



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20541

THIS IS THE END OF TUE # 1288

Date Filmed 9/23/81 Camera No. --- 2

Cameraman LPC

MUR 028

FEDERAL ELECTION COMMISSION

CONCILIATION MATERIALS

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

81040294781

- (1) Classified Information
- (2) Internal rules and practices
- (3) Exempted by other statute
- (4) Trade secrets and commercial or financial information
- (5) Internal Documents
- (6) Personal privacy
- (7) Investigatory files
- (8) Banking Information
- (9) Well Information (geographic or geophysical)

Signed *Agan Mallek*  
 date 8/10/81



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 7, 1981

The Honorable James Mattox  
1111 Longworth House Office Building  
Washington, D.C. 20515

RE: MUR 1288

Dear Congressman Mattox:

On August 5, 1981, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 44ld, a provision 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 a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

Enclosure  
Conciliation agreement

81040294782



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

The Honorable James Mattox  
1111 Longworth House Office Building  
Washington, D.C. 20515

RE: MUR 1288

Dear Congressman Mattox:

On August 1, 1981, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441d, a provision 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 a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

Enclosure  
Conciliation agreement

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*Handwritten signature and date: C. N. Steele 8/6/81*

81 JUL 30 AM: 58

In the Matter of )  
Jim Mattox Finance Committee ) MUR 1288

CONCILIATION AGREEMENT

This matter having been initiated by a signed, sworn and notarized complaint by Mr. Royal Massett, an investigation having been conducted, and probable cause to believe having been found that Jim Mattox Finance Committee ("Respondent") violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11 for failing to state in a clear and conspicuous manner that two political advertisements were paid for by their committee.

NOW, THEREFORE, the Federal Election Commission (hereinafter "Commission") and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4) 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, the Jim Mattox Finance Committee, is the principal campaign committee for Congressman Jim Mattox who was re-elected to the United States House of Representatives from the 5th District of Texas in November, 1980.

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2. During August, 1980, two advertisements advocating the defeat of Tom Pauken, Mattox' opponent in the November 1980 election, appeared in the Mesquite Daily News and The Shopping News. Both advertisements, as they were reprinted in and by the aforementioned newspapers, lacked the disclaimer statement required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

3. Responses from the Respondent revealed that the advertisements were paid for by the Respondent; however, the disclaimer was placed by the Respondent on the original artwork given to the newspapers.

4. Examination of the original artwork which was given to the newspapers revealed that the disclaimer appeared in small, light type outside the body of the advertisements.

5. Shortly after the advertisements were published, both newspapers printed corrections in which they acknowledged that the disclaimer was lost in the process of printing the newspapers. However, both newspapers pointed out that the disclaimer was in small, light type.

WHEREFORE, Respondent agrees:

V. Respondent's advertisement, as it was reprinted in and by the Mesquite Daily News and The Shopping News, lacked the disclaimer statement required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11 in violation of such provision.

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VI. Respondent's original artwork of the advertisement contained the disclaimer required by 2 U.S.C. § 441d and 11 C.F.R. 110.11 but said original artwork was printed in small, light type such that it failed to appear when it was reprinted in and by the Mesquite Daily News and The Shopping News.

VII. In the future, Respondent agrees to obtain verification from any publication in which Respondent wishes to place political advertising, that the disclaimer required by 2 U.S.C. § 441d and 11 C.F.R. 110.11 will, in fact, appear when reprinted in and by any such publication.

VIII. 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.

GENERAL CONDITIONS

IX. 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.

X. 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.

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XI. It is agreed that Respondent shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirement contained in this Agreement and to so notify the Commission.

Aug 6, 1981  
Date

Charles N. Steele  
Charles N. Steele  
General Counsel  
Federal Election Commission

5/27/81  
Date

Jim Mattox, M.E.  
Jim Mattox Finance Committee

BY: Jim Mattox

ITS: \_\_\_\_\_

81040294787

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Jim Mattox Finance Committee )

MUR 1288

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 5, 1981, the Commission approved by a vote of 5-0 the General Counsel's recommendation to accept the signed conciliation agreement with the Jim Mattox Finance Committee and CLOSE THE FILE in this matter.

Commissioners Aikens, McGarry, Reiche, Thomson and Tiernan voted affirmatively in this matter; Commissioner Harris did not cast a vote.

Attest:

8/6/81

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

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

8-3-81, 11:24  
8-3-81, 4:00

81040204700

RECEIVED BY: [illegible]  
DATE: [illegible]  
TIME: [illegible]

Please have the attached [illegible] distributed to the  
[illegible] on a 48 hour tally basis. Thank you.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

81 AUG 3 All: 25

**SENSITIVE**

August 3, 1981

MEMORANDUM

TO : The Commission  
FROM : Charles N. Steele  
General Counsel  
BY : Kenneth A. Gross  
Associate General Counsel *KAG*  
SUBJECT: MUR 1288 Conciliation Agreement

Attached is a conciliation agreement which has been signed by Congressman James Mattox.

The attached agreement contains no changes from the agreement approved by the Commission on July 21, 1981.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Attachment  
Conciliation Agreement - One  
Notification letter  
(6 total pages)

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BEFORE THE FEDERAL ELECTION COMMISSION  
November 20, 1980

In the Matter of )  
Jim Mattox Finance Committee ) MUR 1288

GENERAL COUNSEL'S BRIEF

1. Statement of the Case

In a complaint dated September 2, 1980, Mr. Royal Massett alleged that the Jim Mattox Finance Committee authorized advertisements, advocating the defeat of Tom Pauken, which appeared in two newspapers during August, 1980. Both advertisements lacked the disclaimer statement required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

II. Legal Analysis

Congressman Mattox explained, in his response dated September 23, 1980, that the disclaimer statement was on the original copy given to the two newspapers; and their failure to appear in publication was due to the fact that detail is lost in the process of printing the newspapers.

The Commission, on October 20, 1980, found reason to believe that the Jim Mattox Finance Committee violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11, and requested further information from the Respondent. The Commission believed that the inconspicuous nature and size of the disclaimer and the fact that the disclaimer appeared outside the body of the advertisement on the original copy were contributing factors in the failure of the disclaimer to appear in the newspapers.

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In a response to the Commission's reason to believe finding, Congressman Mattox stated in a letter dated November 3, 1980, that he believed the disclaimer was clear and conspicuous on the original artwork. In the first response from Congressman Mattox, he sent a copy of a correction printed by the Mesquite Daily News a few days after the advertisement was published. The correction stated that some detail is lost in the process of printing the paper; however, the article did state that the disclaimer was in small, light type. In the latest response from Congressman Mattox, he included a copy of a correction printed by The Shopping News shortly after the advertisement was published. That correction states that "The disclaimer was so small and light that it did not reproduce."

In response to specific questions posed by the Commission, Congressman Mattox stated that the two advertisements cost his Committee \$263.60. He also stated that the Mesquite Daily News is a daily newspaper with an approximate circulation of 32,000 on Wednesdays and 6,000 on the other days of the week. The Shopping News is a weekly newspaper that comes out on Wednesdays with an approximate circulation of 84,000. Approximately 140,000 people voted in this Congressional race in 1980.

It appears that the Mattox Committee did not comply with 2 U.S.C. § 441d and 11 C.F.R. § 110.11 which require that the disclaimer appear in a clear and conspicuous manner. Therefore, it is recommended that the Commission proceed further with this matter. This recommendation is based on the inconspicuous size, type, and location of the disclaimer on the original copy of the advertisement. Even though both newspapers printed corrections shortly after

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the subject advertisements appeared, the tenor of these corrections was that the Committee had made the disclaimer less than conspicuous on the original artwork.

**III. General Counsel's Recommendations**

1. Find probable cause to believe that the Jim Mattox Finance Committee violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

15 January 1981

Date



Charles N. Steele  
General Counsel

81040294793



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 16, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288

Dear Congressman Mattox:

Based on a complaint filed with the Commission on September 2, 1980, and information supplied by you, the Commission determined on October 20, 1980, that there was reason to believe that your committee may have violated sections 2 U.S.C. § 441d and 11 C.F.R. § 110.11 of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the 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 issues 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.

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Letter to the Honorable James A. Mattox  
Page two

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.

Should you have any questions, please contact Susan Donaldson at (202) 523-4039.

Sincerely,

*Charles N. Steele*  
Charles N. Steele  
General Counsel

Enclosure  
Brief

81040294795

*Donaldson 1288*

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:		
<i>The Honorable James A. Mattox</i> <i>1127 LHOB</i> <i>Wash, DC</i>		
3. ARTICLE DESCRIPTION:		
REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>24780</i>	
(Always obtain signature of addressee or agent)		
I have received the article described above.		
SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent		
<i>A.E. Miller</i>		
DATE OF DELIVERY	POSTMARK	
	<i>28 JAN 28</i>	
4. ADDRESS (Complete only if requested)		
5. UNABLE TO DELIVER BECAUSE:		
		CLERK'S INITIALS

☆ GPO : 1978-288-848

January 10, 1954

MEMORANDUM TO: Majestic S. Evans  
FROM: Elissa S. Carr  
SUBJECT: MUR 1388

Please have the attached memo and brief distributed to the Commission on an informational basis. Thank you.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

81 JAN 16 P 4: 00

January 16, 1981

MEMORANDUM TO: The Commission

FROM: Charles N. Steele *CS*  
General Counsel

SUBJECT: MUR # 1288

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 January 16 , 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

81040294797

BEFORE THE FEDERAL ELECTION COMMISSION  
November 20, 1980

In the Matter of )  
Jim Mattox Finance Committee )

MUR 1288

GENERAL COUNSEL'S BRIEF

1. Statement of the Case

In a complaint dated September 2, 1980, Mr. Royal Massett alleged that the Jim Mattox Finance Committee authorized advertisements, advocating the defeat of Tom Pauken, which appeared in two newspapers during August, 1980. Both advertisements lacked the disclaimer statement required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

II. Legal Analysis

Congressman Mattox explained, in his response dated September 23, 1980, that the disclaimer statement was on the original copy given to the two newspapers; and their failure to appear in publication was due to the fact that detail is lost in the process of printing the newspapers.

The Commission, on October 20, 1980, found reason to believe that the Jim Mattox Finance Committee violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11, and requested further information from the Respondent. The Commission believed that the inconspicuous nature and size of the disclaimer and the fact that the disclaimer appeared outside the body of the advertisement on the original copy were contributing factors in the failure of the disclaimer to appear in the newspapers.

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In a response to the Commission's reason to believe finding, Congressman Mattox stated in a letter dated November 3, 1980, that he believed the disclaimer was clear and conspicuous on the original artwork. In the first response from Congressman Mattox, he sent a copy of a correction printed by the Mesquite Daily News a few days after the advertisement was published. The correction stated that some detail is lost in the process of printing the paper; however, the article did state that the disclaimer was in small, light type. In the latest response from Congressman Mattox, he included a copy of a correction printed by The Shopping News shortly after the advertisement was published. That correction states that "The disclaimer was so small and light that it did not reproduce."

In response to specific questions posed by the Commission, Congressman Mattox stated that the two advertisements cost his Committee \$263.60. He also stated that the Mesquite Daily News is a daily newspaper with an approximate circulation of 32,000 on Wednesdays and 6,000 on the other days of the week. The Shopping News is a weekly newspaper that comes out on Wednesdays with an approximate circulation of 84,000. Approximately 140,000 people voted in this Congressional race in 1980.

It appears that the Mattox Committee did not comply with 2 U.S.C. § 441d and 11 C.F.R. § 110.11 which require that the disclaimer appear in a clear and conspicuous manner. Therefore, it is recommended that the Commission proceed further with this matter. This recommendation is based on the inconspicuous size, type, and location of the disclaimer on the original copy of the advertisement. Even though both newspapers printed corrections shortly after

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the subject advertisements appeared, the tenor of these corrections was that the Committee had made the disclaimer less than conspicuous on the original artwork.

III. General Counsel's Recommendations

1. Find probable cause to believe that the Jim Mattox Finance Committee violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

15 January 1981  
Date




---

Charles N. Steele  
General Counsel

81040294800



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 16, 1981

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

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288

Dear Congressman Mattox:

81040294801  
Based on a complaint filed with the Commission on September 2, 1980, and information supplied by you, the Commission determined on October 20, 1980, that there was reason to believe that your committee may have violated sections 2 U.S.C. § 441d and 11 C.F.R. § 110.11 of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter.

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

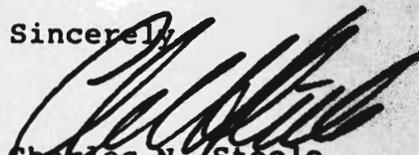
Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies) stating your position on the issues and replying to the 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.

Letter to the Honorable James A. Mattox  
Page two

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.

Should you have any questions, please contact Susan Donaldson at (202) 523-4039.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Brief

81040294802



Mr. Max L. Friedersdorf  
November 3, 1980

Mr. Chairman, as you know, 2 USC §437(g)(a) states that any person filing a complaint with the Commission "shall be subject to the provisions of section 1001 of Title 18, United States Code" (18 USC §1001). That section states, in pertinent part:

"Whoever, in any matter within the jurisdiction of any department or agency of the United States, knowingly and willfully falsifies, conceals or covers up by any trick, scheme, or device a material fact, or makes any false, fictitious or fraudulent statements or representations, or makes or uses any false writing or document knowing the same to contain any false, fictitious or fraudulent statement or entry, shall be fined not more than \$10,000 or imprisoned not more than five years, or both."

By copy of this letter, I am asking the U.S. Department of Justice to initiate an investigation into Mr. Masset's possible criminal wrongdoing.

Sincerely,



Jim Mattox

JM:jf

P.S. Also enclosed are the answers to the four questions included in your letter of October 30.

xc: The Hon. Benjamin Civiletti  
Attorney General of the United States

Enclosures

81040294804

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job.

Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>3</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct 30, 1978

<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980

<sup>5</sup>Dallas Times Herald, Jan 21, 1980 and Dallas Times Herald, May 29, 1980

<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

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MURKIN

RECEIVED  
GCC#2502  
80 SEP 2 AID: 36

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Sir:

In accordance with the provisions of 2 U.S.C. § 437g(a)(1) and 11 CFR § 111.4, I hereby file this Complaint.

1. Complainant.

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

2. Respondent.

Mr. Jim Mattox

3. Complaint.

Respondent failed to comply with 2 U.S.C. § 441d, and 11 CFR § 110.11 in taking out an advertisement without proper disclosure.

4. Facts.

On Wednesday, August 20, 1980, Respondent or his authorized agents took out advertisements in the Mesquite Daily News, Mesquite, Texas and The Shopping News, Dallas, Texas copies of which are attached hereto as Exhibits "A" and "B" respectively.

The original of the advertisement given to the Mesquite Daily News was in identical form to the advertisement as it appeared on August 20, 1980. A copy of the original given to the Mesquite Daily News is attached as Exhibit "C".

EXHIBIT B

80 SEP 2 AID: 18

GENERAL COUNSEL

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The advertisements in both papers appeared without any disclosures as required by 11 C.F.R. § 110.11(a)(1).

These statements are based upon information and belief based upon information received from both newspapers.

*Royal Massett*

Royal Massett

Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980

*Wm D Elliott*

Notary Public in and for Dallas County, Texas

WILLIAM D. ELLIOTT

Notary Public, Dallas County, Texas  
My Commission Expires

August 31, 1981

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge.

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business" as of December 1975.<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976.

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978.

<sup>3</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978.

<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980.

<sup>5</sup>Dallas Times Herald, Jan. 27, 1980 and Dallas Times Herald, May 29, 1980.

<sup>6</sup>Dallas Morning News, Nov. 6, 1977.

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980.

<sup>8</sup>Annual Salary for U.S. Congressman.



# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge...

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>3</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980

<sup>5</sup>Dallas Times Herald, Jan. 21, 1980 and Dallas Times Herald, May 29, 1980

<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Appointed salary for U.S. Congressman

Exhibit C

# Mattox ad, invisible disclaimer anger Pauken

Mesquite Daily News, August 22, 1980

A political ad run in Wednesday's edition of the Mesquite Daily News attacking Tom Pauken's work record has raised the Republican congressional candidate's ire and also caused problems for the newspaper because the ad did not clearly state it was paid for by supporters of Congressman Jim Mattox.

Under the law it is illegal to run a political ad without such a disclaimer.

In fact the ad was paid for by the Jim Mattox Finance Committee. In the original copy of the ad, in small, light type it was stated "Paid for by Jim Mattox Finance Committee." However, because some detail is lost in the process of printing the newspaper, that disclaimer did not show up in the paper, a problem later acknowledged by Mattox aide John Oeffinger.

The ad itself questions Pauken's work record, stating he has held only one "substantive job" and is a lawyer but has never been successful.

In reply, Pauken released a statement Thursday as follows:

Tom Pauken grew up in Dallas and entered Georgetown University in 1961 on an academic scholarship. He worked his way through college. In 1967 he enlisted in the army and a year later received a direct commission as a lieutenant in military intelligence. His military service included a year in Viet Nam.

On completing his military obli-

gation, Pauken became a White House staff assistant and served as associate director of the White House Fellowship Program in 1970 and 1971. He was offered a promotion but chose instead to return to Dallas to obtain his law degree from SMU. Again, he worked to support himself while going to law school.

He became a practicing attorney in Dallas, but Tom says, "Like Eddie Chiles, I got mad and got back into politics."

"I'm not a rich man," Pauken says, "and I didn't know that was a qualification for representing the district." Pauken made \$20,000 in 1979.

"We live in a modest home," he says, "and worry about paying our bills like most of the people in the district."

Pauken lives in Mesquite with his wife Ida and five children. Since their marriage, they have lived in East Dallas on Willis Avenue (his opponent thinks that's "near Highland Park") and at the present address in Mesquite.

"My opponent is upset with my borrowing money," Pauken says, "although his financial statements indicate he's been to the bank more often than I have. But what's wrong with a candidate borrowing while campaigning? Alan Steelman, the former Republican congressman from the Fifth District, supported himself that way during his campaign."

"Pauken also notes that his opponent continues to try to label him a right-winger. Yet he keeps adopting my platform, plank by plank." Pauken says, "I get the impression he's not too proud of his left-wing positions, either."

Pauken says he's sorry that Mattox already has engaged in mudslinging and personal attacks, but says he's not surprised because of the history of the 1978 campaign in which he lost by less than 800 votes. "At that time," Pauken says, "he called the conservatives in the Fifth District 'nuts.' I'm sure there's worse to come."



EXHIBIT C

RESPONSE TO QUESTIONS FROM THE  
FEDERAL ELECTION COMMISSION

Q. What was the cost of placing the subject advertisements in the Mesquite Daily News and The Shopping News?

A. Mesquite Daily News-- \$127.10  
The Shopping News-- 136.50

Q. What is the circulation of the Mesquite Daily News and The Shopping News?

A. The Mesquite Daily News is a daily newspaper with an approximate circulation of 32,000 on Wednesdays and 6,000 on the other days of the week. The Shopping News is a weekly newspaper that comes out on Wednesdays with an approximate circulation of 84,000.

Q. How was the retraction, printed by the Mesquite Daily News on August 22, 1980, initiated?

A. The retraction occurred, to the best of respondent's knowledge, because the newspapers were made aware of their printing errors.

Q. Why was no retraction printed by The Shopping News?

A. A retraction was printed in The Shopping News. See enclosed.

81040294812

8 1 0 4 0 2 9 4 8 1 3

# The Shopping News

Week of August 25, 1980 H J.C. Harty Publications, Inc.

## Disclaimer Correction

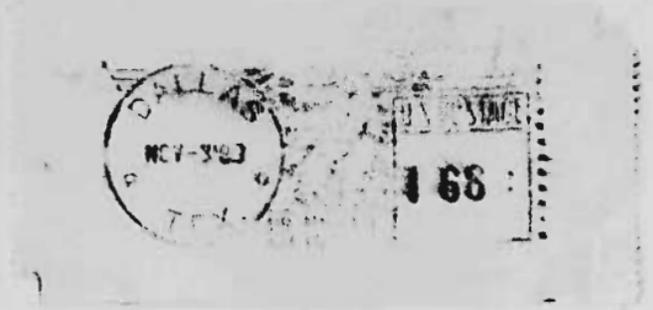
The Shopping News has had numerous calls this past week regarding an AD paid for by Jim Matton Finance Committee attacking his opponent Tom Pauken. The disclaimer was so small and light that it did not reproduce. We have notified the Jim Matton campaign headquarters that disclaimers must be put in readable type and visible location. The paper regrets the error.

JIM MATTOX  
P.O. Box 140163  
DALLAS, TEXAS 75214

81040794314

2 P3:19

CERTIFIED  
NOV 21 0878554  
MAIL



Mr. Max L. Friedersdorf  
Chairman  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20530

Not printed at Government Expense. Jim Mattox Finance Committee, P.O. Box 140163, Dallas, Texas 75214 214-742-6444 A Don Crowder, Treasurer  
A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 30, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288(80)

Dear Congressman Mattox:

The Federal Election Commission notified you on September 4, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on October 20, 1980, determined that there is reason to believe that your committee has violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11. Specifically, it appears that your committee failed to present the disclaimer on the subject advertisement in a clear and conspicuous manner. The inconspicuous nature and size of the disclaimer and the fact that the disclaimer appeared outside the body of the advertisement were contributing factors in the failure of the disclaimer to appear in the newspapers. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter, if you so desire, within fifteen days. In addition, please submit answers to the enclosed questions. Where appropriate, statements should be submitted under oath. If you do not wish to submit any additional information, please advise this office in writing. You are encouraged to respond to this notification promptly. In order to facilitate your expeditious response to this notification, we have enclosed a pre-paid, special delivery envelope.

81040294815

In absence of information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter at (202) 523-4039.

Sincerely,

*Max L. Friedersdorf*  
Max L. Friedersdorf  
Chairman

Enclosure

Questions  
Envelope

81040294816

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. The following service is requested (check one): Show to whom and date delivered <input type="checkbox"/> Show to whom, date, and address of delivery <input checked="" type="checkbox"/> <b>RESTRICTED DELIVERY</b> Show to whom and date delivered <input type="checkbox"/> <b>RESTRICTED DELIVERY</b> Show to whom, date, and address of delivery <input type="checkbox"/> (CONSULT POSTMASTER FOR FEES)		2. ARTICLE ADDRESSED TO: <i>The Hon. James A. Mattox 1127 Longworth House Office Bldg. Wash., D.C.</i>	
REGISTERED NO. <i>947117</i>	CERTIFIED NO.	INSURED NO.	1. [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>S. Janda</i>		DATE OF DELIVERY	POSTMARK
5. ADDRESS (Complete only if requested)		6. UNABLE TO DELIVER BECAUSE:	
		CLEARY'S INITIALS	

*MUR-1288 Donaldson*

QUESTIONS

1. What was the cost of placing the subject advertisements in the Mesquite Daily News and The Shopping News?
  
2. What is the circulation of the Mesquite Daily News and The Shopping News?
  
3. How was the retraction, printed by the Mesquite Daily News on August 22, 1980, initiated?
  
4. Why was no retraction printed by The Shopping News?

81040294817



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*  
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *MC*  
DATE: OCTOBER 28, 1980  
SUBJECT: MUR 1288 - Memorandum to the Commission  
dated 10-24-80; Received in OCS 10-24-80,  
4:40

The above-named document was circulated to the Commission on a no-objection basis at 11:00, October 27, 1980.

There were no objections to the revised letter as attached to the above-named memorandum at the time of the deadline.

81040294818

MEMORANDUM TO: Margerie W. Brown

FROM: Alison E. Gurr

SUBJECT: [illegible]

Please have the attached memo distributed to the Commission on a 24 hour no-objection basis. Thank you.

01040294019



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 24, 1980

MEMORANDUM

TO: The Commission  
FROM: Charles N. Steele *CS*  
General Counsel  
SUBJECT: MUR 1288(80)

Pursuant to the discussion at the Commission meeting of October 20, 1980, we are circulating the attached letter to Respondent for the Commission consideration and approval.

81040294820

80 OCT 24 P 4: 40

RECEIVED  
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288(80)

Dear Congressman Mattox:

The Federal Election Commission notified you on September 4, 1980, of a complaint which alleges that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on October 20, 1980, determined that there is reason to believe that your committee has violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11. Specifically, it appears that your committee failed to present the disclaimer on the subject advertisement in a clear and conspicuous manner. The inconspicuous nature and size of the disclaimer and the fact that the disclaimer appeared outside the body of the advertisement were contributing factors in the failure of the disclaimer to appear in the newspapers. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter, if you so desire, within fifteen days. In addition, please submit answers to the enclosed questions. Where appropriate, statements should be submitted under oath. If you do not wish to submit any additional information, please advise this office in writing. You are encouraged to respond to this notification promptly. In order to facilitate your expeditious response to this notification, we have enclosed a pre-paid, special delivery envelope.

81040294821

In absence of information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred, and proceed with conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter at (202) 523-4039.

Sincerely,

Enclosure

Questions  
Envelope

81040294822

QUESTIONS

1. What was the cost of placing the subject advertisements in the Mesquite Daily News and The Shopping News?
  
2. What is the circulation of the Mesquite Daily News and The Shopping News?
  
3. How was the retraction, printed by the Mesquite Daily News on August 22, 1980, initiated?
  
4. Why was no retraction printed by The Shopping News?

81040294823



MEMORANDUM FOR THE DIRECTOR, FBI

FROM: SAC, NEW YORK

SUBJECT: MURKIN

Please have the attached First CI Report of New York distributed to the Commission for the Expedited Compliance Agency today. Thank you.

81040294025



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

80 OCT 20 P12: 11

October 20, 1980

MEMORANDUM

TO: The Commission  
FROM: Charles N. Steele  
General Counsel  
SUBJECT: MUR 1288 (80) - Revision of 1st General Counsel's Report

81040294826

The 1st General Counsel's Report for MUR 1288(80) which was scheduled for discussion by the Commission in Executive Session on October 21, 1980 has been withdrawn.

The attached 1st General Counsel's Report for MUR 1288(80) includes revisions of the original report in the Analysis and Recommendation Sections, and the proposed letters to the Respondent and Complainant.

This revised report is being circulated for discussion today in order that this matter may be handled in an expeditious manner.

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 10-20-80

MUR# 1288 (80)  
DATE COMPLAINT RECEIVED  
BY OGC 9/2/80  
STAFF MEMBER  
Donaldson

COMPLAINANT'S NAME: Mr. Royal Massett  
RESPONDENT'S NAME: Mr. Jim Mattox  
RELEVANT STATUTE: 2 U.S.C § 441d  
11 C.F.R. § 110.11  
INTERNAL REPORTS CHECKED: Jim Mattox Finance Committee  
FEDERAL AGENCIES CHECKED: n/a

SUMMARY OF ALLEGATIONS

Mr. Royal Massett has stated in his complaint that Mr. Jim Mattox, the respondent, or one of his authorized agents, paid for advertisements which appeared during August, 1980, in the Mesquite Daily News (Mesquite, Texas) and The Shopping News (Dallas, Texas). (Attachment I). Mr. Massett alleges that these advertisements, which advocate the defeat of Tom Pauken, lack the disclaimer statement as required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11. Mr. Mattox and Mr. Pauken were candidates for the U.S. House of Representatives from the 5th District of Texas in the May 3, 1980 primary.

FACTUAL AND LEGAL ANALYSIS

Upon notification that a complaint had been filed against him, Congressman Mattox responded to the Commission in a letter dated September 23, 1980 (Attachment II). Congressman Mattox argues that the copy of the advertisement which his campaign staff published had the proper disclaimer on its face, and the failure of the statement to appear in the newspaper was due to the fact that some detail is lost in the process of printing the newspaper. The Mesquite Daily News acknowledged this error in its August 22, 1980 edition, and The Shopping News acknowledged the error in a letter dated September 24, 1980. Congressman Mattox has enclosed copies of these acknowledgements in his response.

81040294827

A review of the documentation supplied by Congressman Mattox revealed that the inconspicuous nature of the disclaimer and its location outside the parameters of the body of the advertisement were factors in its failure to appear in the newspapers.

Based on the information and documentation supplied by Congressman Mattox, it appears that there is reason to believe that a violation of 2 U.S.C. § 441d and 11 C.F.R. § 110.11 has occurred. However, due to the fact that substantial compliance has been achieved through the retraction printed by the Mesquite Daily News, prior to the filing of the complaint, along with the explanatory letter by The Shopping News, it is recommended that no further action be taken in this matter.

RECOMMENDATION

1. Find reason to believe that Jim Mattox Finance Committee violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11.
2. Take no further action in this matter. Close the file.
3. Send attached letters to the Respondent and Complainant with copies of the General Counsel's Report.

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Attachments

- Complaint from Massett
- Response from Mattox
- Proposed letters to Respondent and Complainant

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, hereby certify that the Commission, on \_\_\_\_\_, 1980, by a vote of \_\_\_\_\_ to \_\_\_\_\_, adopted the above recommendation of the General Counsel in this matter.

Date: \_\_\_\_\_

Voting for the Recommendation: \_\_\_\_\_  
\_\_\_\_\_

Voting Against the Recommendation: \_\_\_\_\_

Absences or Abstentions (indicate): \_\_\_\_\_

909915  
EXHIBIT I  
RECEIVED  
600#2502  
80 SEP 2 AID: 36

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Sir:

In accordance with the provisions of 2 U.S.C. § 437g(a)(1) and 11 CFR § 111.4, I hereby file this Complaint.

1. Complainant.

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

2. Respondent.

Mr. Jim Mattox

3. Complaint.

Respondent failed to comply with 2 U.S.C. § 441d, and 11 CFR § 110.11 in taking out an advertisement without proper disclosure.

4. Facts.

On Wednesday, August 20, 1980, Respondent or his authorized agents took out advertisements in the Mesquite Daily News, Mesquite, Texas and The Shopping News, Dallas, Texas copies of which are attached hereto as Exhibits "A" and "B" respectively.

The original of the advertisement given to the Mesquite Daily News was in identical form to the advertisement as it appeared on August 20, 1980. A copy of the original given to the Mesquite Daily News is attached as Exhibit "C".

81040294829

90 SEP 2 AID: 18

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

The advertisements in both papers appeared without any disclosures as required by 11 C.F.R. § 110.11(a)(1).

These statements are based upon information and belief based upon information received from both newspapers.

Royal Massett  
Royal Massett

Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980

Wm D Elliott  
Notary Public in and for Dallas County, Texas

WILLIAM D. ELLIOTT  
Notary Public, Dallas County, Texas  
My Commission Expires

August 31, 1981

81040294830

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>3</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980

<sup>5</sup>Dallas Times Herald, Jan. 21, 1980 and Dallas Times Herald, May 29, 1980

<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge.

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<sup>1</sup> Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3 1976  
<sup>2</sup> Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 26 1978

<sup>3</sup> Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980  
<sup>4</sup> Dallas Times Herald, Jan. 21, 1980 and Dallas Times Herald, May 29, 1980  
<sup>5</sup> Dallas Morning News, Nov. 6, 1977



410336  
GPO#2813

SEP 29 11:28

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.

JIM MATTOX  
5TH DISTRICT OF TEXAS

September 23, 1980

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

Re: MUR 1288 (80)

Dear Mr. Steele:

This is to acknowledge receipt of your letter dated September 4, 1980 concerning the Matter Under Review referenced above.

The facts as stated in the complaint are not accurate.

On Wednesday, August 20, 1980, I directed my campaign staff to publish an advertisement in the Mesquite Daily News, Mesquite, Texas and the Shopping News, Dallas, Texas, entitled "\$60,662.50 Job".

Enclosed is a copy of the front page story which appeared in the Mesquite Daily News on Friday, August 22, 1980, three days before the complaint was filed by my opponent's campaign staff member (Exhibit A).

Also enclosed is a copy of a letter I received from the publisher of the Shopping News, the other newspaper in question (Exhibit B).

As you can see from the enclosed exhibits, the failure of the disclosure statement to appear was the result of a printing error on the part of the newspapers. The original camera-ready art of the advertisement, which my campaign provided the newspapers, clearly had the disclosure statement printed on its face (Exhibit C).

The fact that this complaint was filed well after these facts were public knowledge would indicate that the complaint is of a frivolous nature and should not be taken seriously.

I would hope, therefore, that you would recommend to the Commission that they close the file on this matter.

Thank you for your attention to this matter.

Sincerely,  
*Jim Mattox*  
Jim Mattox  
Member of Congress

SEP 23 11:41

Encls.

81040294833

# Mattox ad, invisible disclaimer anger Pauken

Mesquite Daily News, August 22, 1980

A political ad run in Wednesday's edition of the Mesquite Daily News attacking Tom Pauken's work record has raised the Republican congressional candidate's ire and also caused problems for the newspaper because the ad did not clearly state it was paid for by supporters of Congressman Jim Mattox.

Under the law it is illegal to run a political ad without such a disclaimer.

In fact the ad was paid for by the Jim Mattox Finance Committee. In the original copy of the ad, in small, light type it was stated "Paid for by Jim Mattox Finance Committee." However, because some detail is lost in the process of printing the newspaper, that disclaimer did not show up in the paper, a problem later acknowledged by Mattox aide John Oeffinger.

The ad itself questions Pauken's work record, stating he has held only one "substantive job" and is a lawyer "but has never been successful."

In reply, Pauken released a statement Thursday as follows:

Tom Pauken grew up in Dallas and entered Georgetown University in 1961 on an academic scholarship. He worked his way through college. In 1967 he enlisted in the army and a year later received a direct commission as a lieutenant in military intelligence. His military service included a year in Vietnam.

On completing his military oblige-

tion, Pauken became a White House staff assistant and served as associate director of the White House Fellowship Program in 1970 and 1971. He was offered a promotion but chose instead to return to Dallas to obtain his law degree from SMU. Again, he worked to support himself while going to law school.

He became a practicing attorney in Dallas, but Tom says, "like Eddie Chiles, I got mad and got back into politics."

"I'm not a rich man," Pauken says, "and I didn't know that was a qualification for representing the district." Pauken made \$30,000 in 1979. "We live in a modest home," he says, "and worry about paying our bills like most of the people in the district."

Pauken lives in Mesquite with his wife Ida and five children. Since their marriage, they have lived in East Dallas on Willis Avenue (his opponent thinks that's "near Highland Park") and at the present address in Mesquite.

"My opponent is upset with my borrowing money," Pauken says, "although his financial statements indicate he's been to the bank more often than I have. But what's wrong with a candidate borrowing while campaigning? Alan Stockman, the former Republican congressman from the Fifth District, supported himself that way during his campaign."

Pauken also notes that his opponent continues to try to label him a right-winger. "Yet he keeps adopting my platform, plank by plank," Pauken says. "I get the impression he's not too proud of his left-wing positions, either."

Pauken says he's sorry that Mattox already has engaged in mudslinging and personal attacks, but says he's not surprised because of the history of the 1978 campaign in which he lost by less than 900 votes. "At that time," Pauken says, "he called the conservatives in the Fifth District Nazis. I'm sure there's worse to come."

(Exhibit A)

The advertisement is a rectangular box containing text and a large diagonal graphic. The graphic is a diamond shape with the text "\$60,662.50 Job" written across it in a large, bold font. To the right of the diamond, the word "STIM" is written in a large, bold font. The background of the advertisement is filled with smaller, less legible text, likely representing the "invisible" disclaimer mentioned in the article. At the bottom of the advertisement, there is a line of text that reads: "A POLITICAL AD attacking Republican candidate Tom Pauken was run in Wednesday's Mesquite Daily News without a disclaimer stating it was paid for by the Jim Mattox Finance Committee. The paper regrets the error."

# The Shopping News

September 24, 1980

To Whom It May Concern:

The Jim Mattox political ad copy received by The Shopping News and scheduled to run in August, 1980, did contain a disclaimer. However, the disclaimer did not appear in the ad that was run in the paper because the type was small and the camera failed to pick it up.

The Shopping News  
J. C. Harty Publications, Inc.

*J. C. Harty*  
J. C. Harty

81040294835

(EXHIBIT B)

4808 South Buckner Blvd. P.O. Box 17546 Dallas, Texas 75217 (214) 388-3431, 388-3478

Pleasant Grove Mesquite White Rock Lake Highlands Garland

**Work Experience**

**Political Experience**

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

<sup>3</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct 30, 1978

<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980

<sup>5</sup>Dallas Times Herald, Jan 21, 1980 and Dallas Times Herald, May 29, 1980

<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

<sup>\*</sup>Annual salary for U.S. Congressman

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Printed by Jim Martin, Legislative Correspondence



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288(80)

Dear Congressman Mattox:

On September 4, 1980, the Commission notified you of a complaint alleging that you or your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended or Chapters 95 and 96 of Title 26, U.S. Code.

The Commission, on \_\_\_\_\_, 1980, determined that on the basis of the information in the complaint and information provided by you that there is reason to believe that a violation of 2 U.S.C. § 441d and 11 CFR § 110.11 has been committed. However, after considering the circumstances of this matter, the Commission has decided to take no further action and close its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

81040294837



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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

The Honorable James A. Mattox  
1127 Longworth House Office Building  
Washington, D.C.

Re: MUR 1288(80)

Dear Congressman Mattox:

On September 4, 1980, the Commission notified you of a complaint alleging that you or your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended or Chapters 95 and 96 of Title 26, U.S. Code.

The Commission, on \_\_\_\_\_, 1980, determined that on the basis of the information in the complaint and information provided by you that there is reason to believe that a violation of 2 U.S.C. § 441d and 11 CFR § 110.11 has been committed. However, after considering the circumstances of this matter, the Commission has decided to take no further action and close its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele  
General Counsel

81040294838



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

Re: MUR 1288 (80)

Dear Mr. Massett:

The Federal Election Commission has reviewed the allegations of your complaint dated August 31, 1980, and determined that on the basis of the information provided in your complaint and information provided by the Respondent that there is reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has decided to take no further action and close its file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Susan Donaldson, the staff member assigned to this matter at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel

31040394839



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

Re: MUR 1288 (80)

Dear Mr. Massett:

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The Federal Election Commission has reviewed the allegations of your complaint dated August 31, 1980, and determined that on the basis of the information provided in your complaint and information provided by the Respondent that there is reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has decided to take no further action and close its file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Susan Donaldson, the staff member assigned to this matter at (202) 523-4166.

Sincerely,

Charles N. Steele  
General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*  
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *me*  
DATE: OCTOBER 15, 1980  
SUBJECT: OBJECTION - MUR 1288 - First General  
Counsel's Report dated 10-14-80; Received  
in OCS 10-14-80, 2:56

The above-named document was circulated on an  
EXPEDITED basis at 4:00, October 14, 1980.

Commissioner Harris submitted an objection at 9:42,  
October 15, 1980.

This matter will be discussed in executive  
session on Monday, October 20, 1980.

81040294841

MEMORANDUM TO: Margorie W. Brown  
FROM: Jane Colgrave  
SUBJECT: HR 1388

Please have the attached First General Counsel's  
Report on HR 1388 distributed to the Commission on an  
expedited basis.

Thank you.

81040204042

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

80 OCT 14 P2: 57

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION 10-14-80

MUR# 1288 (80)  
DATE COMPLAINT RECEIVED  
BY OGC 9/2/80  
STAFF MEMBER  
Donaldson

COMPLAINANT'S NAME: Mr. Royal Massett  
RESPONDENT'S NAME: Mr. Jim Mattox  
RELEVANT STATUTE: 2 U.S.C § 441d  
11 C.F.R. § 110.11  
INTERNAL REPORTS CHECKED: Jim Mattox Finance Committee  
FEDERAL AGENCIES CHECKED: n/a

SUMMARY OF ALLEGATIONS

Mr. Royal Massett has stated in his complaint that Mr. Jim Mattox, the respondent, or one of his authorized agents, paid for advertisements which appeared during August, 1980, in the Mesquite Daily News (Mesquite, Texas) and The Shopping News (Dallas, Texas). (Attachment I). Mr. Massett alleges that these advertisements, which advocate the defeat of Tom Pauken, lack the disclaimer statement as required by 2 U.S.C. § 441d and 11 C.F.R. § 110.11. Mr. Mattox and Mr. Pauken were candidates for the U.S. House of Representatives from the 5th District of Texas in the May 3, 1980 primary.

FACTUAL AND LEGAL ANALYSIS

Upon notification that a complaint had been filed against him, Congressman Mattox responded to the Commission in a letter dated September 23, 1980 (Attachment II). Congressman Mattox explained that the copy of the advertisement which his campaign staff published had the proper disclaimer on its face. The failure of the statement to appear in the newspaper was due to the fact that some detail is lost in the process of printing the newspaper. The Mesquite Daily News acknowledged this error in its August 22, 1980 edition, and The Shopping News acknowledged the error in a letter dated September 24, 1980. Congressman Mattox has enclosed copies of these acknowledgements in his response.

81040294843

Based on the information supplied by Congressman Mattox, it appears that the Commission should find no reason to believe that a violation of 2 U.S.C. § 441d and 11 C.F.R. § 110.11 was committed.

RECOMMENDATION

1. Find no reason to believe that Jim Mattox or his authorized agents violated 2 U.S.C. § 441d and 11 C.F.R. § 110.11.

81040294844

Attachments

- Complaint from Massett
- Response from Mattox

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, hereby certify that the Commission, on \_\_\_\_\_, 1980, by a vote of \_\_\_\_\_ to \_\_\_\_\_, adopted the above recommendation of the General Counsel in this matter.

Date: \_\_\_\_\_

Voting for the Recommendation: \_\_\_\_\_

Voting Against the Recommendation: \_\_\_\_\_

Absences or Abstentions (Indicate): \_\_\_\_\_

909915

ATTACHMENT I  
RECEIVED  
GCC#2502  
80 SEP 2 AID: 36

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Sir:

In accordance with the provisions of 2 U.S.C. § 437g(a)(1) and 11 CFR § 111.4, I hereby file this Complaint.

1. Complainant.

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

2. Respondent.

Mr. Jim Mattox

3. Complaint.

Respondent failed to comply with 2 U.S.C. § 441d, and 11 CFR § 110.11 in taking out an advertisement without proper disclosure.

4. Facts.

On Wednesday, August 20, 1980, Respondent or his authorized agents took out advertisements in the Mesquite Daily News, Mesquite, Texas and The Shopping News, Dallas, Texas copies of which are attached hereto as Exhibits "A" and "B" respectively.

The original of the advertisement given to the Mesquite Daily News was in identical form to the advertisement as it appeared on August 20, 1980. A copy of the original given to the Mesquite Daily News is attached as Exhibit "C".

81040294845

90 SEP 2 AID: 18

RECEIVED  
GENERAL COUNSEL

The advertisements in both papers appeared without any disclosures as required by 11 C.F.R. § 110.11(a)(1).

These statements are based upon information and belief based upon information received from both newspapers.

Royal Massett  
Royal Massett

Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980

Wm D Elliott  
Notary Public in and for Dallas County, Texas

WILLIAM D. ELLIOTT  
Notary Public, Dallas County, Texas  
My Commission Expires  
August 31, 1981

81040294846

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business" as of December, 1975.<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement, State Senate Candidate Tom Pauken, Office of the Secretary of State, Austin, TX, Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement, Congressional Candidate Tom Pauken, U.S. House of Representatives, Washington, D.C., Oct. 30, 1978

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<sup>4</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5, 1980

<sup>5</sup>Dallas Times Herald, Jan. 21, 1980 and Dallas Times Herald, May 29, 1980

<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

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<sup>3</sup>Dallas Morning News, Sept. 25, 1979 and Dallas Times Herald, Jan. 5 1980

<sup>4</sup>Dallas Times Herald, Jan. 21, 1980 and Dallas Times Herald, May 23 1980

<sup>5</sup>Dallas Morning News, Nov. 6 1977

<sup>6</sup>Dallas Morning News, Nov. 6 1977

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You rejected him in 1978.

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<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

Donaldson

910336  
GPO#2813



CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.

80 SEP 29 P 1: 28

JIM MATTOX  
5TH DISTRICT OF TEXAS

September 23, 1980

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

Re: MUR 1288 (80)

Dear Mr. Steele:

This is to acknowledge receipt of your letter dated September 4, 1980 concerning the Matter Under Review referenced above.

The facts as stated in the complaint are not accurate.

On Wednesday, August 20, 1980, I directed my campaign staff to publish an advertisement in the Mesquite Daily News, Mesquite, Texas and the Shopping News, Dallas, Texas, entitled "\$60,662.50 Job".

Enclosed is a copy of the front page story which appeared in the Mesquite Daily News on Friday, August 22, 1980, three days before the complaint was filed by my opponent's campaign staff member (Exhibit A).

Also enclosed is a copy of a letter I received from the publisher of the Shopping News, the other newspaper in question (Exhibit B).

As you can see from the enclosed exhibits, the failure of the disclosure statement to appear was the result of a printing error on the part of the newspapers. The original camera-ready art of the advertisement, which my campaign provided the newspapers, clearly had the disclosure statement printed on its face (Exhibit C).

The fact that this complaint was filed well after these facts were public knowledge would indicate that the complaint is of a frivolous nature and should not be taken seriously.

I would hope, therefore, that you would recommend to the Commission that they close the file on this matter.

Thank you for your attention to this matter.

Sincerely,  
*Jim Mattox*  
Jim Mattox  
Member of Congress

17:28 82:35 0

Encls.

81040294850

# Mattox ad, invisible disclaimer anger Pauken

Mesquite Daily News, August 22, 1980

A political ad in Wednesday's edition of the Mesquite Daily News attacking Tom Pauken's work record has raised the Republican congressional candidate's ire and also caused problems for the newspaper because the ad did not clearly state it was paid for by supporters of Congressman Jim Mattox.

Under the law it is illegal to run a political ad without such a disclaimer.

In fact the ad was paid for by the Jim Mattox Finance Committee. In the original copy of the ad, in small, light type it was stated "Paid for by Jim Mattox Finance Committee." However, because some detail is lost in the process of printing the newspaper, that disclaimer did not show up in the paper, a problem later acknowledged by Mattox aide John Oeffinger.

The ad itself questions Pauken's work record, stating he has held only one "substantive job" and is a lawyer "but has never been successful."

In reply, Pauken released a statement Thursday as follows:

Tom Pauken grew up in Dallas and entered Georgetown University in 1961 on an academic scholarship. He worked his way through college. In 1967 he enlisted in the army and a year later received a direct commission as a lieutenant in military intelligence. His military service included a year in Viet Nam.

On completing his military obli-

gation, Pauken became a White House staff member and served as associate director of the White House Fellowship Program in 1970 and 1971. He was offered a promotion but chose instead to return to Dallas to obtain his law degree from SMU. Again, he worked to support himself while going to law school.

He became a practicing attorney in Dallas, but Tom says, "Like Eddie Childs, I got mad and got back into politics."

"I'm not a rich man," Pauken says, "and I didn't know that was a qualification for representing the district." Pauken made \$30,000 in 1979. "We live in a modest home," he says, "and worry about paying our bills like most of the people in the district."

Pauken lives in Mesquite with his wife Ida and five children. Since their marriage, they have lived in East Dallas on Willis Avenue (his opponent thinks that's "near Highland Park") and at the present address in Mesquite.

"My opponent is upset with my borrowing money," Pauken says, "although his financial statements indicate he's been to the bank more often than I have. But what's wrong with a candidate borrowing while campaigning? Alan Steelman, the former Republican congressman from the Fifth District, supported himself that way during his campaign."

Pauken also notes that his opponent continues to try to label him a right-winger. "Yet he keeps adopting my platform, plank by plank," Pauken says. "I get the impression he's not too proud of his left-wing positions either."

Pauken says he's sorry that Mattox already has engaged in misleading and personal attacks, but says he's not surprised because of the history of the 1978 campaign in which he lost by less than 900 votes. "At that time," Pauken says, "he called the conservatives in the Fifth District Nazis. I'm sure there's worse to come."

(Exhibit A)

OT TOU... JIM

360.662.50 JOB

A POLITICAL AD attacking Republican candidate Tom Pauken was run in Wednesday's Mesquite Daily News without a disclaimer stating it was paid for by the Jim Mattox Finance Committee. The paper regrets the error.

# The Shopping News

September 24, 1980

To Whom It May Concern:

The Jim Mattox political ad copy received by The Shopping News and scheduled to run in August, 1980, did contain a disclaimer. However, the disclaimer did not appear in the ad that was run in the paper because the type was small and the camera failed to pick it up.

The Shopping News  
J. C. Harty Publications, Inc.

*J. C. Harty*  
J. C. Harty

81040294852

(EXHIBIT B)

4808 South Buckner Blvd. P.O. Box 17546 Dallas, Texas 75217 (214) 388-3431, 388-3478

Pleasant Grove

Mesquite

White Rock

Lake Highlands

Garland

# \$60,662.50<sup>3</sup> Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job.

Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

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## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

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\*Annual salary for U.S. Congressman



91033C  
G00#2813

80 SEP 29 P 1: 28

CONGRESS OF THE UNITED STATES  
HOUSE OF REPRESENTATIVES  
WASHINGTON, D.C.

JIM MATTOX  
5TH DISTRICT OF TEXAS

September 23, 1980

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

Re: MUR 1288 (80)

Dear Mr. Steele:

81040394854

This is to acknowledge receipt of your letter dated September 4, 1980 concerning the Matter Under Review referenced above.

The facts as stated in the complaint are not accurate.

On Wednesday, August 20, 1980, I directed my campaign staff to publish an advertisement in the Mesquite Daily News, Mesquite, Texas and the Shopping News, Dallas, Texas, entitled "\$60,662.50 Job".

Enclosed is a copy of the front page story which appeared in the Mesquite Daily News on Friday, August 22, 1980, three days before the complaint was filed by my opponent's campaign staff member (Exhibit A).

Also enclosed is a copy of a letter I received from the publisher of the Shopping News, the other newspaper in question (Exhibit B).

As you can see from the enclosed exhibits, the failure of the disclosure statement to appear was the result of a printing error on the part of the newspapers. The original camera-ready art of the advertisement, which my campaign provided the newspapers, clearly had the disclosure statement printed on its face (Exhibit C).

The fact that this complaint was filed well after these facts were public knowledge would indicate that the complaint is of a frivolous nature and should not be taken seriously.

I would hope, therefore, that you would recommend to the Commission that they close the file on this matter.

Thank you for your attention to this matter.

Sincerely,  
  
Jim Mattox  
Member of Congress

SEP 29 1980

Encls.

# Mattox ad, invisible disclaimer anger Pauken

Mesquite Daily News, August 22, 1980

A political advertisement Wednesday's edition of the Mesquite Daily News attacking Tom Pauken's work record has raised the Republican congressional candidate's ire and also caused problems for the newspaper because the ad did not clearly state it was paid for by supporters of Congressman Jim Mattox.

Under the law it is illegal to run a political ad without such a disclaimer.

In fact the ad was paid for by the Jim Mattox Finance Committee. In the original copy of the ad, in small, light type it was stated "Paid for by Jim Mattox Finance Committee." However, because some detail is lost in the process of printing the newspaper, that disclaimer did not show up in the paper, a problem later acknowledged by Mattox aide John Oeffinger.

The ad itself questions Pauken's work record, stating he has held only one "substantive job" and is a lawyer "but has never been successful."

In reply, Pauken released a statement Thursday as follows:

Tom Pauken grew up in Dallas and entered Georgetown University in 1961 on an academic scholarship. He worked his way through college. In 1967 he enlisted in the army and a year later received a direct commission as a lieutenant in military intelligence. His military service included a year in Viet Nam.

On completing his military oblige-

tion, Pauken became a White House staff member and served as associate director of the White House Fellowship Program in 1970 and 1971. He was offered a promotion but chose instead to return to Dallas to obtain his law degree from SMU. Again, he worked to support himself while going to law school.

He became a practicing attorney in Dallas, but Tom says, "Like Eddie Chiles, I got mad and got back into politics."

"I'm not a rich man," Pauken says, "and I didn't know that was a qualification for representing the district." Pauken made \$30,000 in 1979. "We live in a modest home," he says, "and worry about paying our bills like most of the people in the district."

Pauken lives in Mesquite with his wife Ida and five children. Since their marriage, they have lived in East Dallas on Willis Avenue (his opponent thinks that's "near Highland Park") and at the present address in Mesquite.

"My opponent is upset with my borrowing money," Pauken says, "although his financial statements indicate he's been to the bank more often than I have. But what's wrong with a candidate borrowing while campaigning? Alan Steelman, the former Republican congressman from the Fifth District, supported himself that way during his campaign."

Pauken also notes that his opponent continues to try to label him a right-winger. "Yet he keeps blasting my platform, plank by plank," Pauken says. "I get the impression he's not too proud of his left-wing positions, either."

Pauken says he's sorry that Mattox already has engaged in misleading and personal attacks, but says he's not surprised because of the history of the 1978 campaign in which he lost by less than 800 votes. "At that time," Pauken says, "he called the conservatives in the Fifth District Nazis. I'm sure there's worse to come."

Exhibit A)

The image shows a newspaper clipping with a large, tilted, diamond-shaped graphic overlaid on it. The graphic contains the text "\$50,000 Job" and "JIM". The newspaper text is mostly illegible due to the graphic and high contrast. At the bottom of the clipping, there is a caption that reads: "A POLITICAL AD attacking Republican candidate Tom Pauken was run in Wednesday's Mesquite Daily News without a disclaimer stating it was paid for by the Jim Mattox Finance Committee. The paper regrets the error."

# The Shopping News

September 24, 1980

To Whom It May Concern:

The Jim Mattox political ad copy received by The Shopping News and scheduled to run in August, 1980, did contain a disclaimer. However, the disclaimer did not appear in the ad that was run in the paper because the type was small and the camera failed to pick it up.

The Shopping News  
J. C. Harty Publications, Inc.

*J. C. Harty*  
J. C. Harty

81040294856

(EXHIBIT B)

4808 South Buckner Blvd. P.O. Box 17546 Dallas, Texas 75217 (214) 388-3431, 388-3478

Pleasant Grove      Mesquite      White Rock      Lake Highlands      Garland

8 1 0 4 0 ? 9 4 8 5 7

# \$60,662.50 Job\*

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Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

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In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

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He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

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<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

JIM MATTOX  
P.O. Box 140163  
DALLAS, TEXAS 75214



SEP 1 1980 P 1:28

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**CERTIFIED**  
No 253368  
**MAIL**

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

PERSONAL

**RETURN RECEIPT  
REQUESTED**

8 Paid for by Jim Mattox Finance Committee, P.O. Box 140163, Dallas, Texas 75214, 214-741-1980, A. Don Crowder, Treasurer.  
A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 4, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

James A. Mattox  
1110 Valencia  
Dallas, Texas 75223

Re: MUR 1288 (80)

Dear Mr. Mattox:

8 1 0 4 0 2 9 4 8 5 9  
This letter is to notify you that on September 2, 1980 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1288. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Susan Donaldson, the staff member assigned to this matter at 202-523-4039. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,  
*Charles N. Steele*  
Charles N. Steele  
General Counsel

Enclosures  
Complaint  
Procedures

81040294860

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)

ARTICLE ADDRESSED TO:  
*James A. Mattos*

ARTICLE DESCRIPTION:  
 REGISTERED NO. \_\_\_\_\_ INSURED NO. *209hb* INSURED NO. \_\_\_\_\_  
 Always attach copies of all papers used

I have examined the article described above.  
 Address  Registered agent

*Janice*  
 DATE OF DELIVERY \_\_\_\_\_ NETWORK \_\_\_\_\_

ADDRESS (Complete only if registered agent)  
 \_\_\_\_\_

UNABLE TO DELIVER BECAUSE (Type in box) \_\_\_\_\_ CLERK'S INITIALS \_\_\_\_\_

*1288 Donaldson*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 4, 1980

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

Dear Mr. Massett:

This letter is to acknowledge receipt of your complaint of August 31, 1980, against Mr. Jim Mattox which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondent will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondent's notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

*N. Steele*  
N. Steele  
Counsel

81040294861

1. The following service is requested (check one). Show to whom and date delivered..... Show to whom, date, and address of delivery..... <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> RESTRICTED DELIVERY. Show to whom, date, and address of delivery:..... (CONSULT POSTMASTER FOR FEES)		2. ARTICLE ADDRESSED TO:  <i>Royal Massett</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO.   CERTIFIED NO.   INSURED NO.   8019 AB		4. I have received the article described above. SIGNATURE <input type="checkbox"/> Addressee <input type="checkbox"/> Authorized agent <i>Royal Massett</i>	
5. ADDRESS (Complete only if registered) 80 SEPTEMBER 1980 RECEIVED UNABLE TO DELIVER BECAUSE:		GARLAND, TX KINSELEY ST SEP 1980 VIS	

1980 Donaldson

MUR1288

909915

RECEIVED  
GCC#2502  
80 SEP 2 AID: 38

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

80 SEP 2 AII: 18

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

Dear Sir:

In accordance with the provisions of 2 U.S.C. § 437g(a)(1) and 11 CFR § 111.4, I hereby file this Complaint.

1. Complainant.

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

2. Respondent.

Mr. Jim Mattox

3. Complaint.

Respondent failed to comply with 2 U.S.C. § 441d, and 11 CFR § 110.11 in taking out an advertisement without proper disclosure.

4. Facts.

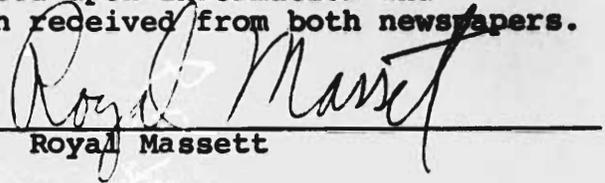
On Wednesday, August 20, 1980, Respondent or his authorized agents took out advertisements in the Mesquite Daily News, Mesquite, Texas and The Shopping News, Dallas, Texas copies of which are attached hereto as Exhibits "A" and "B" respectively.

The original of the advertisement given to the Mesquite Daily News was in identical form to the advertisement as it appeared on August 20, 1980. A copy of the original given to the Mesquite Daily News is attached as Exhibit "C".

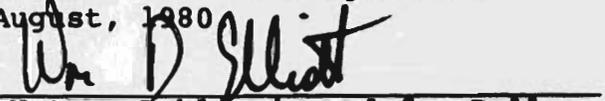
81040294862

The advertisements in both papers appeared without any disclosures as required by 11 C.F.R. § 110.11(a)(1).

These statements are based upon information and belief based upon information received from both newspapers.

  
\_\_\_\_\_  
Royal Massett

Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980

  
\_\_\_\_\_  
Notary Public in and for Dallas  
County, Texas

WILLIAM D ELLIOTT  
Notary Public, Dallas County, Texas  
My Commission Expires  
August 31, 1981

81040294863

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went out of business as of December, 1975.<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

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\*Annual salary for U.S. Congressman

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Dallas Times Herald, Jan. 9, 1980.

\*ABC News for U.S. Congressman

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Sir:

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Mr. Jim Mattox

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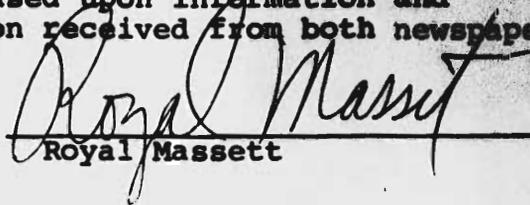
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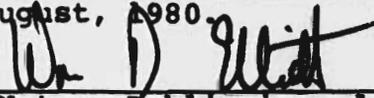
81040294867

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\_\_\_\_\_  
Royal Massett

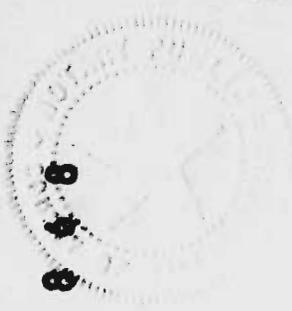
Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980.

  
\_\_\_\_\_  
Notary Public in and for Dallas  
County, Texas

WILLIAM D ELLIOTT  
Notary Public, Dallas County, Texas  
My Commission Expires

August 31, 1981

8104029488



# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge. . .

## What About His Work Experience?

The facts show that the only substantive job Tom Pauken has ever had was in 1971. He worked then as a lower-level staffer in the Nixon White House, but left that job in disgrace after only a year.

He is a lawyer, but he has never been successful. His first law practice went "out of business as of December, 1975."<sup>1</sup> Two years later, in 1977, his total income from law practice was reported to be only \$10,858.<sup>2</sup> Then, in 1978, his "estimated" income dropped to \$6,000.<sup>3</sup>

In 1979 he announced he was giving up law practice and began trying to make a living following actress Jane Fonda around the country showing a political film about her.<sup>4</sup> The movie proved to be an embarrassment to both him and the Republican Party.

He is presently unemployed and says he is living off borrowed money to support his wife and five children.<sup>5</sup>

**If this is the best he can do to manage his own affairs in our free enterprise system, how could anyone believe that he could do any better for the people of our country?**

## What About His Political Experience?

Pauken is a professional candidate who has managed to turn three bids for political office into flim-flam productions.

He is a political nomad who has moved from district to district trying to get elected with no real involvement nor attachment with any community. He moved from North Dallas to near Highland Park and ran for the State Senate in 1976, and the voters rejected him.<sup>6</sup>

He then moved into our district to run for Congress because the North Dallas power brokers would not support him where he was then living.

You rejected him in 1978.

His close identity with the ultra right-wing and questionable personal finances caused responsible Republicans to look for someone else to run in 1980.<sup>7</sup> They were unsuccessful and he is now running another campaign of deceit and distortion financed by the big-spending special interests.

**Tom Pauken would like to start at the top in a job paying \$60,662.50. Would you hire someone with his experience to fill one of the most important jobs in our country?**

<sup>1</sup>Financial Statement. State Senate Candidate Tom Pauken. Office of the Secretary of State. Austin, TX. Mar. 3, 1976

<sup>2</sup>Candidate Financial Disclosure Statement. Congressional Candidate Tom Pauken. U.S. House of Representatives. Washington, D.C. Oct. 30, 1978

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<sup>4</sup>Dallas Morning News. Sept. 25, 1979 and Dallas Times Herald. Jan. 5, 1980

<sup>5</sup>Dallas Times Herald. Jan. 21, 1980 and Dallas Times Herald. May 29, 1980

<sup>6</sup>Dallas Morning News. Nov. 6, 1977

<sup>7</sup>Dallas Times Herald. Jan. 9, 1980

\*Annual salary for U.S. Congressman

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Office of the Secretary of State Austin TX, Mar. 3 1976*

*Candidate Financial Disclosure Statement Congressional  
Candidate Tom Pauken U.S. House of Representatives  
Washington D.C. Oct. 30 1978*

*Candidate Financial Disclosure Statement Congressional  
Candidate Tom Pauken U.S. House of Representatives  
Washington D.C. Oct. 30 1978*

*\*Dallas Morning News, Sept. 25 1979 and Dallas Times  
Herald Jan. 5 1980*

*Dallas Times Herald Jan. 21 1980 and Dallas Times  
Herald May 29 1980*

*Dallas Morning News, Nov. 6 1977*

*Dallas Times Herald Jan. 9 1980*

*Address: Library for U.S. Congressman*

Exhibit B

81040294870

# \$60,662.50 Job\*

Tom Pauken, the Republican candidate for the U.S. Congress, has been telling people he is well-qualified for the job. Since you are the boss, you'll want to look at the facts about his qualifications — you be the judge...

## What About His Work Experience?

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<sup>6</sup>Dallas Morning News, Nov. 6, 1977

<sup>7</sup>Dallas Times Herald, Jan. 9, 1980

\*Annual salary for U.S. Congressman

COMPLAINT

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

Dear Sir:

In accordance with the provisions of 2 U.S.C. § 437g(a)(1) and 11 CFR § 111.4, I hereby file this Complaint.

1. Complainant.

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

2. Respondent.

Mr. Jim Mattox

3. Complaint.

Respondent failed to comply with 2 U.S.C. § 441d, and 11 CFR § 110.11 in taking out an advertisement without proper disclosure.

4. Facts.

On Wednesday, August 20, 1980, Respondent or his authorized agents took out advertisements in the Mesquite Daily News, Mesquite, Texas and The Shopping News, Dallas, Texas copies of which are attached hereto as Exhibits "A" and "B" respectively.

The original of the advertisement given to the Mesquite Daily News was in identical form to the advertisement as it appeared on August 20, 1980. A copy of the original given to the Mesquite Daily News is attached as Exhibit "C".

81040294872

The advertisements in both papers appeared without any disclosures as required by 11 C.F.R. § 110.11(a)(1).

These statements are based upon information and belief based upon information received from both newspapers.

*Royal Massett*  
\_\_\_\_\_  
Royal Massett

Subscribed and sworn to before the undersigned authority on the 25 day of August, 1980

*Wm D Elliott*  
\_\_\_\_\_  
Notary Public in and for Dallas County, Texas

WILLIAM D. ELLIOTT  
Notary Public, Dallas County, Texas  
My Commission Expires

August 31, 1981



81040294073

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*Dallas Morning News, Nov. 6, 1977*

*Dallas Times Herald, Jan. 9, 1980*

*\*Attorney General for U.S. Congressman*

Exhibit B

81040294875

# \$60,662.50 Job\*

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\*Annual salary for U.S. Congressman

Mr. Royal Massett  
204 Ridgewood Shopping Center  
Garland, Texas 75041

RECEIVED

10 SEP 2 10:36

7  
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4  
9  
9

CERTIFIED MAIL

General Counsel  
Federal Election Commission  
1325 K. Street, N.W.  
Washington, D.C. 20463

**CERTIFIED**  
P12 4952218  
**MAIL**

MUR 1288

9-3-80

81040294878

Respondent

James A. Mattok  
1110 Valencia  
Dallas, Texas 75223



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1288

Date Filmed 9/23/81 Camera No. --- 2

Cameraman Spe