. §§ 441a(a)(1) (A) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreements(2)

81010052160

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James T. Jones, Esquire
Sealey, Jones & Fuller
P.O. Box 38
Jerome, Idaho 83338

Re: MIB 1031 *82 9/20/81*

Dear Mr. Jones:

On April 1, 1981, the Commission accepted the conciliation agreements signed by your client, Don McFarland, and the checks for the civil penalties in settlement of violations of 2 U.S.C. §§ 441a(a)(1) (A) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(2)(A) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles H. Steele
General Counsel

Enclosure
Conciliation Agreements(2)

01040252161

2. The Jim Jones for Congress Committee was the principal campaign committee for candidate Jim Jones, pursuant to 2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

3. Respondent made a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 to the Jim Jones for Congress Committee in connection with the 1978 primary election for the U.S. House of Representatives.

4. The loans described in subparagraph 3 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

WHEREFORE, Respondent agrees:

V. Respondent's making of the loans described in Paragraph IV above to the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(a)(1)(A) which prohibits contributions in excess of \$1,000 to the authorized political committee of a candidate with respect to any election for federal office. Respondent contends that this violation was not knowing and willful.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand two hundred and fifty dollars (\$1,250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

81040252163

GENERAL CONDITIONS

VIII. 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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

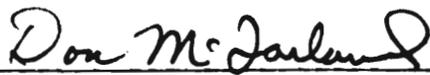
81040252164

20 April 1981
Date



Charles N. Steele
General Counsel
Federal Election Commission

3/3/81
Date



Don McFarland

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1031
Jim Jones for Congress)
Committee)

CONCILIATION AGREEMENT

81010252165
This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that the Jim Jones for Congress Committee ("Respondent") violated 2 U.S.C. § 441a(f) by accepting \$22,000 in loans for the 1978 primary election from Don McFarland;

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a) (4)(A)(i), do hereby agree as follows:

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent was the principal campaign committee for candidate, Jim Jones, within the meaning of

2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

2. Respondent accepted a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 from Don McFarland in connection with the 1978 primary election for the U.S. House of Representatives.

3. The loans described in subparagraph 2 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

V. Respondent's knowing acceptance of the loans described in Paragraph IV above in excess of the \$1,000 limitation in 2 U.S.C. § 441a(a)(1)(A) on contributions to the authorized political committee of a candidate with respect to any election for federal office violated 2 U.S.C. § 441a(f). Respondent contends that this violation was not knowing and willful.

WHEREFORE, Respondent agrees:

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand two hundred and fifty dollars (\$1,250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

81040252166

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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

20 April 1981
Date



Charles N. Steele
General Counsel
Federal Election Commission

3-3-81
Date

Jim Jones for Congress Committee

BY: Don M. Jarland

ITS: Treasurer

61040252167

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	MUR 1031
Jim Jones for Congress Committee)	
Don McFarland)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 17, 1981, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1031:

1. Approve the conciliation agreements in connection with MUR 1031, as attached to the General Counsel's Memorandum to the Commission, dated April 15, 1981.
2. Approve the letter attached to the above-named memorandum.
3. CLOSE THE FILE in this matter.

Attest:

4/17/81
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

81040252168

Received in Office of Commission Secretary:
Circulated on 48 hour vote basis:

4-15-81, 10:28
4-15-81, 4:00

April 15, 1961

MEMORANDUM TO: Marjorie W. Emmons

FROM: Bliss T. Carr

SUBJECT: MHR 1031

Please have the attached memo distributed to the
Commission on a 48 hour tally basis on PINK PAPER. Thank you.

81040252169

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

81 APR 15 A10: 28

April 15, 1981

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CS*

SUBJECT: Conciliation Agreements in MUR 1031 -
Jim Jones for Congress Committee and
Don McFarland

Attached are conciliation agreements signed by Don McFarland in his capacity as treasurer of the Jim Jones for Congress Committee ("the Committee") and in his capacity as a contributor to the Committee.

The attached agreements each include two changes in the provisions approved by the Commission. In each agreement, Paragraph V, the paragraph containing a specific admission of a violation of a section of title 2, has been amended to include the phrase, "Respondent contends that this violation was not knowing and willful." This addition reflects respondents' insistence throughout the course of this matter that the loans were made after respondents misinterpreted 11 C.F.R. § 100.4(a)(1)(i), now 11 C.F.R. § 100.7(a)(1)(i)(B). In each agreement, the civil penalty requirement has been lowered from \$2,500 to \$1,250. Despite the reduction in the proposed amount, the penalty is still reasonably substantial in light of the fact that the loans were repaid within eight weeks of their being made and in light of respondents' insistence that such loans were made as the result of a misinterpretation of the regulations.

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We have received a civil penalty check of \$1,250 from the candidate, James T. Jones, on behalf of the Committee and a civil penalty check of \$1,250 from Don McFarland on behalf of himself as the contributor.

The General Counsel recommends the acceptance of the agreements. Because the recommended civil penalties have already been paid, the General Counsel also recommends the closing of the file in this matter.

Recommendations

1. Approve the attached conciliation agreements in connection with MUR 1031.
2. Approve the attached letter.
3. Close the file in this matter.

Attachments

1. Conciliation Agreement signed by Don McFarland for the Jim Jones for Congress Committee.
2. Conciliation Agreement signed by Don McFarland for himself.
3. Checks in payment of the civil penalties.
4. Proposed letter to Mr. James T. Jones, attorney for the Committee and for Don McFarland.

81040252171

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Jim Jones for Congress) MUR 1031
Committee)

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that the Jim Jones for Congress Committee ("Respondent") violated 2 U.S.C. § 441a(f) by accepting \$22,000 in loans for the 1978 primary election from Don McFarland;

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a) (4)(A)(i), do hereby agree as follows:

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent was the principal campaign committee for candidate, Jim Jones, within the meaning of

Attachment 1 - p. 1 of 3

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2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

2. Respondent accepted a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 from Don McFarland in connection with the 1978 primary election for the U.S. House of Representatives.

3. The loans described in subparagraph 2 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

V. Respondent's knowing acceptance of the loans described in Paragraph IV above in excess of the \$1,000 limitation in 2 U.S.C. § 441a(a)(1)(A) on contributions to the authorized political committee of a candidate with respect to any election for federal office violated 2 U.S.C. § 441a(f). Respondent contends that this violation was not knowing and willful.

WHEREFORE, Respondent agrees:

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand two hundred and fifty dollars (\$1,250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

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1 - p. 2 of 3

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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

81040252174

Date

Charles N. Steele
General Counsel
Federal Election Commission

3-3-81

Date

Jim Jones for Congress Committee

BY: Don M. Jandani

ITS: Treasurer

1-p. 3 of 3

2. The Jim Jones for Congress Committee was the principal campaign committee for candidate Jim Jones, pursuant to 2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

3. Respondent made a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 to the Jim Jones for Congress Committee in connection with the 1978 primary election for the U.S. House of Representatives.

4. The loans described in subparagraph 3 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

WHEREFORE, Respondent agrees:

V. Respondent's making of the loans described in Paragraph IV above to the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(a)(1)(A) which prohibits contributions in excess of \$1,000 to the authorized political committee of a candidate with respect to any election for federal office. Respondent contends that this violation was not knowing and willful.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand two hundred and fifty dollars (\$1,250), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

2 - p. 2 of 3

81040252176

GENERAL CONDITIONS

VIII. 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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

81040252177

Date

Charles N. Steele
General Counsel
Federal Election Commission

3/3/81
Date

Don McFarland
Don McFarland

JAMES T. JONES
NANCY J. JONES

SEN 519-46-1156
BOX 397 334-3737

JEROME, IDAHO 83338

10-16-80

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92-120
1241

PAY TO THE
ORDER OF

On Demand Cash in Commis \$1,250
for [unclear] 500 FTARS



BANK OF IDAHO, N.A.
JEROME OFFICE
P.O. BOX 408
JEROME, ID 83338

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[Handwritten signature]

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Attachment 3-p. 1 of 2

908

DONOR CAROL MCFARLAND 7

BOX 209 825-5256
EDEN, IDAHO 83325

92-224
1241

10/16 1980

PAY TO THE ORDER OF Federal Election Commission \$ 1250.00
One Thousand Two Hundred Fifty and 00/100 DOLLARS

FOR



IDAHO FIRST NATIONAL BANK
HAZELTON OFFICE
HAZELTON, IDAHO 83335

Don McFarland

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3-p. 2 of 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James T. Jones, Esquire
Seeley, Jones & Fuller
P.O. Box 30
Jerome, Idaho 83338

Re: MUR 1031

Dear Mr. Jones:

On April , 1981, the Commission accepted the conciliation agreements signed by your client, Don McFarland, and the checks for the civil penalties in settlement of violations of 2 U.S.C. §§ 441a(a)(1) (A) and 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find fully executed copies of the final conciliation agreements for your files.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreements(2)

Attachment 4 - p. 1 of 1

0812560618



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 4, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

On July 29, 1980, the Commission determined there was probable cause to believe that you committed a violation of section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the making of loans totalling \$22,000 to the Jim Jones for Congress Committee. On that date, the Commission also determined there was probable cause to believe that the Jim Jones for Congress Committee committed a violation of section 441a(f) of the Act in connection with its acceptance of the loans.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

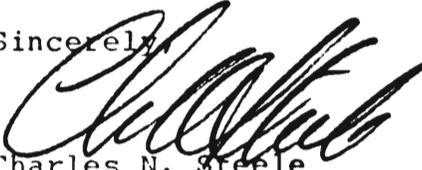
We enclose conciliation agreements that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them along with the civil penalties to the Commission within ten days. I will then recommend that the Commission approve the agreements. Please make your checks for the civil penalties payable to the U.S. Treasurer.

01040250181

Letter to: Don McFarland
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreements, please contact Jonathan Levin, the staff member assigned to this matter, at 202/523-4060.

Sincerely,


Charles N. Steele
General Counsel

Enclosures
Conciliation Agreements (2)

81047252182

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). <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> Show to whom, date, and address of delivery. <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date delivered. <input type="checkbox"/> RESTRICTED DELIVERY. <input type="checkbox"/> Show to whom, date, and address of delivery. \$ _____ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: Mr. Don McFarland, Treasurer Jim Jones for Congress Cause the Box 268 Eden, Idaho 83325	
3. ARTICLE DESCRIPTION:	REGISTERED NO. 945715 INSURED NO.
I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent Don McFarland	
4. DATE OF DELIVERY 8-8-80	POSTMARK
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	

PS Form 3819, Aug. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
1001 Fern

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Don McFarland) MUR 1031

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that Don McFarland ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A) by contributing \$22,000 in loans for the 1978 primary election to the Jim Jones for Congress Committee;

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent is a person pursuant to 2 U.S.C. § 431(h), now 2 U.S.C. § 431(11).

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2. The Jim Jones for Congress Committee was the principal campaign committee for candidate Jim Jones, pursuant to 2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

3. Respondent made a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 to the Jim Jones for Congress Committee in connection with the 1978 primary election for the U.S. House of Representatives.

4. The loans described in subparagraph 3 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

WHEREFORE, Respondent agrees:

V. Respondent's making of the loans described in Paragraph IV above to the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(a)(1)(A) which prohibits contributions in excess of \$1,000 to the authorized political committee of a candidate with respect to any election for federal office.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two thousand five hundred dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

81040252184

GENERAL CONDITIONS

VIII. 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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Don McFarland

8104015185

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1031
Jim Jones for Congress)
Committee)

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that the Jim Jones for Congress Committee ("Respondent") violated 2 U.S.C. § 441a(f) by accepting \$22,000 in loans for the 1978 primary election from Don McFarland;

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent was the principal campaign committee for candidate, Jim Jones, within the meaning of

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2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

2. Respondent accepted a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 from Don McFarland in connection with the 1978 primary election for the U.S. House of Representatives.

3. The loans described in subparagraph 2 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

V. Respondent's knowing acceptance of the loans described in Paragraph IV above in excess of the \$1,000 limitation in 2 U.S.C. § 441a(a)(1)(A) on contributions to the authorized political committee of a candidate with respect to any election for federal office violated 2 U.S.C. § 441a(f).

WHEREFORE, Respondent agrees:

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two thousand five hundred dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

81040252187

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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

8104025188

_____ Date

Charles N. Steele
General Counsel
Federal Election Commission

_____ Date

Jim Jones for Congress Committee

BY: _____

ITS: _____

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Jim Jones for Congress Committee)
Don McFarland)

MJR 1031 (79)

AMENDED CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on July 29, 1980, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MJR 1031(79):

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. §441a(f) and proceed to conciliation.
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. §441a(a)(1)(A) and proceed to conciliation.
3. Approve the conciliation agreements attached to the General Counsel's July 18, 1980 report, subject to reduction of the civil penalty to the figure of \$2,500 in each agreement.
4. Approve the letters attached to the General Counsel's report.

Attest:

8/4/80
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

8104935189



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 31, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Charles N. Steele
General Counsel *CNS*
SUBJECT: Certification in MUR 1031

The second recommendation in the General Counsel's Report for MUR 1031, dated June 9, 1980, stated that the Commission should find probable cause to believe that Don McFarland violated "2 U.S.C. § 441a(1)(A)" instead of 2 U.S.C. § 441a(a)(1)(A). This was a typographical error and this error was reflected in the certification. Please change the certification to read: "Find probable cause to believe that Don McFarland violated 2 U.S.C. § 441a(a)(1)(A) and proceed to conciliation."

81040252190

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Jim Jones for Congress)
Committee)
Don McFarland)

MUR 1031 (79)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on July 29, 1980, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1031 (79):

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. §441a(f) and proceed to conciliation.
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. §441a(1) (A) and proceed to conciliation.
3. Approve the conciliation agreements attached to the General Counsel's July 18, 1980 report, subject to reduction of the civil penalty to the figure of \$2,500 in each agreement.
4. Approve the letters attached to the General Counsel's report.

Attest:

7/30/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

61040253191



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 18, 1980

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel *CS*

SUBJECT: Errata - General Counsel's Report for
MUR 1031

Attached for the Commission's review is the revised page three of the General Counsel's Report for MUR 1031, signed on July 2, 1980. On the revised page, the recommended civil penalty is changed from \$5,000 to \$4,000, the figure used in the proposed conciliation agreements. Please replace the already circulating page three with the revised page three.

Attachment

Revised page three of the General Counsel's Report

81040254192

Therefore, the General Counsel recommends a civil penalty of \$4,000 for each respondent.

IV. RECOMMENDATION

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(f) and proceed to conciliation.
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. § 441a(1)(A) and proceed to conciliation.
3. Approve the attached conciliation agreements.
4. Approve the attached letters.

16 July 1980
Date



Charles N. Steele
General Counsel

Attachments

1. Proposed Conciliation Agreements
2. Proposed Letter to Don McFarland
3. Brief of the Office of General Counsel
4. Brief of Don McFarland

81040254193

BEFORE THE FEDERAL ELECTION COMMISSION
June 9, 1980

In the Matter of)
) MUR 1031(79)
Jim Jones for Congress)
Committee)
Don McFarland)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter involves \$22,000 in loans to the Jim Jones for Congress Committee (the Committee) from Don McFarland, the Committee Treasurer, in connection with the August 8, 1978 Republican Primary in the Second Congressional District of Idaho. The Committee's 1978 30 Day Post-Primary Report disclosed receipt of a \$20,000 loan on August 7, 1978, the date before the primary, and a \$2,000 loan on August 18, 1978, ten days after the primary. The matter was referred by the Reports Analysis Division to the Office of General Counsel (OGC).

On April 22, 1980, a letter and a brief were sent to Don McFarland as an individual contributor and as the Treasurer of the Committee notifying him of the General Counsel's recommendation that the Commission find probable cause to believe that both respondents violated 2 U.S.C. § 441a. A letter from Mr. McFarland in reply to the brief was received on May 19, 1980.

In his letter, Mr. McFarland repeated his claim that the loans were made and accepted in reliance upon a mistaken interpretation of 11 C.F.R. § 100.4(a)(1)(i), now 11 C.F.R. § 100.7(a)(1)(i)(B). Mr. McFarland stated that he interpreted the section as

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allowing him to make the loans as long as the Committee repaid them by the end of the year.

Mr. McFarland also responded to our statement that his interpretation would allow "vast sums of money [to be] made available for the use of the Committee during a critical period in circumvention of the contribution limitations." He stated that, at the time of the loans, "the bills had been accumulated," and would probably have been paid off by the candidate "as it was his intention to take care of the obligations," but that Mr. McFarland "took care of the obligations" at that time in order to give Mr. Jones a respite from campaign activities. He pointed out that it was the candidate's money that was used to enable the committee to repay the \$22,000 in loans.

II. LEGAL ANALYSIS OF RESPONDENT'S BRIEF

Nothing in the respondent's reply letter alters the legal analysis presented in the brief of the Office of General Counsel. (See Attachment 3). Although Mr. McFarland states that the \$22,000 could have been provided almost as easily by the candidate during this time period, the funds were, in fact, provided by Mr. McFarland at a time that the funds were needed from some source.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

The loans in question exceeded the § 441a(a)(1)(A) limitations by \$21,000 and these loans provided funds for the use of the Committee during a critical stage. These factors warrant a substantial civil penalty. However, the size of the penalty must not preclude the successful completion of the conciliation process.

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Therefore, the General Counsel recommends a civil penalty of \$5,000 for each respondent.

IV. RECOMMENDATION

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(f) and proceed to conciliation.
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. § 441a(1)(A) and proceed to conciliation.
3. Approve the attached conciliation agreements.
4. Approve the attached letters.

2 July 1980
Date



Charles N. Steele
General Counsel

Attachments

1. Proposed Conciliation Agreements
2. Proposed Letter to Don McFarland
3. Brief of the Office of General Counsel
4. Brief of Don McFarland

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ATTACHMENT #1

2. The Jim Jones for Congress Committee was the principal campaign committee for candidate Jim Jones, pursuant to 2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

3. Respondent made a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 to the Jim Jones for Congress Committee in connection with the 1978 primary election for the U.S. House of Representatives.

4. The loans described in subparagraph 3 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

WHEREFORE, Respondent agrees:

V. Respondent's making of the loans described in Paragraph IV above to the Jim Jones for Congress Committee violated 2 U.S.C. § 441a(a)(1)(A) which prohibits contributions in excess of \$1,000 to the authorized political committee of a candidate with respect to any election for federal office.

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two thousand five hundred dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

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GENERAL CONDITIONS

VIII. 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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Don McFarland

81010252200

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1031
Jim Jones for Congress)
Committee)

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities, and after probable cause to believe having been found that the Jim Jones for Congress Committee ("Respondent") violated 2 U.S.C. § 441a(f) by accepting \$22,000 in loans for the 1978 primary election from Don McFarland;

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i), do hereby agree as follows:

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

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

III. Respondent enters voluntarily into this Agreement with the Commission.

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

1. Respondent was the principal campaign committee for candidate, Jim Jones, within the meaning of

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2 U.S.C. § 431(n), now 2 U.S.C. § 431(5).

2. Respondent accepted a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 from Don McFarland in connection with the 1978 primary election for the U.S. House of Representatives.

3. The loans described in subparagraph 2 above were contributions under 2 U.S.C. § 431(e)(1), now 2 U.S.C. § 431(8)(A)(i).

V. Respondent's knowing acceptance of the loans described in Paragraph IV above in excess of the \$1,000 limitation in 2 U.S.C. § 441a(a)(1)(A) on contributions to the authorized political committee of a candidate with respect to any election for federal office violated 2 U.S.C. § 441a(f).

WHEREFORE, Respondent agrees:

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of two thousand five hundred dollars (\$2,500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. Respondent agrees that it shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

VIII. 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

81040252202

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.

IX. It is mutually agreed that this agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

X. It is mutually agreed that respondent shall pay the civil penalty described in Paragraph VI above within thirty (30) days from the date this agreement becomes effective.

Date

Charles N. Steele
General Counsel
Federal Election Commission

Date

Jim Jones for Congress Committee

BY: _____

ITS: _____

81040252203

81040252204

ATTACHMENT #2



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

On , 1980, the Commission determined there was probable cause to believe that you committed a violation of section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the making of loans totalling \$22,000 to the Jim Jones for Congress Committee. On that date, the Commission also determined there was probable cause to believe that the Jim Jones for Congress Committee committed a violation of section 441a(f) of the Act in connection with its acceptance of the loans.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose conciliation agreements that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreements, please sign and return them along with the civil penalties to the Commission within ten days. I will then recommend that the Commission approve the agreements. Please make your checks for the civil penalties payable to the U.S. Treasurer.

61040252202

Letter to: Don McFarland
Page 2

If you have any questions or suggestions for changes in the enclosed conciliation agreements, please contact Jonathan Levin, the staff member assigned to this matter, at 202/523-4060.

Sincerely,

Charles N. Steele
General Counsel

Enclosures
Conciliation Agreements (2)

81040252206

81040252207

ATTACHMENT #3

BEFORE THE FEDERAL ELECTION COMMISSION
April 7, 1980

In the Matter of)
)
Jim Jones for Congress) MUR 1031 (79)
Committee)
Don McFarland)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

81040251208
This matter involves \$22,000 in loans to the Jim Jones for Congress Committee (the Committee) from Don McFarland, the Committee Treasurer, in connection with the August 8, 1978 Republican Primary in the Second Congressional District of Idaho. The Committee's 1978 30 Day Post-Primary Report disclosed receipt of a \$20,000 loan on August 7, 1978, the day before the primary, and a \$2,000 loan on August 18, 1978, ten days after the primary. The matter was referred by the Reports Analysis Division to the Office of General Counsel (OGC).

According to the Committee's 1978 October 10 Quarterly Report, the first loan was to be repaid by December 7, 1978, and the second by December 18, 1978, both at seven per cent interest per annum. The Clerk of the House of Representatives notified the Committee of the violation on September 25, 1978. On September 28, 1978, Mr. Jones wrote back stating that he intended to pay back the loans and the 1978 October 10 Quarterly Report revealed that he made the repayments on that day even though they were not due until December.

On November 1, 1979, the Commission found reason to believe that Mr. McFarland violated section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in making the excessive loans and that the Committee violated section 441a(f) of the Act by receiving the loans. Reason to believe notification letters were sent to Mr. McFarland in his capacity as contributor and in his capacity as Committee treasurer.

On November 19, OGC received a letter from Mr. McFarland stating that, at the time the loans were made, he knew that "a loan [was] a contribution to the extent that the obligation remain[ed] outstanding" (11 C.F.R. §100.4(a)(1)(i), now 11 C.F.R. §100.7(a)(1)(i)(B)), and that he construed this regulation as permitting the loans. He stated that he interpreted the regulations as requiring that the loans be repaid "prior to the end of the year so that they would no longer be outstanding at that time" and that the terms of the loans provided for such repayment.

8104025209
II. LEGAL ANALYSIS

Section 441a(a)(1)(A) of the Act prohibits any person from making a contribution in excess of \$1,000 per election to a federal candidate's authorized committee, and §441a(f) prohibits the knowing acceptance of any contribution in excess of this limit. According to §431(8)(A)(i), formerly §431(e)(1), a loan is a contribution under the Act. Therefore, when Mr. McFarland loaned \$22,000 to the Committee, he violated §441a(a)(1)(A), and when the Committee accepted the loans with full knowledge of their source and amount, it violated §441a(f).

Section 100.4(a)(1)(i) states that "[a] loan is a contribution to the extent that the obligation remains outstanding." 11 C.F.R. §100.4(a)(1)(i), now 11 C.F.R. §100.7(a)(1)(i)(B). 1/ This regulation was based on Advisory Opinion 1975-69 which stated that:

when a loan creates a legally enforceable obligation to repay, a contribution remains outstanding only to the extent that the principal remains unpaid. While outstanding, a loan is a contribution which counts against the individual's \$1,000 and \$25,000 contribution. Once it is retired, however, the loan (a contribution by definition) is extinguished and no longer counts against these limitations.

Respondents have misinterpreted this regulation to allow loans in excess of the contribution limitation. At the time that a loan is partially or totally extinguished, that part which is extinguished no longer counts toward the contribution limitation. This does not mean, however, that a loan which is to be extinguished at a set future date may exceed limitations at the time that it is made. Otherwise, vast sums of money could be made available for the use of the Committee during a critical period in circumvention of the contribution limitations.

In light of the facts presented, the General Counsel recommends that the Commission find probable cause to believe that

1/ The new regulation states: "A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid."

6104025210

both respondents violated § 441a and proceed to conciliation.

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. §441a(f).
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. §441a(a)(1)(A).

21 April 1980
Date



Charles N. Steele
General Counsel

81040252211

81040252212

ATTACHMENT #4

REC
1390

May 12, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

983682

Re: MUR 1031

Dear Mr. Steele:

The information contained in your brief is apparently all correct. I believe the main point is that the regulations are ambiguous--at least Section 100.4 (a) (1) (i). If we did violate the requirements of the reporting law, we certainly did not know at the time that it was done. In fact, we did check the above-mentioned section and it seems to indicate that we could make a loan as long as we paid it off by the end of the year.

You state that vast sums of money could be made available for use during a critical period that is not what happened in this case. The bills had been accumulated and would more-than-likely have been paid personally by the candidate, Jim Jones, as it was his intention to take care of these obligations out of his own resources. However, as you might understand, he was tired out by the campaign and wanted to take some time off since he is my brother-in-law, I took care of the obligations so that he could take some time off and, as soon as we found that there was a possible violation, he took care of the obligations out of his own assets. In this case, then, it doesn't appear that the objectionable practice, which the regulation seems to be directed against, was involved. In this case, it was primarily a matter of convenience. We certainly did not intend any harm and, due to th fact that the regulations did not put on notice that a possible violation might be involved, we proceeded in a manner which we thought was acceptable.

I don't know of anything more that I can say, because I believe the situation is fairly well spelled out in the documents already on file.

Sincerely,

Don McFarland

Don McFarland

81040252213

REC
1390

May 12, 1980

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

998062

Re: MUR 1031

Dear Mr. Steele:

The information contained in your brief is apparently all correct. I believe the main point is that the regulations are ambiguous--at least Section 100.4 (a) (1) (i). If we did violate the requirements of the reporting law, we certainly did not know at the time that it was done. In fact, we did check the above-mentioned section and it seems to indicate that we could make a loan as long as we paid it off by the end of the year.

You state that vast sums of money could be made available for use during a critical period that is not what happened in this case. The bills had been accumulated and would more-than-likely have been paid personally by the candidate, Jim Jones, as it was his intention to take care of these obligations out of his own resources. However, as you might understand, he was tired out by the campaign and wanted to take some time off since he is my brother-in-law, I took care of the obligations so that he could take some time off and, as soon as we found that there was a possible violation, he took care of the obligations out of his own assets. In this case, then, it doesn't appear that the objectionable practice, which the regulation seems to be directed against, was involved. In this case, it was primarily a matter of convenience. We certainly did not intend any harm and, due to the fact that the regulations did not put on notice that a possible violation might be involved, we proceeded in a manner which we thought was acceptable.

I don't know of anything more that I can say, because I believe the situation is fairly well spelled out in the documents already on file.

Sincerely,

Don McFarland

Don McFarland

8104022214

Don McFarland
Route 1
Eden, ID 83325

6100105221



Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities and information supplied by you, the Federal Election Commission, on November 2, 1979, found reason to believe that you violated section 441a(a)(1)(A) of the Federal Election Campaign Act, as amended ("the Act") and that the Jim Jones for Congress Committee violated section 441a(f) of the Act, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issue and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

61040252216

Letter to: Don McFarland
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days, to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

6104725217

PS Form 3811, Aug. 1978

● 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:
*Don McFarland, Treas.
Gen. Jones & Co., Inc.
Box 268*

3. ARTICLE DESCRIPTION: *Encl. 268*
REGISTERED NO. CERTIFIED NO. INSURED NO.
109475 5

(Always obtain signature of addressee or agent)

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

4. *A. Friedman*
DATE OF DELIVERY *4-28-80* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

MUR 1031 JL ☆ GPO: 1979-270-302



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: THE COMMISSION
FROM: MARJORIE W. EMMONS/MARGARET CHANEY
DATE: APRIL 22, 1980
SUBJECT: MUR 1031 - General Counsel's Brief

The attached documents are circulated for your information.

ATTACHMENTS:
1) Memo; 2) Brief; 3) Letter

81040252218

April 21, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Elissa T. Carr
SUBJECT: MUR 1031

Please have the attached Memo & Brief distributed to the Commission on an informational basis and return the original to this office. Thank you.

81040252219



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

COMMUNICATIONS SECTION

80 APR 21 P 5: 02

April 21, 1980

MEMORANDUM TO: The Commission
FROM: Charles N. Steele *all*
General Counsel
SUBJECT: MUR 1031

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and **factual** issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on April 21, 1980. Following receipt of the respondent's reply to this notice, this office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

8104725220

BEFORE THE FEDERAL ELECTION COMMISSION
April 7, 1980

In the Matter of)
Jim Jones for Congress) MUR 1031 (79)
Committee)
Don McFarland)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

8 1 0 4 0 5 2 2 1
This matter involves \$22,000 in loans to the Jim Jones for Congress Committee (the Committee) from Don McFarland, the Committee Treasurer, in connection with the August 8, 1978 Republican Primary in the Second Congressional District of Idaho. The Committee's 1978 30 Day Post-Primary Report disclosed receipt of a \$20,000 loan on August 7, 1978, the day before the primary, and a \$2,000 loan on August 18, 1978, ten days after the primary. The matter was referred by the Reports Analysis Division to the Office of General Counsel (OGC).

According to the Committee's 1978 October 10 Quarterly Report, the first loan was to be repaid by December 7, 1978, and the second by December 18, 1978, both at seven per cent interest per annum. The Clerk of the House of Representatives notified the Committee of the violation on September 25, 1978. On September 28, 1978, Mr. Jones wrote back stating that he intended to pay back the loans and the 1978 October 10 Quarterly Report revealed that he made the repayments on that day even though they were not due until December.

On November 1, 1979, the Commission found reason to believe that Mr. McFarland violated section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in making the excessive loans and that the Committee violated section 441a(f) of the Act by receiving the loans. Reason to believe notification letters were sent to Mr. McFarland in his capacity as contributor and in his capacity as Committee treasurer.

On November 19, OGC received a letter from Mr. McFarland stating that, at the time the loans were made, he knew that "a loan [was] a contribution to the extent that the obligation remain[ed] outstanding" (11 C.F.R. §100.4(a)(1)(i), now 11 C.F.R. §100.7(a)(1)(i)(B)), and that he construed this regulation as permitting the loans. He stated that he interpreted the regulations as requiring that the loans be repaid "prior to the end of the year so that they would no longer be outstanding at that time" and that the terms of the loans provided for such repayment.

8104025222
II. LEGAL ANALYSIS

Section 441a(a)(1)(A) of the Act prohibits any person from making a contribution in excess of \$1,000 per election to a federal candidate's authorized committee, and §441a(f) prohibits the knowing acceptance of any contribution in excess of this limit. According to §431(8)(A)(i), formerly §431(e)(1), a loan is a contribution under the Act. Therefore, when Mr. McFarland loaned \$22,000 to the Committee, he violated §441a(a)(1)(A), and when the Committee accepted the loans with full knowledge of their source and amount, it violated §441a(f).

Section 100.4(a)(1)(i) states that "[a] loan is a contribution to the extent that the obligation remains outstanding." 11 C.F.R. §100.4(a)(1)(i), now 11 C.F.R. §100.7(a)(1)(i)(B). 1/ This regulation was based on Advisory Opinion 1975-69 which stated that:

when a loan creates a legally enforceable obligation to repay, a contribution remains outstanding only to the extent that the principal remains unpaid. While outstanding, a loan is a contribution which counts against the individual's \$1,000 and \$25,000 contribution. Once it is retired, however, the loan (a contribution by definition) is extinguished and no longer counts against these limitations.

Respondents have misinterpreted this regulation to allow loans in excess of the contribution limitation. At the time that a loan is partially or totally extinguished, that part which is extinguished no longer counts toward the contribution limitation. This does not mean, however, that a loan which is to be extinguished at a set future date may exceed limitations at the time that it is made. Otherwise, vast sums of money could be made available for the use of the Committee during a critical period in circumvention of the contribution limitations.

In light of the facts presented, the General Counsel recommends that the Commission find probable cause to believe that

1/ The new regulation states: "A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid."

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both respondents violated § 441a and proceed to conciliation.

III. GENERAL COUNSEL'S RECOMMENDATIONS

1. Find probable cause to believe that the Jim Jones for Congress Committee violated 2 U.S.C. §441a(f).
2. Find probable cause to believe that Don McFarland violated 2 U.S.C. §441a(a)(1)(A).

21 April 1980
Date



Charles N. Steele
General Counsel

81040252224



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities and information supplied by you, the Federal Election Commission, on November 2, 1979, found reason to believe that you violated section 441a(a)(1)(A) of the Federal Election Campaign Act, as amended ("the Act") and that the Jim Jones for Congress Committee violated section 441a(f) of the Act, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

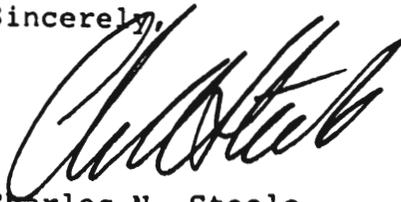
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issue and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

810405222

Letter to: Don McFarland
Page 2

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days, to settle this matter through a conciliation agreement. This does not preclude settlement of this matter through informal conciliation prior to a finding of probable cause to believe, if you so desire.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

8104025226



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: APRIL 8, 1980
SUBJECT: MUR 1031 (79) - Interim Investigative Report #2,
dated 4-4-80; Received in OCS 4-4-80,
4:57

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, April 7, 1980.

There were no objections to the Interim Investigative Report at the time of the deadline.

8104025227

April 4, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Jane Colgrove
SUBJECT: MUR 1031

Please have the attached Interim Investigative Report on MUR 1031 distributed to the Commission on a 24 hour no-objection basis.

Thank you.

81040252228

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION 88 APR 4 P 4: 57

In the Matter of)
)
Jim Jones for Congress) MUR 1031(79)
Committee, et al.)

INTERIM INVESTIGATIVE REPORT # 2

On November 2, 1979, the Commission found reason to believe that the Jim Jones for Congress Committee (the Committee) violated 2 U.S.C. § 441a(f) and Mr. Don McFarland, the Committee treasurer, violated 2 U.S.C. § 441a(a)(1)(A), when Mr. McFarland made two loans totalling \$22,000 in connection with the 1978 primary elections. After a response to both findings was received from Mr. McFarland, staff members of the Office of General Counsel met with Mr. Jim Jones, the candidate.

A report with appropriate recommendations will be made to the Commission shortly.

4 April 1980

Date



Charles N. Steele
General Counsel

81040252229



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *e*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: DECEMBER 14, 1979
SUBJECT: MUR 1031 - Interim Investigative Report
dated 12-12-79, Received in OCS
12-13-79, 11:19

The above-named document was circulated to the Commission on a 24-hour no-objection basis at 4:00, December 13, 1979.

There were no objections to the Interim Investigative Report at the time of the deadline.

31040252230

December 13, 1979

MEMORANDUM TO: Marjorie W. Emons
FROM: Eliasa T. GARR
SUBJECT: MUR 1031

Please have the attached Interim Invest Report on
MUR 1031 distributed to the Commission.

Thank you.

81040252231

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION
December 12, 1979

79 DEC 13 11:19

In the Matter of)
)
Jim Jones for Congress) MUR 1031
Committee, et al.)

INTERIM INVESTIGATIVE REPORT

On November 2, 1979, the Commission found reason to believe that Don McFarland violated 2 U.S.C. §441a(a)(1)(A) in making loans totalling \$22,000 to the Jim Jones for Congress Committee and that the Committee violated 2 U.S.C. §441a(f) by accepting the loans.

On November 19, we received a response from Mr. McFarland writing for himself, individually, and in his capacity as treasurer of the Committee, explaining his interpretation of the relevant provisions of our Regulations. On December 11, Mr. Jim Jones, the candidate, came to speak with us about the matter. We will make a full report and recommendation to the Commission within two weeks.

13 December 1979
Date



Charles N. Steele
General Counsel

81040252232

CC # 11680

RECEIVED
FEDERAL ELECTION
COMMISSION

79 NOV 19 PM 3:36
November 13, 1979

Mr. Charles M. Steele
Acting General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

005056

Re: MUR 1031

Dear Mr. Steele:

This letter is in response to your letters of November 2, 1979, addressed to me, individually, and as treasurer of the Jim Jones for Congress Committee.

On August 7, 1978, I loaned the sum of \$20,000 to the Jim Jones for Congress Committee. This amount was to bear interest at the rate of 7 percent per annum and be re-paid on or before December 7, 1978. On August 18, 1978, a loan in the amount of \$2,000 was made to the committee. Again, it was to be re-paid within four months and bear 7 percent interest.

Both loans were reported on the September 6, 1978, report filed by the Jim Jones for Congress Committee. At the time the loans were made it was our understanding that a loan was a contribution to the extent that the obligation remains outstanding. Therefore, it was our intention to get the loans repaid prior to the end of the year so that they would no longer be outstanding at that time. The section of the regulations containing the definition of "loan" (Section 100.4 (a) (1) (i)) is what we were looking at in this regard. A copy of that definition is enclosed.

Not too long after the report was filed, Mr. Jones received a call from somebody in your office indicating that the loan was not allowable in that it was supposed to be counted as a contribution. Mr. Jones, who is my brother-in-law, does not recall who made the call to him or exactly when it was made. He says that it is his recollection that the first name of the person making the call was Rose Mary or something similar. He says that she was very pleasant, that she indicated that there had been a

81040252233

Mr. Charles M. Steele
Page 2
November 13, 1979

violation since the loan was not repaid, but that there should probably be no difficulty if the loan was repaid. The problem we have is that the regulations didn't make it clear that the loan could not be made in the first place. It appeared that if the loan was repaid, there should be no problem. That is why we specifically provided, as set forth in the above-mentioned report, that the loan be repaid before the end of the calendar year.

In any event, the \$22,000, together with \$215.18 in interest, was paid fairly soon after the call from the F.E.C. As set forth in the October 10, 1978, report, the loan was repaid on September 28, 1978.

There was certainly no intention of violating the Federal Election Campaign Act and we certainly didn't think that we were in violation or we would not have handled the transaction in that manner. At the time the loans were made Mr. Jones and I were partners in some real property in Jerome, Idaho, and each of us had an equity of in excess of \$22,000. If it had been thought that the loan transaction was improper, I could very well have paid Mr. Jones the \$22,000 personally for his share of the property and then he could have transferred that into the campaign committee. As it was, he did re-pay the loan from a contribution which he made to the committee.

I don't know what I can add to this. It is my expectation that Mr. Jones will again run for Congress in 1980 and we would certainly like to get this matter cleared up before he declares. If there is any further information you need in order to complete this matter or if there is anything further I need to do, please let me know.

Sincerely,



Don McFarland

DM/tg

Enclosures

81040252234

§100.4(a)

for election to the office of President. For purposes of paragraph (a),

(i) The term "loan" includes a guarantee, endorsement, and any other form of security where the risk of nonpayment rests with the surety, guarantor, or endorser as well as with a political committee, candidate, or other primary obligor. A loan is a contribution to the extent that the obligation remains outstanding.

(ii) The term "money" includes currency of the United States or of any foreign nation, checks, money orders, or any other negotiable instrument payable on demand.

(iii) (A) The term "anything of value" includes securities, goods, facilities, equipment, supplies, personnel, advertising, services, membership lists commonly offered or used commercially, or other in-kind contributions provided without charge (other than volunteer services under §100.4(b)(2)) or at a charge which is below the usual and normal charge for the items. The amount of a contribution of a thing of value is the difference between the usual and normal charge for the goods or services at the time of the contribution and the amount charged the candidate or political committee.

(B) For purposes of this section,

(1) "Usual and normal charge" for goods means the price of those goods in the market from which they ordinarily would have been purchased at the time of their contribution.

(2) "Usual and normal charge" for any services, other than those provided by an unpaid volunteer, means the hourly or piecework rate charge for the services prevailing at the time the services were rendered.

(2) The donation of all or a portion of the costs of fundraising, such as the cost of a meal as part of a fundraising dinner.

(3) A written contract, promise or agreement such as a signed pledge card, whether or not legally enforceable, to make a contribution. The contract, promise, or agreement shall be reported as a debt owed to the candidate or committee until it is honored.

(4) A transfer of funds to a political committee or candidate from another political committee,

other political organization, or other similar source whether or not such organization is a political committee. The transfer occurs whenever the treasurer or other designated agent of the transferee committee or the candidate obtains control over the funds.

(5) The payment by any person other than a candidate or political committee of compensation for the personal services of another person which are rendered to a candidate or political committee without charge. No compensation is considered paid to any employee —

(i) (A) Who is paid on an hourly or salaried basis;

(B) Who is expected to perform duties for an employer for a particular number of hours per period; and

(C) Who engages in political activity during what would otherwise be a regular work period;

if the taken or released time is made up or completed by that employee within a reasonable period; or

(ii) Who is paid on a commission or piecework basis, or is paid only for work actually performed, whose time is considered the employee's own to use as he or she sees fit and who engages in political activity during what would otherwise be normal working hours; or

(iii) Where the time used by the employee to engage in political activity is bona fide, although compensable, vacation time or other earned leave time.

(6) The extension of credit for a length of time beyond normal business or trade practice, unless the creditor has made a commercially reasonable attempt to collect the debt (see §114.10).

(b) The term "contribution" does not include —

(1) Payments made for the purpose of determining whether an individual should become a candidate, such as those incurred in conducting a poll, if the individual does not otherwise become a candidate. If the individual otherwise subsequently becomes a candidate, the payments are contributions, and must be reported with the first report filed by the candidate or the principal campaign

DEBTS AND OBLIGATIONS

**Supporting Line Numbers 12 and 13
 of FEC FORM 3**

(Use Separate Schedules for
 each numbered line)

(Indicate Primary or General Election for each Entry)

Name of Candidate and Committee in Full
Jim Jones for Congress Committee

Full Name, Mailing Address and ZIP Code of Debtor or Creditor	Date (month, day, year)	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
Don McFarland Box 268 Eden, Idaho 83325	8/7/78			
<input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		\$ 20,000	\$	\$ 20,000

NATURE OF OBLIGATION (Details of Debt):
 \$20,000 loan from Don McFarland to Jim Jones for Congress Committee, due December 7, 1978, with interest of 75 per annum. The loan is unsecured.

Full Name, Mailing Address and ZIP Code of Debtor or Creditor	Date (month, day, year)	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
Don McFarland Box 268 Eden, Idaho 83325	8/18/78			
<input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		\$ 2,000	\$	\$ 2,000

NATURE OF OBLIGATION (Details of Debt):
 \$2,000 loan from Don McFarland to Jim Jones for Congress Committee, due December 18, 1978, with interest of 7% per annum. The loan is unsecured.

Full Name, Mailing Address and ZIP Code of Debtor or Creditor	Date (month, day, year)	Amount of Original Debt, Contract, Agreement or Promise	Cumulative Payment To Date	Outstanding Balance at Close of This Period
James T. Jones Route #1 Eden, Idaho 83325	8/22/78			
<input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		\$ 5,000	\$	\$ 5,000

NATURE OF OBLIGATION (Details of Debt):
 \$5,000 loan from the candidate to Jim Jones for Congress Committee, due December 22, 1978, with interest of 7% per annum. The loan is unsecured.

SUBTOTALS this period this page (optional)	\$27,000	\$	\$27,000
TOTAL this period (last page this line number only)	\$92,000	\$	\$92,000

Carry outstanding balance only to appropriate line of summary.

ITEMIZED EXPENDITURES

(Operating, Transfers Out, Contributions In-Kind,
Loans, Loan Repayments and Refunds Made)
Supporting Lines 20a, 21a, and 22a, 22b, and 22c
of FEC FORM 3

Page 1 of 1 for
Line Number 21a

(Use Separate Schedules for
each numbered line)

ction Commission
Street, N.W.
ngton, D.C. 20463

Name of Candidate or Committee in Full			
Jim Jones for Congress Committee			
Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Don McFarland Box 268 Eden, ID 83325	loan repayments plus interest		
	Expenditure for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	9/28/78	\$22,215.18
7			
3			
2			
5			
1			
0			
1			
0			
8			
SUBTOTAL of expenditures this page (optional)			\$
TOTAL this period (last page this line number only)			\$ 22,215.18

8 1 0 4 0 2 5 2 2 3 8

JIM JONES FOR CONGRESS
COMMITTEE

P. O. BOX 512
PH. 208-324-3213
JEROME, IDAHO 83338

347

92-120
1241

Sept. 20 1978

PAY TO THE ORDER OF Alan McQuinn \$ 22,231.60 22 3 1 6

Twenty-two thousand two hundred thirty one and 60/100 DOLLARS

FOR loan repayment plus interest



Ruth Palmer

⑆ 12410120119 111828⑆

⑆000222518⑆

MEMBER CHECK PRINTERS

CREDITED TO THE ACCOUNT OF THE
WITHIN NAMED PAYEE IN ACCORD-
ANCE WITH PAYEE'S INSTRUCTIONS.
ABSENCE OF ENDORSEMENT GUARANTEED

92 • HAZELTON OFFICE • 92

The Idaho First National Bank 3 0 2

62-224 HAZELTON, IDAHO 62-222

001 10 73

81040252239

DON MCFARLAND
ROUTE 1
DEN, ID 83325

8104725224

CERTIFIED

No. 764331

MAIL



Mr. Charles M. Steele
Acting General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION

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

November 2, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your committee may have violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from you. This section of the Act makes it unlawful for a political committee to accept a contribution that violates section 441a of the Act. These loans violated section 441a(a)(1)(A) which makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202-523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

[Handwritten Signature]
Charles W. Steele
Acting General Counsel

1 0 4 0 2 5 2 2 4 2

PS Form 3811, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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. DON McFarland
 Box 268
 Eden, Idaho 83325

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 NO. 543211

4. DATE OF DELIVERY:
 11-9-79

5. ADDRESS (Complete 977 if requested):
 3
 3
 3

6. UNABLE TO DELIVER BECAUSE:

CLERKS INITIALS

★GPO: 1977-0-249585

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your committee may have violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from you. This section of the Act makes it unlawful for a political committee to accept a contribution that violates section 441a of the Act. These loans violated section 441a(a)(1)(A) which makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

81040252243

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202-523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public. JL

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oidaker
General Counsel

BY: Charles N. Steels
Associate General Counsel

81040252244



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 2, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James T. Jones
Route #1
Eden, Idaho 83324

Re: MUR 1031

Dear Mr. Jones:

This is to notify you that on November 2, 1979, the Federal Election Commission found reason to believe that your Committee, the Jim Jones for Congress Committee, may have violated Section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from Don McFarland. In making this finding the Commission was aware that the loans were repaid and was aware of your letter of September 28, 1978 to the Clerk of the House and your letter of May 9, 1979 to the Commission. However, the Act was violated when the loans were made and accepted. You should be aware that, according to Section 431(e)(1) of the Act, a loan is a contribution.

While the Committee Treasurer is responsible for the acceptance of contributions made to a Federal committee, we believe that you, as the candidate, should be made aware of this development. A copy of our letter to your Committee Treasurer is enclosed.

Under 2 U.S.C. §437g(a)(3)(B), this matter will remain confidential unless the Committee notifies the Commission in writing that it wishes the investigation to be made public.

61040252345

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at 202-523-4523. We have numbered this matter MUR 1031.

Sincerely,

Charles N. Steele
Charles N. Steele
Acting General Counsel

8 1 0 4 0 2 5 2 2 4 6

1031 Levin

SENDER: Complete items 1, 2, and 3. "RETURN TO" space on reverse. Add your address in the "RETURN TO" space on reverse.	
1. The following service is requested (check one). <input type="checkbox"/> Show to whom and date delivered <input type="checkbox"/> Show to whom, date, and address of delivery <input checked="" type="checkbox"/> RESTRICTED DELIVERY Show to whom and date delivered <input type="checkbox"/> RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$_____ (CONSULT POSTMASTER FOR FEES)	
2. ARTICLE ADDRESSED TO: James T. Jones Attn: Idaho 8824	
3. ARTICLE DESCRIPTION: REGISTERED NO. 943210	INSURED NO.
(Always obtain signature of addressee or agent)	
I have received the article described above. SIGNATURE <input checked="" type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Tasha Shufflett</i>	
DATE OF DELIVERY 11/19/79	
5. ADDRESS (Complete only if requested)	
6. UNABLE TO DELIVER BECAUSE:	
CLERK'S INITIALS	



**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. James T. Jones
Route 41
Eden, Idaho, 83324

Re: MR 1031

Dear Mr. Jones:

This is to notify you that on 1978, the Federal Election Commission found reason to believe that your Committee, the Jim Jones for Congress Committee, may have violated Section 441a(2) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from Don McFarland. In making this finding the Commission was aware that the loans were repaid and was aware of your letter of September 28, 1978 to the Clerk of the House and your letter of May 9, 1978 to the Commission. However, the Act was violated when the loans were made and accepted. You should be aware that, according to Section 431(a)(1) of the Act, a loan is a contribution. JK

While the Committee treasurer is responsible for the acceptance of contributions made to a Federal committee, we believe that you, as the candidate, should be made aware of this development. A copy of our letter to your Committee Treasurer is enclosed.

Under 2 U.S.C. 4437(a)(3)(B), this matter will remain confidential unless the Committee notifies the Commission in writing that it wishes the investigation to be made public.

81040252217

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at TEL/523-4523. We have numbered this matter MUR 1031.

Sincerely,

William C. Oldaker
General Counsel

CC: Charles N. Steele
Associate General Counsel

JL

81040252248



FEDERAL ELECTION COMMISSION

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

November 2, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") by making loans totalling \$22,000 to the Jim Jones for Congress Committee. This section of the Act makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) of the Act defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please submit front and back copies of the checks used to make the loans and the names and addresses of any sureties, guarantors, or endorsers of the loans. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

Letter to: Mr. Don McFarland

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202-523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

[Handwritten Signature]
Charles N. Steele
Acting General Counsel

0 5 6 5 0 0 4 0 1 8

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:
 Don McFarland, Treas.
 Box 268
 Eden, Idaho 83325

3. ARTICLE DESCRIPTION:
 83325

REGISTERED NO. 943221 INSURED NO. _____

I have (always obtain signature of addressee or agent) signed the article described above:
 Addressee
 Authorized agent

4. DATE OF DELIVERY: 11-9-79
 SIGNATURE: *[Handwritten Signature]*
 POSTMARK: _____

5. ADDRESS (Complete only if requested):

6. UNABLE TO DELIVER BECAUSE: _____
 CLERK'S INITIALS: _____

MUR-1031 Levin

★GPO: 1977-0-249-595

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland
Box 268
Eden, Idaho 83325

Re: NUR 1031 52

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated section 401a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") by making loans totalling \$22,000 to the Jim Jones for Congress Committee. This section of the Act makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 401(a)(1) of the Act defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter NUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please submit front and back copies of the checks used to make the loans and the names and addresses of any sureties, guarantors, or endorsers of the loans. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

8 1 0 4 0 3 2 2 5 1

Page 2

Letter to: Mr. Don McFarland

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202/523-4333.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

BY: Charles N. Steele
Associate General Counsel

81040252252

JL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1031
Jim Jones for Congress Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 2, 1979 the Commission approved by a vote of 4-0 the three revised letters, attached to the General Counsel's Memorandum dated October 26, 1979, regarding the above-captioned matter.

Voting for this determination were Commissioners Friedersdorf, Harris, McGarry, and Tiernan.

Attest:

11/2/79
Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 10-26-79, 12:24
Circulated on 48 hour vote basis: 10-29-79, 11:00

81040252253



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: NOVEMBER 2, 1979
SUBJECT: RECEIPT OF FOURTH AFFIRMATIVE VOTE - MUR 1031

The fourth affirmative vote was received in the Office of the Commission Secretary at 5:46, November 1, 1979.

Consequently, MUR 1031 should be removed from the proposed Executive Session Agenda for November 6, 1979.

The certification of approval is attached.

ATTACHMENT:
Certification

6101015054



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY
DATE: NOVEMBER 1, 1979
SUBJECT: LACK OF FOUR AFFIRMATIVE VOTES ON MUR 1031

MUR 1031 was circulated on a 48 hour vote basis on
October 29, 1979 at 11:00.

As of 12:00, this date, the Office of the Commission
Secretary lacks the fourth affirmative vote necessary
for certification.

In accordance with Directive No. 8, MUR 1031 will
be placed on the Executive Session Agenda for November 6,
1979.

If a fourth vote is received in the interim, a
certification will be forwarded to your office and the
matter withdrawn from the proposed agenda.

8104025255

October 26, 1979

MEMORANDUM TO: Marge Emmons
FROM: Jane Colgrove
SUBJECT: MUR 1031

Please have the attached Memo to the Commission on MUR 1031 distributed to the Commission on a 48 hour tally basis.

Thank you.

81040052256



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSIONER
SECRETARY

79 OCT 26 P12: 24

October 26, 1979

MEMORANDUM

TO: The Commission

FROM: William C. Oldaker
General Counsel

BY: Charles N. Steele *CNS*
Associate General Counsel

SUBJECT: MUR 1031 - Jim Jones for Congress Committee

DATE: October 24, 1979

In accordance with the Commission's determination on October 23, 1979, attached are proposed revised letters for approval.

ATTACHMENTS

3 Letters

757
0104025001



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") by making loans totalling \$22,000 to the Jim Jones for Congress Committee. This section of the Act makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) of the Act defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please submit front and back copies of the checks used to make the loans and the names and addresses of any sureties, guarantors, or endorsers of the loans. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

Page 2

Letter to: Mr. Don McFarland

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202/523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

BY: Charles N. Steele
Associate General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James T. Jones
Route #1
Eden, Idaho 83324

Re: MUR 1031

Dear Mr. Jones:

This is to notify you that on 1979, the Federal Election Commission found reason to believe that your Committee, the Jim Jones for Congress Committee, may have violated Section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from Don McFarland. In making this finding the Commission was aware that the loans were repaid and was aware of your letter of September 28, 1978 to the Clerk of the House and your letter of May 9, 1979 to the Commission. However, the Act was violated when the loans were made and accepted. You should be aware that, according to Section 431(e)(1) of the Act, a loan is a contribution.

While the Committee Treasurer is responsible for the acceptance of contributions made to a Federal committee, we believe that you, as the candidate, should be made aware of this development. A copy of our letter to your Committee Treasurer is enclosed.

Under 2 U.S.C. §437g(a)(3)(B), this matter will remain confidential unless the Committee notifies the Commission in writing that it wishes the investigation to be made public.

810402260

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at 202/523-4523. We have numbered this matter MUR 1031.

Sincerely,

William C. Oldaker
General Counsel

BY: Charles N. Steele
Associate General Counsel

81047252261



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your committee may have violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from you. This section of the Act makes it unlawful for a political committee to accept a contribution that violates section 441a of the Act. These loans violated section 441a(a)(1)(A) which makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. In this connection, we have already considered Mr. Jones' letter of September 28, 1978 to the Clerk of the House and his letter of May 9, 1979 to the Commission.

The Commission is under a duty to investigate this matter. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202-523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a) (3) (B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

BY: Charles N. Steele
Associate General Counsel

5 2 6 3
2 5 2 6 3
4 7 2 5 2 6 3



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *m*
DATE: OCTOBER 22, 1979
SUBJECT: OBJECTION - MUR 1031 - First General Counsel's
Report dated 10-18-79; Received in
OCS 10-18-79, 10:43

The above-named document was circulated on a 48 hour vote basis at 4:00, October 18, 1979.

Commissioner Aikens submitted an objection at 4:37, October 19, 1979, thereby placing MUR 1031 on the Amended Agenda for October 23, 1979.

79040252262

October 18, 1979

MEMORANDUM TO: Marge Emmons
FROM: Jane Colgrove
SUBJECT: NUR 1031

Please have the attached First General Council's Report on NUR 1031 distributed to the Commission on a 48 hour daily basis.

Thank you.

81040252205

FEDERAL ELECTION COMMISSION
FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO COMMISSION OCT 18 1979

79 OCT 18 MURANO: 4331
STAFF MEMBER(S) J. Levin

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Jim Jones For Congress Committee, ID
Don McFarland

RELEVANT STATUTE: 2 U.S.C. §441a(a)(1)(A),
2 U.S.C. §441a(f)

INTERNAL REPORTS CHECKED: Public Records

FEDERAL AGENCIES CHECKED: None

GENERATION OF MATTER

A review of the 30 Day Post-Primary Report filed by the Jim Jones for Congress Committee ("the Committee") disclosed receipt of \$22,000 in loans which appear to be loans in violation of 2 U.S.C. §441a(a)(1)(A). This matter was referred to the Office of General Counsel by the Reports Analysis Division (RAD) on September 25, 1979.

EVIDENCE

The Report disclosed receipt of a \$20,000 loan on August 7, 1978 and a \$2,000 loan on August 18, 1978 from Don McFarland, the Committee treasurer.^{1/} These loans, according to the 1978 October 10 Quarterly Report were to be repaid by December 7, 1978 and December 18, 1978, respectively, at 7 per cent interest per annum.

The referral from RAD indicated that the Committee was notified of the violation by the Clerk of the House of Representatives on September 25, 1978. On September 28, 1978, Mr. Jones wrote back stating that he intended to pay back the loans and the 1978 October 10 Quarterly Report reveals that he made the repayments on that day even though they were not due until December.

^{1/} The \$20,000 loan was received the day before the August 8 primary and the \$2,000 loan was received ten days after the primary. Jones was defeated in the primary, receiving 43.4% of the vote.

81040252266

A surface violation letter was sent by the Commission to the Committee on May 2, 1979 and Mr. Jones replied by calling attention to the report revealing the repayment.

PRELIMINARY ANALYSIS

Section 441a(a)(1)(A) of the Act prohibits contributions exceeding \$1,000 by an individual to an authorized committee of a candidate and section 441 a(f) prohibits acceptance of such contributions. According to Section 431(e)(1), a loan is a contribution. Therefore, Don McFarland violated Section 441a(a)(1)(A) in making loans totalling \$22,000 and the Committee violated Section 441a(f) by accepting the loans.

Further note should be taken of the fact that, although the Committee repaid the loans only fifty-one days after receipt of the first loan, it appears that the repayments were prompted by the letter from the Clerk of the House and not by some independent judgment to repay the loans over two months before the due dates.

RECOMMENDATIONS

1. Find reason to believe that the Jim Jones for Congress Committee violated 2 U.S.C. §441a(f).
2. Find reason to believe that Don McFarland violated 2 U.S.C. §441a(a)(1)(A).
3. Approve the attached letters.

Attachments

RAD Referral
Proposed letters (3)

D 485
RAD 9-153

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE SEP 25 1979

ANALYST Susan Kaltenbaugh SK

TO: OGC

TEAM CHIEF Peter Kell, Jr. PKJr.

THROUGH: STAFF DIRECTOR APD

COMPLIANCE REVIEW CB PS Bowen/Sims

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

MUR 1031

CANDIDATE/COMMITTEE: Jim Jones for Congress Committee ID/02

TREASURER: Don McFarland

ADDRESS: P.O. Box 512
Jerome, Idaho 83338

AFFILIATE(S): Not pertinent to the allegation.

ALLEGATION(S):
The Committee has accepted loans
from the treasurer totalling
\$22,000.

CITE:
2 U.S.C. 441(a)(1)(A)

ATTACHMENT(S)
2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

3/23/79

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 7/24/78 TO 8/24/78

TOTAL RECEIPTS \$ 49928 TOTAL EXPENDITURES \$ 47782

CASH ON HAND \$ 2706 DEBTS \$ 92000

HISTORY:

RESULTS OF REVIEW:

Response to Clerk's inquiry dated 9/28/78 for 30 day Primary report
Surface Violation sent 5/2/79 for 30 day Primary report
Refund of loan reported on October 10, 1978 report
Response received 5/14/79-adequate

ATTACHMENT

3
5
4
6

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Not pertinent to the allegation.

REASON(S) FOR REFERRAL:

ATTACHMENT

Meets Division threshold for referral.

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Not pertinent to the allegation.

OTHER RELEVANT INFORMATION:

Not pertinent to the allegation.

8 1 0 4 0 2 5 2 2 7 0

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 18SEP79
PAGE 1

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
JAMES T JONES FOR CONGRESS COMMITTEE								
	1978 STATEMENT OF ORGANIZATION					2JUN78		ID# C00096628
	10 DAY PRE-PRIMARY	45,641		45,772		1JUL78 -24JUL78	3	78HSE/137/3012 ✓
	REQUEST FOR ADDITIONAL INFORMATION					1JUL78 -24JUL78	16	78HSE/142/4379 ✓
	10 DAY PRE-PRIMARY - AMENDMENT	45,641		45,772		1JUL78 -24JUL78	2	79FEC/122/4247 ✓
	10 DAY PRE-PRIMARY - AMENDMENT					1JUL78 -24JUL78	2	79FEC/145/0038 ✓
	30 DAY POST-PRIMARY	49,928		47,782		1JUL78 -24JUL78	1	79FEC/135/0491 ✓
	30 DAY POST-PRIMARY - AMENDMENT					24JUL78 -28AUG78	12	78HSE/145/2943 ✓
	30 DAY POST-PRIMARY - AMENDMENT					28AUG78	1	78HSE/146/2879 ✓
	30 DAY POST-PRIMARY - AMENDMENT	49,928		47,782		24JUL78 -28AUG78	12	78HSE/146/4685 ✓
	30 DAY POST-PRIMARY - AMENDMENT					25JUL78 -28AUG78	1	78HSE/150/3056 ✓
	REQUEST FOR ADDITIONAL INFORMATION					24JUL78 -28AUG78	2	79FEC/122/4250 ✓
	REQUEST FOR ADDITIONAL INFORMATION					28AUG78	2	79FEC/126/3329 ✓
	REQUEST FOR ADDITIONAL INFO 2ND					24JUL78 -28AUG78	2	79FEC/128/2861 ✓
	30 DAY POST-PRIMARY - AMENDMENT	49,928		47,782		24JUL78 -28AUG78	2	79HSE/165/0040 ✓
	30 DAY POST-PRIMARY - AMENDMENT					24JUL78 -28AUG78	1	79HSE/165/2816 ✓
	30 DAY POST-PRIMARY - AMENDMENT					24JUL78 -28AUG78	1	79FEC/135/0489 ✓
	JULY 10 QUARTERLY	36,840		36,149		1APR78 -30JUN78	19	78HSE/140/1458 ✓
	OCTOBER 10 QUARTERLY	22,950		24,043		29AUG78 -30SEP78	8	78HSE/149/1396 ✓
	REQUEST FOR ADDITIONAL INFORMATION					29AUG78 -30SEP78	2	79FEC/122/4253 ✓
	REQUEST FOR ADDITIONAL INFO 2ND					30SEP78	2	79FEC/135/4743 ✓
	OCTOBER 10 QUARTERLY - AMENDMENT	22,950		24,043		29AUG78 -30SEP78	3	79HSE/166/0328 ✓
	OCTOBER 10 QUARTERLY - AMENDMENT					29AUG78 -30SEP78	8	79HSE/167/4745 ✓
	YEAR END REPORT	1,089		756		10OCT78 -31DEC78	6	79HSE/162/0633 ✓
	TOTAL	156,448	0	154,502	0		108	TOTAL PAGES

All reports reviewed

8 1 0 4 0 2 5 2 2 7 1

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 10SEP79
PAGE 1

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
JAMES T. JONES FOR CONGRESS COMMITTEE	1979 APRIL 10 QUARTERLY TERMINATION REPORT	0		201		1JAN79 -31MAR79	3	79HSE/164/3584 ✓
	TERMINATION REPORT	0		1,946		1JAN79 -31JUL79	5	79HSE/167/4402 ✓
	TERMINATION REPORT - AMENDMENT	0		1,946		1APR79 -31JUL79	5	79HSE/168/1156 ✓
	TOTAL	0	0	2,147	0		13	TOTAL PAGES

Terminated

All reports

re: [unclear]

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 1 of 1 for

Line Number 17a

(Use Separate Schedules for
each numbered line)

70483

Name of Candidate or Committee in Full

Jin Jones for Congress Committee

NEID02003

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
15C James T. Jones Route #1 Eden, Idaho 83324	Jones and Fuller Jerome, Idaho 83338	7/31/78	15,000
	Occupation Lawyer	8/22/78	5,000
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$70,000			
15B Don McFarland Box 268 Eden, Idaho 83325	Eden, Idaho 83325	8/7/78	20,000
	Occupation Cattlemen, farmer	8/18/78	2,000
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$22,000			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed	
Aggregate Year-To-Date \$			

SUBTOTAL of receipts this page (optional) \$ 42,000

TOTAL this period (last page this line number only) \$ 42,000



SEELEY, JONES & FULLER

RICHARD M. SEELEY
JAMES T. JONES
GREG J. FULLER

REGULAR MAIL

SEP 28 1978

ATTORNEYS AT LAW
P.O. BOX 10
228 NORTH EIGHTH
JEROME, IDAHO 83402

TELEPHONE (208) 324-8193
EQUUS FALLS
714 9001

September 28, 1978

Mr. Edmund L. Henshaw, Jr.
Clerk
U.S. House of Representatives
Washington, D.C. 20515

Re: Your letter of September 25, 1978
(I.D. NO. 080292)

Dear Mr. Henshaw:

The \$22,000 which you mentioned in your letter were loans instead of contributions and they will be repaid. Actually, I would just assume treat them as contributions but I suspect that my brother-in-law, Don McFarland, would object to that. He does expect to be paid the \$22,000, with interest. We will be closing the campaign committee in the near future. All obligations of the committee will be paid. If you need any further information, please don't hesitate to contact me.

Sincerely,

James T. Jones

JTJ/tg

10 02 15

61010252273

7



FEDERAL ELECTION COMMISSION

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

2 May 1979

Mr. Don McFarland
Treasurer
Jim Jones for Congress Committee
PO Box 512
Jerome, Idaho 83338

Dear Mr. McFarland:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 30 Day Post-Primary Report of Receipts and Expenditures, we noticed entries indicating that you may have received contributions which exceed the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act precludes individuals from making political contributions to a candidate for Federal election in excess of \$1,000 per election.

The Commission recommends that if you find the contributions you received were in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next reports of receipts and expenditures. If you find that the entries in question are incomplete or incorrect, please submit a statement which would clarify these particular matters for the public record. You may do so by amending your original report by letter.

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on these matters. If you have any questions concerning these matters, please do not hesitate to contact Mary Jo Mesner (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

Orlando B. Potter
Staff Director

Certified Mail:
Return Receipt Requested

7803123327E

7/24-8/28 30P C0000628

ROBERT M. SEELEY
JAMES T. JONES
GEO. J. FULLER

CHARTERED
ATTORNEYS AT LAW
P. O. BOX 20
236 NORTH LINCOLN
JEROME, IDAHO 83338

12 (FCS) 054-0104
PLATE 0012 FULLER
784-0001

73 MAY 14 PM 1:29

May 9, 1979

Mr. Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

080292

Re: 45V1/79-35MJM

Dear Mr. Potter:

You will be pleased to learn that the item referred to in the attached correspondence was taken care of over eight months ago. If you will check subsequent reports made by the Jim Jones for Congress Committee, you will find that the loan made by Don McFarland was paid in full and that the total amount of Mr. McFarland's contribution for the entire primary campaign was \$1,000. I do appreciate the fact that you folks are on your toes and if I can be of any further assistance I would be more than happy to shed any light that I can on this matter.

Sincerely,

SEELEY, JONES & FULLER

[Handwritten signature]
James T. Jones

JTJ/tg

79081040291562276



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland, Treasurer
Jim Jones for Congress Committee
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that your committee may have violated section 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from you. This section of the Act makes it unlawful for a political committee to accept a contribution that violates section 441a of the Act. These loans violated section 441a(a)(1)(A) which makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against your committee. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202-523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Don McFarland
Box 268
Eden, Idaho 83325

Re: MUR 1031

Dear Mr. McFarland:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that you may have violated section 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") by making loans totalling \$22,000 to the Jim Jones for Congress Committee. This section of the Act makes it unlawful for an individual to make a contribution exceeding \$1,000 to an authorized candidate committee. Section 431(e)(1) of the Act defines the term "contribution" to include a loan. Although the loans in question were reported as repaid, the Act was violated when the loans were made and accepted.

We have numbered this matter MUR 1031. Please refer to this number in all future correspondence.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Additionally, please submit front and back copies of the checks used to make the loans and the names and addresses of any sureties, guarantors, or endorsers of the loans. Where appropriate, statements should be submitted under oath.

Page 2

Letter to: Mr. Don McFarland

The Commission is under a duty to investigate this matter expeditiously. Therefore, your response should be submitted within ten days after your receipt of this notification. If no response is received, the Commission may take further action based on the information at hand.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter, at 202/523-4523.

This matter will remain confidential in accordance with 2 U.S.C. Section 437g(a)(3)(B) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely,

William C. Oldaker
General Counsel

8164015280



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. James T. Jones
Route #1
Eden, Idaho 83324

Re: MUR 1031

Dear Mr. Jones:

This is to advise you that on _____, 1979, the Federal Election Commission found reason to believe that your committee, the Jim Jones for Congress Committee, may have violated 2 U.S.C. §441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") by accepting loans totalling \$22,000 from Don McFarland. In making this finding the Commission was aware that the loans were repaid. However the Act was violated when the loans were made and accepted.

While the Committee Treasurer is responsible for the acceptance of contributions made to a Federal committee, we believe that you, as the candidate, should be made aware of this development. A copy of our letter to your Committee Treasurer is enclosed.

Under 2 U.S.C. §437g(a)(3)(B), this matter will remain confidential unless the Committee notifies the Commission in writing that it wishes the investigation to be made public.

If you have any questions, please contact Jonathan Levin, the staff member assigned to this matter at 202/523-4523. We have numbered this matter MUR 1031.

Sincerely,

William C. Oldaker
General Counsel

Enclosures
Letter to Committee Treasurer

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE SEP 25 1979

ANALYST Susan Kaltenbaugh SK

TO: OGC

TEAM CHIEF Peter Kell, Jr. PKJ

THROUGH: STAFF DIRECTOR AMP

COMPLIANCE REVIEW CB PS Bowen/Sims

8
2
8
2
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0
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2
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8

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JH

MUR
1031

CANDIDATE/COMMITTEE: Jim Jones for Congress Committee ID/02

TREASURER: Don McFarland

ADDRESS: P.O. Box 512
Jerome, Idaho 83338

AFFILIATE(S): Not pertinent to the allegation.

ALLEGATION(S): The Committee has accepted loans from the treasurer totalling \$22,000.

CITE: 2 U.S.C. 441(a)(1)(A)

ATTACHMENT(S) 2

MANNER IN WHICH REVIEW WAS INITIATED if other than normal review, AND DATE:

3/23/79

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM 7/24/78 TO 8/24/78

TOTAL RECEIPTS \$ 49928 TOTAL EXPENDITURES \$ 47782

CASH ON HAND \$ 2706 DEBTS \$ 92000

HISTORY:

RESULTS OF REVIEW:

Response to Clerk's inquiry dated 9/28/78 for 30 day Primary report
Surface Violation sent 5/2/79 for 30 day Primary report
Refund of loan reported on October 10, 1978 report
Response received 5/14/79-adequate

ATTACHMENT

3
5
4
6

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Not pertinent to the allegation.

REASON(S) FOR REFERRAL:

ATTACHMENT

Meets Division threshold for referral.

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Not pertinent to the allegation.

OTHER RELEVANT INFORMATION:

Not pertinent to the allegation.

81040252284

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 18SEP79
PAGE 1

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
JAMES T. JONES FOR CONGRESS COMMITTEE	1978 STATEMENT OF ORGANIZATION					2JUN78	3	78HSE/137/3012 ✓
	10 DAY PRE-PRIMARY	45,641		45,772		1JUL78 - 24JUL78	16	78HSE/142/4379 ✓
	REQUEST FOR ADDITIONAL INFORMATION					1JUL78 - 24JUL78	2	79FEC/122/4247 ✓
	10 DAY PRE-PRIMARY - AMENDMENT	45,641		45,772		1JUL78 - 24JUL78	2	79HSE/145/0038 ✓
	10 DAY PRE-PRIMARY - AMENDMENT					1JUL78 - 24JUL78	1	79FEC/135/0491 ✓
	30 DAY POST-PRIMARY	49,928		47,782		24JUL78 - 28AUG78	12	78HSE/145/2943 ✓
	30 DAY POST-PRIMARY - AMENDMENT					28AUG78	1	78HSE/146/2879 ✓
	30 DAY POST-PRIMARY - AMENDMENT	49,928		47,782		24JUL78 - 28AUG78	12	78HSE/146/4685 ✓
	30 DAY POST-PRIMARY - AMENDMENT					25JUL78 - 28AUG78	1	78HSE/150/3056 ✓
	REQUEST FOR ADDITIONAL INFORMATION					24JUL78 - 28AUG78	2	79FEC/122/4250 ✓
	REQUEST FOR ADDITIONAL INFORMATION					28AUG78	2	79FEC/126/3329 ✓
	REQUEST FOR ADDITIONAL INFO 2ND					24JUL78 - 28AUG78	2	79FEC/128/2861 ✓
	30 DAY POST-PRIMARY - AMENDMENT	49,928		47,782		24JUL78 - 28AUG78	2	79HSE/165/0040 ✓
	30 DAY POST-PRIMARY - AMENDMENT					24JUL78 - 28AUG78	1	79HSE/165/2816 ✓
	30 DAY POST-PRIMARY - AMENDMENT					24JUL78 - 28AUG78	1	79FEC/135/0489 ✓
	JULY 10 QUARTERLY	36,840		36,149		1APR78 - 30JUN78	19	78HSE/140/1458 ✓
	OCTOBER 10 QUARTERLY	22,950		24,043		29AUG78 - 30SEP78	8	78HSE/149/1396 ✓
	REQUEST FOR ADDITIONAL INFORMATION					29AUG78 - 30SEP78	2	79FEC/122/4253 ✓
	REQUEST FOR ADDITIONAL INFO 2ND					30SEP78	2	79FEC/135/4743 ✓
	OCTOBER 10 QUARTERLY - AMENDMENT	22,950		24,043		29AUG78 - 30SEP78	3	79HSE/164/0328 ✓
	OCTOBER 10 QUARTERLY - AMENDMENT					29AUG78 - 30SEP78	8	79HSE/167/4745 ✓
	YEAR END REPORT	1,089		756		1OCT78 - 31DEC78	4	79HSE/162/0633 ✓
	TOTAL	156,448	0	154,502			108	TOTAL PAGES

All reports reviewed

C00005300

C00008281

C00000000

C00003100

C00000000

IDENTIFICATION

8 1 0 4 0 2 5 2 2 8 5

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 18SEP79
PAGE 1

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	NO. OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
JAMES T. JONES FOR CONGRESS COMMITTEE	1979 APRIL 10 QUARTERLY TERMINATION REPORT	0		201		1JAN79 - 31MAR79	3	79HSE/164/3586 ✓
	TERMINATION REPORT - AMENDMENT	0		1,946		1JAN79 - 31JUL79	5	79HSE/167/4402 ✓
	TERMINATION REPORT	0		1,946		1APR79 - 31JUL79	5	79HSE/168/1156 ✓
	TOTAL	0	0	2,147	0		13	TOTAL PAGES
	<i>Terminated</i>							
								<i>All reports reviewed.</i>

ITEMIZED RECEIPTS

(Contributions, Transfers, Contribution In-Kind,
Other Income, Loans, Refunds)

Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Page 1 of 1 for

Line Number 17a

(Use Separate Schedules for
each numbered line)

20483

Name of Candidate or Committee in Full

Jim Jones for Congress Committee

NEID02003

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
15C James T. Jones Route #1 Eden, Idaho 83324	Jones and Fuller Jerome, Idaho 83338 Occupation Lawyer	7/31/78 8/22/78	15,000 5,000
Receipt for: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$70,000		
15 Don McFarland Box 268 Eden, Idaho 83325	Eden, Idaho 83325 Occupation Cattlemen, farmer	8/7/78 8/18/78	20,000 2,000
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input checked="" type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$22,000		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$		
SUBTOTAL of receipts this page (optional)			\$ 42,000
TOTAL this period (last page this line number only)			\$ 42,000

SEELEY, JONES & FULLER

RICHARD M. SEELEY
JAMES T. JONES
GREG J. FULLER

REGULAR MAIL

SEP 28 1978

ATTORNEYS AT LAW
228 NORTH LINCOLN
JEROME BLVD. #1110

TELEPHONE (202) 324-8193
TWIN FALLS
734 9001

September 28, 1978

Mr. Edmund L. Henshaw, Jr.
Clerk
U.S. House of Representatives
Washington, D.C. 20515

Re: Your letter of September 25, 1978
(I.D. NO. 080292)

Dear Mr. Henshaw:

The \$22,000 which you mentioned in your letter were loans instead of contributions and they will be repaid. Actually, I would just assume treat them as contributions but I suspect that my brother-in-law, Don McFarland, would object to that. He does expect to be paid the \$22,000, with interest. We will be closing the campaign committee in the near future. All obligations of the committee will be paid. If you need any further information, please don't hesitate to contact me.

Sincerely,

James T. Jones

JTJ/tg

ID 0215

8101050287

Election Commission
 375 K Street, N.W.
 Washington, D.C. 20003

ITEMIZED EXPENDITURE STATEMENT
 (Operating, Transfer Out, Contributions in Kind,
 Loans, Loan Repayments and Refunds, Item 1)
 Supporting Lines 20a, 21a and 22a, 23a, and 23b,
 of FIC 10883

Page 1 of 1 for
 (Use separate Schedules for
 each numbered line)

Name of Candidate or Committee in Full

Jim Jones for Congress Committee

Full Name, Mailing Address and ZIP Code

**Don McParland
 Box 268
 Eden, ID 83325**

Particulars of Expenditure

**loan repayments plus
 interest**

Date (month,
 day, year)

9/28/78

Amount of each expendi-
 ture this period

\$22,215.18

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month,
 day, year)

Amount of each expendi-
 ture this period

Expenditure for

Primary General Other

SUBTOTAL of expenditures this page (optional)

\$

TOTAL this period (last page this line number only)

\$

22,215.18

38111



FEDERAL ELECTION COMMISSION

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

2 May 1979

Mr. Don McFarland
Treasurer
Jim Jones for Congress Committee
PO Box 512
Jerome, Idaho 83338

Dear Mr. McFarland:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the 30 Day Post-Primary Report of Receipts and Expenditures, we noticed entries indicating that you may have received contributions which exceed the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act precludes individuals from making political contributions to a candidate for Federal election in excess of \$1,000 per election.

The Commission recommends that if you find the contributions you received were in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next reports of receipts and expenditures. If you find that the entries in question are incomplete or incorrect, please submit a statement which would clarify these particular matters for the public record. You may do so by amending your original report by letter.

Please notify the Commission within fifteen (15) days from the date of this letter of the determination made on these matters. If you have any questions concerning these matters, please do not hesitate to contact Mary Jo Mesner (800)424-9530, our Reports Analyst assigned to you. Our local telephone number is 523-4048.

Sincerely,

Orlando B. Potter
Staff Director

Certified Mail:
Return Receipt Requested

7 69 10 03 4 02 53 3 22 8 7 9

7/24-8/28 30P C0000628

REGARD H. SEELEY
JAMES T. JONES
GEO. A. FULLER

CHARTERED
ATTORNEYS AT LAW
P. O. BOX 20
238 NORTH LINCOLN
JEROME, IDAHO 83336

12 (100) 864-816
FIVE STAR FILES
384-8001

73 MAY 14 PM 1:29

May 9, 1979

Mr. Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

080292

Re: 4SV1/79-354JM

Dear Mr. Potter:

You will be pleased to learn that the item referred to in the attached correspondence was taken care of over eight months ago. If you will check subsequent reports made by the Jim Jones for Congress Committee, you will find that the loan made by Don McFarland was paid in full and that the total amount of Mr. McFarland's contribution for the entire primary campaign was \$1,000. I do appreciate the fact that you folks are on your toes and if I can be of any further assistance I would be more than happy to shed any light that I can on this matter.

Sincerely,

SEELEY, JONES & FULLER

[Handwritten Signature]
James T. Jones

JTJ/tg

7908135385290



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1031

181040252291





FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1031

Date Filmed May 21, 1981 Camera No. --- 2

Camerman Joe

6104025229