



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1068

Date Filmed 2/2/80 Camera No. --- 2

Cameraman bpc

00040175189



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 21, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. W. Dewitt Reams  
Pillans, Reams, Tappan, Wood,  
Roberts & Vollmer, P.C.  
Pillans Building  
3662 Dauphin St.  
Mobile, AL 36608

RE: MUR 1068

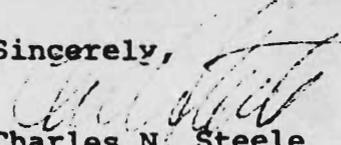
Dear Mr. Reams:

On January 18, 1980, the Commission determined to take no further action and close its file in this matter.

The Commission reminds you that the making of contributions in connection with federal elections by a corporation is nevertheless a violation of 2 U.S.C. §441b and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

  
Charles N. Steele  
General Counsel

00040175190

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. W. Dewitt Reams  
Fillans, Reams, Tappan, Wood,  
Roberts & Vollmer, P.C.  
Fillans Building  
3662 Dauphin St.  
Mobile, AL

1-21-80

RE: MUR 1068

Dear Mr. Reams:

On January 14, 1980, the Commission determined to take no further action and close the file in this matter.

The Commission reminds you that the making of contributions in connection with federal election by a corporation is nevertheless a violation of 2 U.S.C. §441b and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

CS

Charles N. Steele  
General Counsel

00040175191

CS  
1-21-80



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 21, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. T. A. Horst, Treasurer  
Edwards For Congress Committee  
Post Office Box 160003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

On January 18, 1980, the Commission determined to take no further action and close its file in this matter.

The Commission reminds you that the acceptance of corporate contributions is nevertheless a violation of 2 U.S.C. §441b(a) and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel

0040175192

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. T. A. Horst, Treasurer  
Edwards For Congress Committee  
Post Office Box 16003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

On January 19, 1980, the Commission determined to take no further action and close its file on this matter.

The Commission reminds you that the acceptance of corporate contributions is nevertheless a violation of 2 U.S.C. §461b(a) and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel

00010175193

9  
1-18-80





FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*

DATE: JANUARY 11, 1980

SUBJECT: OBJECTION - MUR 1068 - General Counsel's  
Report dated 1-8-80; Signed  
1-9-80; Received in OCS 1-10-80,  
10:46

The above-named document was circulated on a 48  
hour vote basis at 4:00, January 10, 1980.

Commissioner Reiche submitted an objection at  
3:55, January 11, 1979, thereby placing MUR 1068 on  
the Executive Session Agenda for January 17, 1979.

A copy of Commissioner Reiche's vote sheet  
is attached with his comments.

ATTACHMENT:  
Copy of Vote Sheet

00040175195



FEDERAL ELECTION COMMISSION

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

Date and Time Transmitted: 1-10-80

4:00

Commissioner FRIEDERSDORF, AIKENS, TIERNAN, McGARRY, REICHE, HARRIS

RETURN TO OFFICE OF COMMISSION SECRETARY BY: 1-14-80

4:00

MUR No. 1068 General Counsel's Report dated 1-8-80 S: 1-9-80

- I approve the recommendation
- I object to the recommendation

COMMENTS: Believe that existing MUR's should be handled according to FEC policy at the time MUR was initiated

Date: 1-11-80 Signature: Frank P. Reiche  
by Karen F. O'Ronnell

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



January 10, 1980

MEMORANDUM TO: Marjorie W. Emmons  
FROM: Elissa T. Carr  
SUBJECT: MUR 1068

Please have the attached General Counsel's Report on MUR 1068 distributed to the Commission on a 48 hour tally basis.

Thank you.

60040175197



### B. Blue Bird Rentals

By a letter dated December 6, 1979, counsel for Blue Bird Rentals submitted a response to the reason to believe notification (See Attachment B). Counsel W. Dewitt Reams stated the \$200.97 in-kind contribution, which was usage of rental supplies, occurred by inadvertency and without any intent to violate the election laws.

Counsel contends that Blue Bird Rentals was a sole proprietorship until its incorporation under Alabama law on July 1, 1978; and that prior to that time, the owner had made donations to Congressman Edwards by donating the use of rental equipment. After the company's incorporation, the owner did not think of such activity as a possible violation of election law and failed to warn employees not to make contributions in this manner. However, since the receipt of the notice of the violation, the owner has instructed the employees to cease such activity for Congressman Edwards and other political campaigns.

### III. ANALYSIS

In view of the limited extent of the violation and the fact that the improper contributions have been refunded and properly reported, the Office of the General Counsel recommends taking no further action and closing the file with regard to this matter.

### IV. RECOMMENDATION

1. Take no further action against Edwards For Congress Committee.

00040175199

2. Take no further action against Blue Bird Rentals.
3. Approve the attached letters to the respondents.
4. Close the file.

9 January 1980  
Date

  
Charles N. Steele  
General Counsel

**Attachments**

- A - Letter from Horst
  - B - Letter from Reams
- Letters

00040175299

005372  
000  
11890  
Hofford

Post Office Box 160003  
Mobile, Alabama 36616  
December 11, 1979

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

Re: MUR 1068

Dear Mr. Steele:

I have your letter of November 29 concerning the violation of the Federal Election Commission's regulations of the Edwards for Congress Campaign Committee concerning the acceptance of donations from Blue Bird Rentals and T. V. Factory Service. You may also recall from researching your correspondence that you accused us similarly of accepting donations from Plumer B. Tonsmeire and Associates which you also stated was a corporation.

Subsequent investigation proved Plumer B. Tonsmeire and Associates not to be incorporated. We accepted the check of that firm under the assumption that it was not a corporation because it did not have the work incorporated, or any derivation of that word on the check. We accepted the check of Blue Bird Rentals and T.V. Factory Service on the same basis: that is, that there was no evidence on the face of the check that they were incorporated. As soon as it was pointed out to us that they were incorporated, refunds were made to these two companies. Your letter stated that the violation took place at the time the contribution was accepted and was not mitigated by the fact that refunds were made.

I would suggest to you that it was never the intent of the Congress to require a campaign committee - with obviously limited facilities - to research every single check which came to it, but only to make a diligent effort to comply with the law. We have done this and we believe that we are in compliance with the spirit of the law. We have made every effort to comply with your regulations and the fact that we accepted one check and one donation-in-kind from companies which we believed to be unincorporated out of several thousand donations speaks well for our screening methods, in my opinion.

Since we have not heard from you since our correspondence in May,  
58:6 d 41330 6/

RECEIVED  
GENERAL COUNSEL  
FEDERAL ELECTION COMMISSION

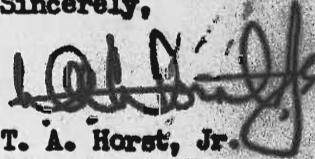
Attachment A pg 1

0040175201

Federal Election Commission  
December 11, 1979  
Page 2

we assumed that the matter was closed. If you wish to pursue this matter further, please let me know, and if you consider the case now closed, please let me know that also, as soon as possible.

Sincerely,



T. A. Horst, Jr.  
Edwards for Congress Committee

0040175202

Attachment A pg 2

11843

**PILLANS, REAMS, TAPPAN, WOOD, ROBERTS & VOLLMER, P. C.**  
LAWYERS AND PROCTORS  
PILLANS BUILDING  
2862 DAUPHIN STREET  
MOBILE, ALABAMA

FEDERAL ELECTION  
COMMISSION

PALMER PILLANS (1876-1898)

- W. DEWITT REAMS
- JOHN H. TAPPAN
- GEORGE F. WOOD
- RONNERRAE H. ROBERTS
- RICHARD W. VOLLMER, JR.
- ABRAHAM L. PHILLIPS, JR.
- FRED W. ELLISON, JR.
- JAMES D. BROOKS
- EDNEY H. SCHELL
- GEARY A. GASTON
- VICTOR T. HUDSON
- WILLIAM W. STODDENHIRE
- S. PRATT CASQUE, JR.
- C. ROBERT GOTTlieb, JR.
- JOHN R. NIX
- PATRICIA S. OLNEY

December 6, 1979

TELEPHONE: (205) 344-4721  
MAIL ROOM: BOX 8155  
MOBILE 36608  
CABLE: FTAM  
TELEX: 78 2025

*Thedford*  
*A.O.*

CC 5202

Federal Election Commission  
Washington, D.C. 20463

Attn: Ms. Judy Thedford

Re: MUR 1068

Dear Ms. Thedford:

Your letter of November 29th in regard to Blue Bird Rentals having made a \$200.97 in-kind contribution to the Edwards for Congress Committee on November 20, 1978, has been referred to us for reply and handling.

This contribution of the use of rental supplies by Blue Bird Rentals to Congressman Edwards occurred through inadvertency and without any intent to violate the election laws by anyone connected with Blue Bird Rentals.

Blue Bird Rentals was a sole proprietorship business prior to July 1, 1978. On that date it was incorporated as a regular business corporation under the provisions of Alabama law. Prior to the incorporation the owner had made donations to Congressman Edwards' campaigns by donating the use of rental equipment which he needed in connection with a campaign function. The owner of Blue Bird Rentals did not think of the possibility of a violation of the election laws occurring if the employees furnished this equipment to the campaign again after the incorporation and did not warn the employees not to handle a contribution in this manner. The principal owner of Blue Bird Rentals, who is a woman, did not have her attention called to the fact that the donation of the use of the equipment had occurred in the manner in which it had until she received the refund check from the Edwards Campaign Committee in May of this year. After receiving notice of what had occurred and of the violation, she issued instructions to the employees not to make an in kind contribution to Congressman Edwards or any other political campaign.

79 DEC 10 P 1:03

RECEIVED  
GENERAL INVESTIGATIVE  
DIVISION  
FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE

Attachment B pg 1

0040175203

December 6, 1979

In the future, if any donation is to be given, it will be given by the owner personally.

It is hoped that since this was an innocent, unintentional violation and since no lasting harm has been done, the Commission will accept this letter as a satisfactory explanation of what did occur and will not find it necessary to proceed any further with this matter. You may be assured that this was an unintentional, innocent violation and that no similar violation will be made in the future by Blue Bird Rentals.

The undersigned has been retained to represent Blue Bird Rentals and the owner in this matter. It would be appreciated if any future correspondence is addressed to the undersigned attorney.

Yours very truly,

*Dewitt Reams*  
For: PILLANS, REAMS, TAPPAN, WOOD,  
ROBERTS & VOLLMER, P.C.

WDR/lrg  
cc: Blue Bird Rentals

0040175204

Attachment B pg 2



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. W. Dewitt Reams  
Pillans, Reams, Tappan, Wood,  
Roberts & Vollmer, P.C.  
Pillans Building  
3662 Dauphin St.  
Mobile, AL 36608

RE: MUR 1068

Dear Mr. Reams:

On January , 1980, the Commission determined to take no further action and close its file in this matter.

The Commission reminds you that the making of contributions in connection with federal elections by a corporation is nevertheless a violation of 2 U.S.C. §441b and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel

0040175205



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. T. A. Horst, Treasurer  
Edwards For Congress Committee  
Post Office Box 160003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

On January , 1980, the Commission determined to take no further action and close its file in this matter.

The Commission reminds you that the acceptance of corporate contributions is nevertheless a violation of 2 U.S.C. §441b(a) and that civil penalties may be imposed in such situations.

If you have any questions, please direct them to Judy Thedford at (202) 523-5071.

Sincerely,

Charles N. Steele  
General Counsel

0040175206

005371  
600  
11890

Post Office Box 160003  
Mobile, Alabama 36616  
December 11, 1979

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

Re: MUR 1068

Dear Mr. Steele:

I have your letter of November 29 concerning the violation of the Federal Election Commission's regulations of the Edwards for Congress Campaign Committee concerning the acceptance of donations from Blue Bird Rentals and T. V. Factory Service. You may also recall from researching your correspondence that you accused us similarly of accepting donations from Plumer B. Tonsmeire and Associates which you also stated was a corporation.

Subsequent investigation proved Plumer B. Tonsmeire and Associates not to be incorporated. We accepted the check of that firm under the assumption that it was not a corporation because it did not have the work incorporated, or any derivation of that word on the check. We accepted the check of Blue Bird Rentals and T.V. Factory Service on the same basis: that is, that there was no evidence on the face of the check that they were incorporated. As soon as it was pointed out to us that they were incorporated, refunds were made to these two companies. Your letter stated that the violation took place at the time the contribution was accepted and was not mitigated by the fact that refunds were made.

I would suggest to you that it was never the intent of the Congress to require a campaign committee - with obviously limited facilities - to research every single check which came to it, but only to make a diligent effort to comply with the law. We have done this and we believe that we are in compliance with the spirit of the law. We have made every effort to comply with your regulations and the fact that we accepted one check and one donation-in-kind from companies which we believed to be unincorporated out of several thousand donations speaks well for our screening methods, in my opinion.

Since we have not heard from you since our correspondence in May,  
5 : 6 d 11030 6/

0040175207

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

Federal Election Commission  
December 11, 1979  
Page 2

we assumed that the matter was closed. If you wish to pursue this matter further, please let me know, and if you consider the case now closed, please let me know that also, as soon as possible.

Sincerely,



T. A. Horst, Jr.  
Edwards for Congress Committee

0040175208

Post Office Box 160003  
Mobile, Ala. 36616



NO RECEIPT  
REQUESTED

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

CERTIFIED

P043047642

MAIL

11843

**PILLANS, REAMS, TAPPAN, WOOD, ROBERTS & VOLLMER, P. C.**  
LAWYERS AND PROCTORS  
PILLANS BUILDING  
3602 DAUPHIN STREET  
MOBILE, ALABAMA

RECEIVED  
FEDERAL ELECTION  
COMMISSION

PALMER PILLANS (1876-1878)

W. DEWITT REAMS  
JOHN N. TAPPAN  
GEORGE F. WOOD  
BONNERNAE H. ROBERTS  
RICHARD W. VOLLMER, JR.  
ABRAM L. PHILIPS, JR.  
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JAMES D. BROOKS  
SIDNEY H. SCHELL  
GEARY A. GASTON  
VICTOR T. HUDSON  
WILLIAM W. STODENMIRE  
S. PRATT GASQUE, JR.  
C. ROBERT GOTTLIEB, JR.  
JOHN R. NIX  
PATRICIA K. OLNEY

December 6, 1979

TELEPHONE: (205) 344-4721  
MAILING: O BOX 8877  
MOBILE 36608  
CABLE: FTAM  
TELEX: 78 2025

005302

**Federal Election Commission**  
**Washington, D.C. 20463**

**Attn: Ms. Judy Thedford**

**Re: MUR 1068**

Dear Ms. Thedford:

Your letter of November 29th in regard to Blue Bird Rentals having made a \$200.97 in-kind contribution to the Edwards for Congress Committee on November 20, 1978, has been referred to us for reply and handling.

This contribution of the use of rental supplies by Blue Bird Rentals to Congressman Edwards occurred through inadvertency and without any intent to violate the election laws by anyone connected with Blue Bird Rentals.

Blue Bird Rentals was a sole proprietorship business prior to July 1, 1978. On that date it was incorporated as a regular business corporation under the provisions of Alabama law. Prior to the incorporation the owner had made donations to Congressman Edwards' campaigns by donating the use of rental equipment which he needed in connection with a campaign function. The owner of Blue Bird Rentals did not think of the possibility of a violation of the election laws occurring if the employees furnished this equipment to the campaign again after the incorporation and did not warn the employees not to handle a contribution in this manner. The principal owner of Blue Bird Rentals, who is a woman, did not have her attention called to the fact that the donation of the use of the equipment had occurred in the manner in which it had until she received the refund check from the Edwards Campaign Committee in May of this year. After receiving notice of what had occurred and of the violation, she issued instructions to the employees not to make an in kind contribution to Congressman Edwards or any other political campaign.

79 DEC 10 P 1:03

RECEIVED  
GENERAL COUNSEL

0040175210

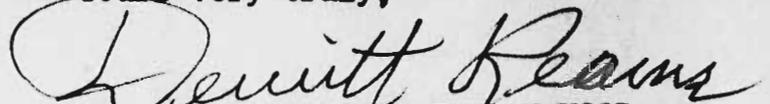
December 6, 1979

In the future, if any donation is to be given, it will be given by the owner personally.

It is hoped that since this was an innocent, unintentional violation and since no lasting harm has been done, the Commission will accept this letter as a satisfactory explanation of what did occur and will not find it necessary to proceed any further with this matter. You may be assured that this was an unintentional, innocent violation and that no similar violation will be made in the future by Blue Bird Rentals.

The undersigned has been retained to represent Blue Bird Rentals and the owner in this matter. It would be appreciated if any future correspondence is addressed to the undersigned attorney.

Yours very truly,



For: PILLANS, REAMS, TAPPAN, WOOD,  
ROBERTS & VOLLMER, P.C.

WDR/lrg

cc: Blue Bird Rentals

0040175211

PILLANS, REAMS, TAPPAN, WOOD, ROBERTS & VOLLMER, P. C.

LAWYERS AND PROCTORS

PILLANS BUILDING-3662 DAUPHIN STREET

POST OFFICE BOX 8158

MOBILE, ALABAMA 36608



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

ATTN: MS. JUDY THEDFORD

6004017521



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 29, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

T.A. Horst, Treasurer  
Edwards For Congress Committee  
P.O. Box 160003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the Edwards For Congress Committee may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended, ("the Act"). Specifically, it appears that the committee's acceptance of in-kind contributions from Blue Bird Rentals and T.V. Factory Service on November 20, 1978 and October 20, 1978 constitutes a violation of 2 U.S.C. §441b. While the committee refunded \$200.97 to Blue Bird Rentals and \$50.00 to T.V. Factory Service on May 10, 1979, the violation was committed at the time the committee accepted the contributions. We have numbered this matter MUR 1068.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. We have been forwarded your letters of May 10 and May 15, 1979; however, any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter may also be submitted.

The Commission under a duty to investigate this matter expeditiously. Therefore, your responses should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Judy Thedford, at 202/523-4037.

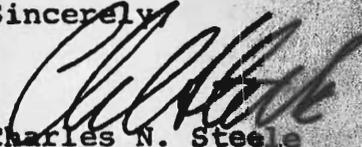
0040175213

T. A. Horst  
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §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,



Charles N. Steele  
Acting General Counsel

60040175214

PS Form 3811, Apr. 1977

1. The following services are 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:  
T. A. Horst, Treasurer

3. ARTICLE DESCRIPTION:  
REGISTERED NO. 903320 INSURED NO.

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent  
DATE OF DELIVERY 10/11/77

5. ADDRESS TO WHICH ONLY IF REQUESTED

6. UNABLE TO DELIVER BECAUSE:

WESTMARR  
REC  
11  
CLERK'S INITIALS

★CPD: 1977-0-288-546

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

T.A. Horst, Treasurer  
Edwards For Congress Committee  
P.O. Box 160003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

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The Commission under a duty to investigate this matter expeditiously. Therefore, your responses should be submitted within ten days after your receipt of this notification.

If you have any questions, please contact Judy Thedford, at 202/523-4037.

0040175215

T. A. Horst  
Page 2

This matter will remain confidential in accordance with 2 U.S.C. §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,

Charles N. Steele  
Acting General Counsel

0040175216

JA  
11-28-79



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 29, 1979

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Blue Bird Rentals  
104 Bay Shore Ave.  
Mobile, AL 36607

RE: MUR 1068

Dear Madam or Sir:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that Blue Bird Rentals may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, it appears that Blue Bird Rentals made a \$200.97 in-kind contribution to the Edwards for Congress Committee on November 20, 1978 in violation of 2 U.S.C. §441b. While the \$200.97 was refunded to you on May 10, 1979 by the Edwards for Congress Committee, the violation was committed at the time of the contribution. We have numbered this matter MUR 1068.

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. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your responses should be submitted within ten days after receipt of this notification.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4037.

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

0040175217

Blue Bird Rentals  
Page 2

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,

  
Charles N. Steele  
Acting General Counsel

0040175218



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Blue Bird Rentals  
104 Bay Shore Ave.  
Mobile, AL 36607

RE: MUR 1068

Dear Madam or Sir:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that Blue Bird Rentals may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, it appears that Blue Bird Rentals made a \$200.97 in-kind contribution to the Edwards for Congress Committee on November 20, 1978 in violation of 2 U.S.C. §441b. While the \$200.97 was refunded to you on May 10, 1979 by the Edwards for Congress Committee, the violation was committed at the time of the contribution. We have numbered this matter MUR 1068.

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If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4037.

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

0040175219

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,

Charles N. Steele  
Acting General Counsel

00040175220

*mut 108 - Twp*

PS Form 3811, Apr. 1970

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:  
*Blue Bird Rentals*

3. ARTICLE DESCRIPTION:  
REGISTERED NO. *563216* INSURED NO. *101*

Always obtain signature of addressee or agent.  
I have received the article described above.  
SIGNATURE *[Signature]*  Addressee  Authorized agent

4. DATE OF DELIVERY  
*11/28/70*  
*12-3-70*

5. ADDRESS: (Complete only if return is required)

6. UNABLE TO DELIVER BECAUSE:

MOBILE POST OFFICE  
CLERK'S INITIALS

4-696 1970-0-10

*JA*  
*11-28-70*

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

*MWE*

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS/MARGARET CHANEY  
DATE: NOVEMBER 15, 1979  
SUBJECT: OBJECTION - MUR 1068 - First General Counsel's  
Report dated 11-9-79; Received in OCS  
11-9-79, 10:50

The above-named document was circulated on a 48 hour  
vote basis at 2:00, November 9, 1979.

Commissioner Friedersdorf submitted an objection at  
5:04, November 14, 1979, thereby placing MUR 1068 on the  
Executive Session Agenda for Tuesday, November 27, 1979.

00010175221

November 9, 1979

MEMORANDUM TO: Marge Emmons  
FROM: Eliasa T. GALT  
SUBJECT: MUR 1068

Please have the attached First GC Report on MUR 1068 distributed to the Commission on a 48 hour tally basis.

Thank you.

0040175222

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Edwards for Congress Committee )  
Blue Bird Rentals )

MUR 1068

CERTIFICATION

I, Marjorie W. Emons, Recording Secretary for the Federal Election Commission's Executive Session of November 27, 1979, do hereby certify that the Commission determined by a vote of 4-2 to take the following actions in MUR 1068:

1. FIND REASON TO BELIEVE that Edwards for Congress Committee may have violated 2 U.S.C. §441b.
2. FIND REASON TO BELIEVE that Blue Bird Rental may have violated 2 U.S.C. §441b.
3. Take no further action against T. V. Factory Service.
4. Direct the staff to send the draft letters attached to the General Counsel's November 9, 1979 report in this matter, subject to amendment of the letter to the Edwards for Congress Committee as outlined at the meeting.

Commissioners Aikens, Harris, Reiche, and Tiernan voted affirmatively for the above actions; Commissioners Friedersdorf and McGarry dissented.

Attest:

11-28-79

DATE

*Marjorie W. Emons*

Marjorie W. Emons  
Secretary to the Commission

0040175223

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

DATE AND TIME OF TRANSMITTAL  
BY OGC TO COMMISSION 11-9-79

MUR NO 941068 410: 50  
STAFF MEMBER(S)

Theford

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Edwards For Congress Committee  
Blue Bird Rentals

RELEVANT STATUTE: 2 U.S.C. §441b

INTERNAL REPORTS CHECKED: Edwards for Congress Committee (by RAD)

FEDERAL AGENCIES CHECKED: N/A

GENERATION OF MATTER

On October 19, 1979, the Reports Analysis Division forwarded information to the Office of the General Counsel which alleges that the Edwards for Congress Committee violated 2 U.S.C. §441b for accepting a \$200.97 corporate in-kind contribution from Blue Bird Rentals on November 20, 1978, and a \$50 corporate in-kind contribution from T.V. Factory Service on October 20, 1978. The following actions have been taken by the Reports Analysis Division:

- 1) May 2, 1979, a surface violation letter was sent to the treasurer T.A. Horst stating the Committee had accepted three corporate contributions.
- 2) May 15, 1979, a letter was received from the treasurer stating that they had researched the three companies, found that they were corporations, and returned the contributions by check.
- 3) May 22, 1979, a letter was received from T.A. Horst stating that one of the alleged corporations, Plumer B. Tonsmeire and Associates, was not incorporated and that the contributor had returned the reimbursement check.

PRELIMINARY LEGAL ANALYSIS

2 U.S.C. §441b prohibits, "any corporation ... to make a contribution ... in connection with any election" to any federal office and any "political committee... to accept or receive any contribution prohibited by this section...". Clearly, Blue Bird Rentals and T.V. Factory Service are in violation of §441b for making a contribution

0040175224

in connection with a federal election; and Edwards for Congress Committee is in violation of §441b for accepting the two corporate contributions. The contributions were refunded to the corporations on May 10, 1979 and reported on the Committee's July 10 Quarterly Report; however, the violation occurred at the time the contributions were made and accepted.

Consistent with the Commission's policy regarding post-August 1978 corporate contributions dated July 20, 1978<sup>1/</sup>, the Office of the General Counsel recommends that the Commission: find reason to believe that Edwards For Congress Committee may have violated 2 U.S.C. §441b for accepting illegal contributions totalling \$250.97 from Blue Bird Rentals and T.V. Factory Service; find reason to believe that Blue Bird Rentals may have violated 2 U.S.C. §441b by making a \$200.97 corporate contribution to Edwards For Congress Committee; and to take no further action against T.V. Factory Service as the \$50 corporate contribution does not meet the \$100 threshold for respondents.

RECOMMENDATION

- 1) Find reason to believe that Edwards For Congress Committee may have violated 2 U.S.C. §441b.
- 2) Find reason to believe that Blue Bird Rental may have violated 2 U.S.C. §441b.
- 3) Take no further action against T.V. Factory Service.
- 4) Send the attached letters.

Attachments

Referral  
Letters

<sup>1/</sup> See "Sample §441b MUR Applying New Policy" in the July 20, 1978 memorandum.

0001017525

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

D  
RAD 511  
92-169

mul 1068

REPORTS ANALYSIS REFERRAL SHEET

DATE 10/19/79

ANALYST Mary Jo Mesner mjm

TO: Office of General Counsel

TEAM CHIEF Suzanne Wilson SW

THROUGH STAFF DIRECTOR APD

COMPLIANCE REVIEW Carroll Bowen CB/RS

FROM ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS JK

CANDIDATE/COMMITTEE: EDWARDS FOR CONGRESS COMMITTEE, AL/01

TREASURER: T. A. Horst

ADDRESS: P. O. Box 160003, Mobile, AL 36616

AFFILIATE(S): Not pertinent to allegations

ALLEGATION(S):

Acceptance of corporate contributions

CITE:

2 U.S.C. 441(b)

ATTACHMENT(S):

II

00401722

DATE INITIATED: 3/19/79

MANNER IN WHICH REVIEW WAS INITIATED:

Normal review       Other:  
 Special Project:

ATTACHMENT

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

PERIOD COVERED FROM 10/24/78 TO 11/27/78

TOTAL RECEIPTS \$ 32,668 TOTAL EXPENDITURES \$ 36,549

CASH ON HAND \$ 27,226 DEBTS \$ 0

**HISTORY:**

**RESULTS OF REVIEW:**

Corporate contributions disclosed on 30 Day Post-General Report

Surface violation notice sent 5/2/79

Adequate response received 5/15/79

Amendment to adequate response received 5/22/79

ATTACHMENT

II

III

IV

V

**COMMUNICATIONS WITH CANDIDATE/COMMITTEE:**

Not pertinent to allegations

ATTACHMENT

**REASON(S) FOR REFERRAL:**

Total amount of corporate contributions exceeds

Division threshold

ATTACHMENT

**OTHER PENDING ACTIONS INITIATED BY RAD:**

Not pertinent to allegations

ATTACHMENT

**OTHER RELEVANT INFORMATION:**

July 10 Report discloses refunds of corporate contributions

VI

**PREVIOUS OGC/AUDIT REFERRALS FROM RAD:**

Not pertinent to allegations

00040175228

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

DATE 10C179 PAGE

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
EDWARDS FOR CONGRESS COMMITTEE	1978 STATEMENT OF ORGANIZATION - AMENDMENT					1 MAY 78	3	104 C00913904
	48 HOUR CONTRIBUTION NOTICE					26 OCT 78	1	79HSE/135/1043
	48 HOUR CONTRIBUTION NOTICE					27 OCT 78	1	79HSE/134/1613
	1977 JULY 10 QUARTERLY		121	4,523		1 JAN 77 - 31 MAR 77	4	79HSE/131/4057
	OCTOBER 10 QUARTERLY		24	165		31 MAR 77 - 30 JUN 77	4	79HSE/123/3053
	OCTOBER 10 QUARTERLY		53	877		30 JUN 77 - 10 OCT 77	4	79HSE/125/5236
	REQUEST FOR ADDITIONAL INFORMATION		53	877		1 JUL 77 - 30 SEP 77	4	79HSE/127/0433
	YEAR END REPORT				1,540	30 JUN 77 - 10 OCT 77	3	79FEC/061/1819
	REQUEST FOR ADDITIONAL INFORMATION	836				10 OCT 77 - 31 DEC 77	3	79HSE/128/2245
	YEAR END REPORT	836			1,540	10 OCT 77 - 31 DEC 77	3	79FEC/066/453
1978	APRIL 10 QUARTERLY					1 JAN 78 - 31 MAR 78	5	79HSE/130/2134
	JULY 10 QUARTERLY					10 OCT 77 - 31 DEC 77	5	79HSE/131/4950
	JULY 10 QUARTERLY					1 JAN 78 - 31 MAR 78	5	79HSE/131/4950
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	23	79HSE/139/4301
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/140/1258
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/139/4301
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/139/4301
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/139/4301
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/139/4301
	REQUEST FOR ADDITIONAL INFORMATION	34,765				1 APR 78 - 30 JUN 78	1	79HSE/139/4301
1978	APRIL 10 QUARTERLY					1 JUL 78 - 30 SEP 78	21	79HSE/142/2975
	JULY 10 QUARTERLY					1 JUL 78 - 30 SEP 78	32	79HSE/147/1597
	JULY 10 QUARTERLY					1 JUL 78 - 30 SEP 78	1	79FEC/091/4791
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	32	79HSE/155/1035
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	2	79FEC/119/2140
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	2	79FEC/126/1567
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	32	79HSE/162/2975
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	2	79HSE/165/2085
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	18	79HSE/154/1600
	REQUEST FOR ADDITIONAL INFORMATION	66,896				1 JUL 78 - 30 SEP 78	2	79HSE/155/0777
1978	APRIL 10 QUARTERLY					1 OCT 78 - 23 OCT 78	3	79FEC/126/1571
	JULY 10 QUARTERLY					1 OCT 78 - 23 OCT 78	3	79HSE/165/2047
	JULY 10 QUARTERLY					24 OCT 78 - 27 NOV 78	19	79HSE/156/3089
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
	REQUEST FOR ADDITIONAL INFORMATION	22,311				24 OCT 78 - 27 NOV 78	2	79FEC/126/1571
1978	APRIL 10 QUARTERLY					24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	JULY 10 QUARTERLY					24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	JULY 10 QUARTERLY					24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
	REQUEST FOR ADDITIONAL INFORMATION	32,668				24 OCT 78 - 27 NOV 78	1	79HSE/165/2047
TOTAL		122,272	36,498	12,003			209	TOTAL PAGES

All reports reviewed

00040175229

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

DATE PAGE

HOUSE

COMMITTEE DOCUMENT

RECEIPTS  
PRIMARY GENERAL

EXPENDITURES  
PRIMARY GENERAL

COVERAGES DATES

# OF PAGES  
MICROFILM LOCATION

EDWARDS FOR CONGRESS COMMITTEE  
1979 APRIL TO QUARTERLY  
REQUEST FOR ADDITIONAL INFORMATION  
- AMENDMENT  
APRIL TO QUARTERLY  
JULY TO QUARTERLY

3,950

3,950

937

4,887

0,151

0,151

3,552

11,703

1 JAN 79 - 31 MAR 79

1 JAN 79 - 31 MAR 79

1 JAN 79 - 31 MAR 79

1 APR 79 - 30 JUN 79

10

2

2

5

21

ID# E00013904

79HSE/164/174

79FEC/129/52

79HSE/167/098

79HSE/167/098

TOTAL

All reports reviewed

Name of Candidate or Committee in Full		30 Day Post	
Edwards for Congress Committee			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>Gaylord C. Lyon, Sr.</b> <b>2475 Commercial Park Drive</b> <b>Mobile, Ala. 36606</b>	Principal Place of Business <b>Gaylord C Lyon &amp; Co.</b>	Occupation <b>President</b>	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>Plumer B. Tommeire &amp; Assoc.</b> <b>P. O. Box 16206</b> <b>Mobile, Ala. 36616</b>	Principal Place of Business <b>Inc. 1/5/62</b>	Occupation 	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>John O. Batson</b> <b>903 Greenlawn</b> <b>Hammond, La. 70401</b>	Principal Place of Business <b>Batson Lumber Company</b>	Occupation 	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>Joseph K. Courtney</b> <b>1005 Government St</b> <b>Mobile, Ala. 36604</b>	Principal Place of Business <b>Courtney &amp; Delaney</b>	Occupation <b>mortgage real estate</b>	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>Blue Bird Rentals</b> <b>104 Bay Shore Ave.</b> <b>Mobile, Ala. 36607</b>	Principal Place of Business <b>Inc. 8/4/78</b>	Occupation 	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>Jim Gnaillot, Bernie Shontell,</b> <b>El. L. Jones, Jr. V. L. Arnold, III</b> <b>John Blacksher, Fred E. Waldron</b> <b>James Fairchild, Pat Gnaillot</b>	Principal Place of Business <b>contribution distri</b> <b>equally at \$ 62.50</b>	Occupation <b>see page 2 of 5</b> <b>14</b>	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>T. V. Factory Service</b> <b>3064 Springhill Ave.</b> <b>Mobile, Ala.</b>	Principal Place of Business <b>Inc. 2/13/61</b>	Occupation 	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code <b>T. V. Factory Service</b> <b>3064 Springhill Ave.</b> <b>Mobile, Ala.</b>	Principal Place of Business <b>Inc. 2/13/61</b>	Occupation 	<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$ <b>0</b>
SUBTOTAL of receipts this page (optional) . . . . .			
TOTAL (this period last page this line number only) . . . . .			

0040175



6/2



FEDERAL ELECTION COMMISSION

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

2 May 1979

T.A. Horst  
Treasurer  
Edwards for Congress Committee  
PO Box 160003  
Mobile, Alabama 36616

Dear T.A. Horst:

This letter is prompted by the Commission's analysis of disclosure reports undertaken in the normal course of carrying out its supervisory responsibilities under the Federal Election Campaign Act. During review of the 30 Day Post-General Report of Receipts and Expenditures, we noticed entries indicating that you may have accepted contributions from a corporation. Corporate contributions are prohibited by the Act, unless made from a separate segregated fund established by the corporations. A copy of that portion of your report is attached for your review and clarification.

If you have accepted prohibited contributions, you must return the full amounts to the donor. The return of the contributions should be reported immediately by letter and should be reflected as contribution refunds on your next report of receipts and expenditures. If you find that the source of these contributions are permissible under the Federal Election Campaign Act, please submit a statement for the public record which would clarify the source of the contributions and the exact nature of the account upon which the checks were drawn. If the source of these contributions has been reported incompletely or incorrectly, please amend your original report.

Please notify the Commission within fifteen (15) days from the date of this letter of any determination you make on this matter. Enforcement action may be initiated by the Commission for: failure to respond within fifteen (15) days; failure to refund any impermissible contributions; and/or acceptance of labor organization contributions.

709005410218795026322

If you have any questions concerning this matter, 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

Enclosure  
Certified Mail  
Return Receipt Requested

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33

Refer To: 7901-165-2375

MAY 12 1979  
REGULAR MAIL

RECEIVED  
FEDERAL ELECTION  
COMMISSION

MAY 15 PM 12:25

P. O. Box 160003  
Mobile, Ala. 36616  
May 10, 1979

Re: LSV1/79-LM

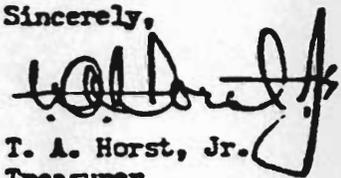
132719

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

Dear Mr. Potter:

Thank you for your letter of May 2 regarding the suspected corporate contributions as indicated on the enclosed report of contributions. We have researched these companies and find that they are, in fact, corporations and have returned the contributions to them on this date in the form of a check. We are sorry that this has happened, but as you can appreciate, in processing a large number of contributions, errors are bound to creep in. We detected a number of them in time to return the checks to them, but these slipped by us because they did not have the word "corporation" or the word "incorporated" in the title of the companies. We have always screened our contributions as closely as possible, and as far as we know, none others have gotten by us.

Sincerely,



T. A. Horst, Jr.  
Treasurer  
Edwards for Congress Committee

780640752534

OFFICE OF THE CLERK  
HOUSE OF REPRESENTATIVES  
MAY 10 1979

REGULAR MAIL  
MAY 16 1979

RECEIVED  
FEDERAL ELECTION  
COMMISSION

'79 MAY 21 PM 1:22

032719

P. O. Box 160003  
Mobile, Ala. 36616  
May 15, 1979

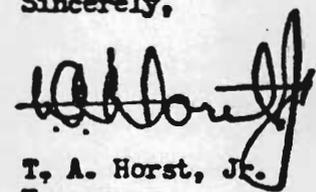
Re: 4SV1/79-LMJK

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

Dear Mr. Potter:

Please refer to your letter of May 2 with attachments and my response of May 10. We have now discovered Plumer B. Tonsmeire and Associates is not an incorporated business. There are 2 businesses of virtually the same name: Plumer B. Tonsmeire and Associates, from which we received the \$ 150.00 contribution in question, and Plumer B. Tonsmeire and Associates, Inc., which is the business your researcher apparently turned up. Mr. Tonsmeire tells me that the contribution is legitimate and has returned our reimbursement check to us.

Sincerely,



T. A. Horst, Jr.  
Treasurer  
Edwards for Congress Committee

RECEIVED  
OFFICE OF THE CLERK  
HOUSE OF REPRESENTATIVES  
MAY 22 AM 11:25

7904917523  
79011652967

ITEMIZED EXPENDITURES

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

Name of Candidate or Committee (in Full)

Edwards for Congress

July 10 Quarterly Report

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Blue Bird Rentals 104 Bay Shore Ave Mobile, Ala. 36607	Refund of Contribution Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/30/79	\$ 200.97
T. V. Factory Service 3054 Springhill Ave. Mobile, Ala. 36604	refund of contribution Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/10/79	50.00
Cliver Delchamps, Jr. P. O. Box 1668 Mobile, Ala. 36601	reimbursement of expense Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/18/79	27.52
AAA Warehouse & Storage P O Box 6128 Mobile, Ala. 36604	storage - monthly Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/2/79	10.00
U. S. Postmaster	STAMPS Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/3/79	75.00
Congressman W. J. Edwards 2369 House Office Bldg Washington, D. C.	reimbursement for flags 25 @ \$ 4.85 75 @ 9.94 Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/30/79	953.70
U. S. Postmaster	stamps Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/14/79	75.00
Congressman W. J. Edwards 2369 Rayburn House Office Washington, D. C.	reimbursement for airline ticket for Jolene Edwards to Bldg be guest speaker at Wright School 5/29/79 Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/14/79	210.00
SUBTOTAL of expenditures this page (optional)			\$1,602.19
TOTAL this period (last page this line number only)			\$3,552.47

0 0 0 4 b 1 7 5 2 3 0 6



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

T. A. Horst, Treasurer  
Edwards For Congress Committee  
P. O. Box 160003  
Mobile, AL 36616

RE: MUR 1068

Dear Mr. Horst:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that the Edwards For Congress Committee may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended, ("the Act"). Specifically, it appears that the committee's acceptance of in-kind contributions from Blue Bird Rentals and T.V. Factory Service on November 20, 1978 and October 20, 1978 constitutes a violation of 2 U.S.C. §441b. We have numbered this matter MUR 1068.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. We have been forwarded your letters of May 10 and May 15, 1979; however, any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter may also be submitted.

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 you have any questions, please contact Judy Thedford, at 202/523-4037.

00040175237

T. A. Horst

Page 2

This matter will remain confidential in accordance with 2 U.S.C. §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,

Charles N. Steele  
Acting General Counsel

00040175230



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Blue Bird Rentals  
104 Bay Shore Ave.  
Mobile, AL 36607

RE: MUR 1068

Dear Madam or Sir:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission has found reason to believe that Blue Bird Rentals may have violated certain provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). Specifically, it appears that Blue Bird Rentals made a \$200.97 in-kind contribution to the Edwards for Congress Committee on November 20, 1978 in violation of 2 U.S.C. §441b. While the \$200.97 was refunded to you on May 10, 1979 by the Edwards for Congress Committee, the violation was committed at the time of the contribution. We have numbered this matter MUR 1068.

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. Where appropriate, statements should be submitted under oath.

The Commission is under a duty to investigate this matter expeditiously. Therefore, your responses should be submitted within ten days after receipt of this notification.

If you have any questions, please contact Judy Thedford, the staff member assigned to this matter, at 202-523-4037.

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

0040175239

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,

Charles N. Steele  
Acting General Counsel

00040175240

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

D  
RAD

511  
92-169  
MAR 1068

REPORTS ANALYSIS REFERRAL SHEET

DATE 10/19/79

ANALYST Mary Jo Mesner *mjm*

TO: Office of General Counsel

TEAM CHIEF Suzanne Wilson *SW*

THROUGH: STAFF DIRECTOR *AP*

COMPLIANCE REVIEW Carroll Bowen *CB/CS*

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS *AK*

CANDIDATE/COMMITTEE: EDWARDS FOR CONGRESS COMMITTEE, AL/01

TREASURER: T. A. Horst

ADDRESS: P. O. Box 160003, Mobile, AL 36616

AFFILIATE(S): Not pertinent to allegations

ALLEGATION(S):

CITE:

ATTACHMENT(S):

Acceptance of corporate contributions

2 U.S.C. 441(b)

II

4  
2  
5  
7  
1  
4  
0  
0  
0

DATE INITIATED: 3/19/79

MANNER IN WHICH REVIEW WAS INITIATED:

Normal review  Other:  
 Special Project:

ATTACHMENT

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

PERIOD COVERED FROM 10/24/78 TO 11/27/78

TOTAL RECEIPTS \$ 32,668 TOTAL EXPENDITURES \$ 36,549

CASH ON HAND \$ 27,226 DEBTS \$ 0

**HISTORY:**

**RESULTS OF REVIEW:**

- Corporate contributions disclosed on 30 Day Post-General Report
- Surface violation notice sent 5/2/79
- Adequate response received 5/15/79
- Amendment to adequate response received 5/22/79

ATTACHMENT

II  
III  
IV  
V

**COMMUNICATIONS WITH CANDIDATE/COMMITTEE:**

- Not pertinent to allegations

ATTACHMENT

**REASON(S) FOR REFERRAL:**

- Total amount of corporate contributions exceeds Division threshold

ATTACHMENT

**OTHER PENDING ACTIONS INITIATED BY RAD:**

- Not pertinent to allegations

ATTACHMENT

**OTHER RELEVANT INFORMATION:**

- July 10 Report discloses refunds of corporate contributions

VI

**PREVIOUS OGC/AUDIT REFERRALS FROM RAD:**

- Not pertinent to allegations



00040175244

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

DATE LIST PAGE

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
EDWARDS FOR CONGRESS COMMITTEE	1979 APRIL TO QUARTERLY	3,950		8,151		JAN79 -31MAR79	10	IDF C00013904
	REQUEST FOR ADDITIONAL INFORMATION	3,950		8,151		JAN79 -31MAR79	4	79FEC/129/529
	APRIL TO QUARTERLY	937		3,552		JAN79 -31MAR79	2	79HSC/167/098
	JULY TO QUARTERLY	4,887	0	11,703	0	1APR79 -30JUN79	5	79HDE/167/098A
	TOTAL						21	TOTAL PAGES

All reports reviewed

Name of Candidate or Committee in Full  
**Edwards for Congress Committee** **30 Day Post-General Report**

Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each this Per.
Gaylord C. Lyon, Sr. 2475 Commercial Park Drive Mobile, Ala. 36606	Gaylord C Lyon & Co. Occupation: <b>President</b>	11/3/78	\$ 250.00
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 \$ -0-			
Flumer B. Tommeire & Assoc. P. O. Box 16206 Mobile, Ala. 36616	Inc. 1/5/62 Occupation	10/25/78	150.00
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 \$ -0-			
John O. Batson 903 Greenlawn Hammond, La. 70401	Batson Lumber Company Occupation	11/20/78	200.00
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 \$ -0-			
Joseph M. Courtney 1005 Government St. Mobile, Ala. 36604	Courtney & Delaney Occupation: mortgage real estate	11/10/78	200.00
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 \$ -0-			
Blue Bird Rentals 104 Bay Shore Ave. Mobile, Ala. 36607	Inc. 8/4/78 Occupation	11/20/78	200.90 (in-kind)
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 \$ -0-			
Jim Chaillot, Bernie Shontell, El. L. Jones, Jr. V. L. Arnold, III John Blacksher, Fred E. Waldrop James Fairchild, Pat Chillot	contribution distributed equally at \$ 62.50 each Occupation see page 2 of 5	10/24/78	500.00
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 \$ -0-			
T. V. Factory Service 3064 Springhill Ave. Mobile, Ala.	Inc. 2/13/61 Occupation	10/20/78	50.00 (in-kind)
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 \$ -0-			
SUBTOTAL of receipts this page (optional)			\$ 1550.97
TOTAL (this period last page this line number only)			\$

00040157052093

EDWARDS

6/2



FEDERAL ELECTION COMMISSION

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

2 May 1979

T.A. Horst  
Treasurer  
Edwards for Congress Committee  
PO Box 160003  
Mobile, Alabama 36616

Dear T.A. Horst:

This letter is prompted by the Commission's analysis of disclosure reports undertaken in the normal course of carrying out its supervisory responsibilities under the Federal Election Campaign Act. During review of the 30 Day Post-General Report of Receipts and Expenditures, we noticed entries indicating that you may have accepted contributions from a corporation. Corporate contributions are prohibited by the Act, unless made from a separate segregated fund established by the corporations. A copy of that portion of your report is attached for your review and clarification.

If you have accepted prohibited contributions, you must return the full amounts to the donor. The return of the contributions should be reported immediately by letter and should be reflected as contribution refunds on your next report of receipts and expenditures. If you find that the source of these contributions are permissible under the Federal Election Campaign Act, please submit a statement for the public record which would clarify the source of the contributions and the exact nature of the account upon which the checks were drawn. If the source of these contributions has been reported incompletely or incorrectly, please amend your original report.

Please notify the Commission within fifteen (15) days from the date of this letter of any determination you make on this matter. Enforcement action may be initiated by the Commission for: failure to respond within fifteen (15) days; failure to refund any impermissible contributions; and/or acceptance of labor organization contributions.

7. 9 0 4 h 2 8 5 2 6 1 3

If you have any questions concerning this matter, 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

Enclosure  
Certified Mail  
Return Receipt Requested

7 9 8 8 4 4 3 3 2 2 1 7

Refer To: 7901-165-2375

MAY 12 1979  
REGULAR MAIL

RECEIVED  
FEDERAL ELECTION  
COMMISSION

79 MAY 15 PM 12:25

P. O. Box 160003  
Mobile, Ala. 36616  
May 10, 1979

Re: 45V1/79-LM

132719

Mr. Orlando B. Potter  
Staff Director  
Federal Election Commission  
1325 K Street N. W.  
Washington, D. C. 20543

Dear Mr. Potter:

Thank you for your letter of May 2 regarding the suspected corporate contributions as indicated on the enclosed report of contributions. We have researched these companies and find that they are, in fact, corporations and have returned the contributions to them on this date in the form of a check. We are sorry that this has happened, but as you can appreciate, in processing a large number of contributions, errors are bound to creep in. We detected a number of them in time to return the checks to them, but these slipped by us because they did not have the word "corporation" or the word "incorporated" in the title of the companies. We have always screened our contributions as closely as possible, and as far as we know, none others have gotten by us.

Sincerely,



T. A. Horst, Jr.  
Treasurer  
Edwards for Congress Committee

780040175298

RECEIVED  
MAY 15 1979  
FEDERAL ELECTION  
COMMISSION

REGULAR MAIL  
MAY 16 1979

RECEIVED  
FEDERAL ELECTION  
COMMISSION

79 MAY 21 PM 1:22

032719

P. O. Box 160003  
Mobile, Ala. 36616  
May 15, 1979

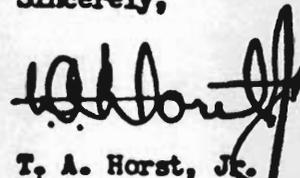
Re: 45V1/79-AMJH

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

Dear Mr. Potter:

Please refer to your letter of May 2 with attachments and my response of May 10. We have now discovered Plumer B. Tonsmeire and Associates is not an incorporated business. There are 2 businesses of virtually the same name: Plumer B. Tonsmeire and Associates, from which we received the \$ 150.00 contribution in question, and Plumer B. Tonsmeire and Associates, Inc., which is the business your researcher apparently turned up. Mr. Tonsmeire tells me that the contribution is legitimate and has returned our reimbursement check to us.

Sincerely,



T. A. Horst, Jr.  
Treasurer  
Edwards for Congress Committee

RECEIVED  
MAY 22 1979 11:25  
FEDERAL ELECTION COMMISSION

7901152967

U.S. House of Representatives  
 Committee on Education and the Labor Force  
 Washington, D.C. 20540

Reporting Period: July 10  
 Reporting Office: [illegible]

Form No. 100-1  
 (Rev. 10-1-76)

Name of Candidate or Committee to Full  
**Edwards for Congress** July 10 Quarterly Report

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Blue Bird Booklets 10, Bay Shore Ave Mobile, Ala. 36607	refund of contribution Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	7/10/79	\$ 200.00
T. V. Factory Service 3064 Springhill Ave. Mobile, Ala. 36604	refund of contribution Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/10/79	50.00
Gliver Delchamps, Jr. P. O. Box 1668 Mobile, Ala. 36601	reimbursement of expense Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/10/79	27.52
AAA Warehouse & Storage P O Box 6126 Mobile, Ala. 36604	storage - monthly Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/2/79	10.00
U. S. Postmaster	STAMPS Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/3/79	75.00
Congressman W. J. Edwards 2369 House Office Bldg Washington, D. C.	reimbursement for flags 25 ● \$ 4.86 75 ● 9.94 Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	5/30/79	953.70
U. S. Postmaster	stamps Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/14/79	75.00
Congressman W. J. Edwards 2369 Hayburn House Office Washington, D. C.	reimbursement for airline tickets for Jolane Edwards to be guest speaker at Wright School 5/29/79 Expenditure for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	6/14/79	210.00
SUBTOTAL of expenditures this page (optional).....			\$1,602.19
TOTAL this period (last page this line number only).....			\$3,552.47

0 0 0 0 1 3 5 2 3 0



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF FUR # 1068

Date Filmed 2/2/80 Camera No. --- 2

Cameraman LPC

0040175251