FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1543

Date Filmed 8/31/84 Camera No. ---1

Cameraman JRL

8 4 0 4 0 4 7 4 4 2 1

FEDERAL ELECTION COMMISSION

Routing Slips

12-Day Report and Comments

Conciliation-related material

Returned letters

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):

___ (1) Classified Information

___ (2) Internal rules and practices

X (3) Exempted by other statute

___ (4) Trade secrets and commercial or financial information

X (5) Internal Documents

___ (6) Personal privacy

___ (7) Investigatory files

___ (8) Banking Information

___ (9) Well Information (geographic or geophysical)

Signed Grace R. Weissenborn

date 8/23/84

DW 8/27/84

FEC 9-21-77

8404047442 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 15, 1984

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543
Richmond Crusade for Voters
Virginia Crusade for Voters

Dear Mr. Marsh:

On August 14, 1984, the Commission accepted the conciliation agreement signed by your clients in settlement of a violation of 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find 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

8404047442 3

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF	:	
	:	MUR 1543
RICHMOND CRUSADE FOR VOTERS	:	
VIRGINIA CRUSADE FOR VOTERS	:	

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn and notarized complaint by J. Curtis Herge, counsel to the Republican Party of Virginia. An investigation has been conducted, and reason to believe has been found that the Richmond and Virginia Crusade for Voters ("Respondents") violated 2 U.S.C. §§433, 434, 441a(f), 441b and 441d by making expenditures on behalf of federal candidates as an unregistered political committee.

NOW THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. §437g(a)(4)(A)(i).

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

III. Respondents enter into this Agreement voluntarily with the Commission; however, they contend that

8 4 0 4 0 4 7 4 4 2 4

they have not knowingly and willfully committed the violations hereinafter admitted.

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

1. Respondent, Virginia Crusade for Voters, is a statewide organization which attempts to increase the number of black registered voters.

2. Respondent, Richmond Crusade for Voters, is a local organization which attempts to increase the number of black registered voters in the Richmond area.

3. Both Crusades sometimes engage in overlapping activities.

4. Respondents expended in excess of $1,000 in connection with federal elections in 1982 and thus meet the definition of a political committee pursuant to 2 U.S.C. §431(4).

5. Respondents are affiliated pursuant to 2 U.S.C. §441a(a)(5).

6. Respondents' failure to register with the Commission within ten days after becoming a political committee is a violation of 2 U.S.C. §433.

7. Respondents' failure to file reports of receipts and expenditures is a violation of 2 U.S.C. §434.

8. Respondents' disbursements of funds on behalf of two federal candidates were made in violation of 2 U.S.C. §441b.

8 4 0 4 0 4 7 4 4 2 5

9. Respondents' acceptance of excessive contributions is a violation of 2 U.S.C. §441a(f).

10. Respondents' failure to disclose whether some of their literature was paid for and authorized by the candidates mentioned is a violation of 2 U.S.C. §441d.

V. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Hundred Fifty Dollars ($250) each pursuant to 2 U.S.C. §437g(a)(5)(A).

VI. Respondents agree that they 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.

VII. 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.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

August 15, 1984
Date

CHARLES N. STEELE
General Counsel

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 4 2 6

RICHMOND CRUSADE FOR VOTERS

Date July 26, 1984

BY: Ellen D. Pearson

ITS: President

VIRGINIA CRUSADE FOR VOTERS

Date 7/26/84

BY: William Stamps

ITS: Chairman

CLERK'S OFFICE
CIRCUIT COURT
BERKSHIRE COUNTY, VA
SOMERSETON FILMS

8 4 0 4 0 4 7 4 4 2 7

L, TUCKER & MARSH
ATTORNEYS-AT-LAW
P.O. Box 27363
MOND, VIRGINIA 23261-7363

Rule of Right
Not Might

84 JUL 30 P1:37

MR. THOMAS WHITEHEAD
OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
1325 "K" STREET, N.W.
WASHINGTON, DC 20463

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1543
Richmond Crusade for Voters	)	
Virginia Crusade for Voters	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of August 14, 1984, do hereby certify that the Commission decided by a vote of 6-0 to accept the conciliation agreement attached to the General Counsel's August 2, 1984 report on MUR 1543 and close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

8-14-84
Date

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

8 4 0 4 0 4 7 4 4 2 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/THERESE M. GRETHER

DATE: 8/6/84

SUBJECT: Objection on MUR 1543 General Counsel's Report signed on August 2, 1984

The above-named document was circulated to the Commission on Friday, August 3, 1984.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	
Commissioner Elliott	
Commissioner Harris	X
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, August 14, 1984.

8 4 0 4 0 4 7 4 4 3 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: August 3, 1984

SUBJECT: MUR 1543 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[x]	Compliance	[x]
Sensitive	[x]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8 4 0 4 0 4 7 4 4 3 1

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

84 AUG 3 A10:01
COMMISSION SECRETARY

In the Matter of)
Richmond Crusade For Voters) MUR 1543
Virginia Crusade For Voters)

GENERAL COUNSEL'S REPORT

I. Background

This matter was generated as a result of a complaint filed by J. Curtis Herge, counsel to the Republican Party of Virginia. The complainant alleged violations of 2 U.S.C. §§ 433, 434 and 441d by the Richmond and Virginia Crusade for Voters and violations of 2 U.S.C. § 441a by both the Davis for U.S. Senate Committee and the Democratic Party of Virginia Federal Campaign Committee. The Commission subsequently found reason to believe that the Richmond and Virginia Crusade for Voters had violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d; the Commission also found reason to believe that the Democratic Party of Virginia and the Davis for U.S. Senate Committee had violated 2 U.S.C. § 441a, and the John Waldrop for Congress Committee had violated 2 U.S.C. § 434, but in the case of these last three committees voted to take no further action.

8404047432

II. Legal Analysis

At issue in this case was whether the contributions of the Davis Committee and the Democratic Party of Virginia of $5,667 each, to the Virginia and Richmond Crusade for Voters Committees ("Crusade Committees") constituted excessive contributions in violation of 2 U.S.C. § 441a; in order to reach any conclusion on that issue, it was also necessary to determine if the Crusade Committees were political committees under the Act. Both the Davis and Democratic Committees contributed to the Crusade Committees in order to get out the black vote in the Richmond area and the State of Virginia; it was unknown to these committees that the Crusade Committees were political committees.1/ It was because of this lack of knowledge that the Commission voted reason to believe that while the Davis and Democratic Committees had violated 2 U.S.C. § 441a, no further action should be taken against the two committees; additionally, as noted, the Commission found reason to believe that the Waldrop for Congress Committee violated 2 U.S.C. § 434 for its failure to report a contribution to the Virginia Crusade but voted to take no further action.

1/ The Commission's determination that the Crusade Committees were political committees was based on a long line of comparable MURs which involved federal candidates contributing a specific sum of money to local committees for the amount of expenditures made by the local committees on behalf of the candidates. See e.g., MURs 223, 519, 615, 698, 1171 and 1463.

8 4 0 4 0 4 7 4 4 3 3

8 4 0 4 0 4 7 4 4 3 4

IV. Recommendation

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

Charles N. Steele
General Counsel

August 2, 1984
Date

BY
Kenneth A. Gross
Associate General Counsel

Attachments
Conciliation Agreement - (one)
Letter - (one)

8 4 0 4 0 1 7 4 4 3 5

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF	:	
	:	MUR 1543
RICHMOND CRUSADE FOR VOTERS	:	
VIRGINIA CRUSADE FOR VOTERS	:	

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn and notarized complaint by J. Curtis Herge, counsel to the Republican Party of Virginia. An investigation has been conducted, and reason to believe has been found that the Richmond and Virginia Crusade for Voters ("Respondents") violated 2 U.S.C. §§433, 434, 441a(f), 441b and 441d by making expenditures on behalf of federal candidates as an unregistered political committee.

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. §437g(a)(4)(A)(i).

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

III. Respondents enter into this Agreement voluntarily with the Commission; however, they contend that

8 4 0 4 0 4 7 4 4 3 6

they have not knowingly and willfully committed the violations hereinafter admitted.

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

1. Respondent, Virginia Crusade for Voters, is a statewide organization which attempts to increase the number of black registered voters.

2. Respondent, Richmond Crusade for Voters, is a local organization which attempts to increase the number of black registered voters in the Richmond area.

3. Both Crusades sometimes engage in overlapping activities.

4. Respondents expended in excess of $1,000 in connection with federal elections in 1982 and thus meet the definition of a political committee pursuant to 2 U.S.C. §431(4).

5. Respondents are affiliated pursuant to 2 U.S.C. §441a(a)(5).

6. Respondents' failure to register with the Commission within ten days after becoming a political committee is a violation of 2 U.S.C. §433.

7. Respondents' failure to file reports of receipts and expenditures is a violation of 2 U.S.C. §434.

8. Respondents' disbursements of funds on behalf of two federal candidates were made in violation of 2 U.S.C. §441b.

8 4 0 4 0 4 7 4 4 3 7

9. Respondents' acceptance of excessive contributions is a violation of 2 U.S.C. §441a(f).

10. Respondents' failure to disclose whether some of their literature was paid for and authorized by the candidates mentioned is a violation of 2 U.S.C. §441d.

V. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of Two Hundred Fifty Dollars ($250) each pursuant to 2 U.S.C. §437g(a)(5)(A).

VI. Respondents agree that they 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.

VII. 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.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

CHARLES N. STEELE
General Counsel

BY: _____
Kenneth A. Gross
Associate General Counsel

_____
Date

8 4 0 4 0 4 7 4 4 3 8

RICHMOND CRUSADE FOR VOTERS

Date July 26, 1984

BY: Ellen D. Beam

ITS: President

VIRGINIA CRUSADE FOR VOTERS

Date 7/26/84

BY: William Thomas

ITS: Chairman

8404047439

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543
Richmond Crusade for Voters
Virginia Crusade for Voters

Dear Mr. Marsh:

On , 1984, the Commission accepted the conciliation agreement signed by your clients in settlement of a violation of 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d, provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find 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

8404047444 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1984

Henry L. Marsh, III, Esquire
William H. Bass, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

On July 26 and November 1, 1983, the Commission found reason to believe that the Richmond and Virginia Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

8404047444 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Henry L. Marsh, III, Esquire
William H. Bass, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

On July 26 and November 1, 1983, the Commission found reason to believe that the Richmond and Virginia Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure

8 4 0 4 0 4 7 4 4 4 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1984

Herman F. Blake, Jr., Treasurer
John Waldrop for Congress Committee
P.O. Box 9125
Richmond, Virginia 23227

RE: MUR 1543

Dear Mr. Blake:

On November 4, 1983, the Commission found reason to believe that you had violated 2 U.S.C. § 434, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 4 4 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Herman F. Blake, Jr., Treasurer
John Waldrop for Congress Committee
P.O. Box 9125
Richmond, Virginia 23227

RE: MUR 1543

Dear Mr. Blake:

On November 4, 1983, the Commission found reason to believe that you had violated 2 U.S.C. § 434, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8404047444

182

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1984

Thomas W. McCandlish, Esquire
Mezzullo, McCandlish and Framme, P.C.
700 East Main Street
Suite 804
Richmond, Virginia 23219

RE: MUR 1543

Dear Mr. McCandlish:

On November 4, 1983, the Commission found reason to believe that your client, the Democratic Party of Virginia, had violated 2 U.S.C. § 441a, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8404047445

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas W. McCandlish, Esquire
Mazzullo, McCandlish and Framme, P.C.
700 East Main Street
Suite 804
Richmond, Virginia 23219

RE: MUR 1543

Dear Mr. McCandlish:

On November 4, 1983, the Commission found reason to believe that your client, the Democratic Party of Virginia, had violated 2 U.S.C. § 441a, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 4 4 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 16, 1984

Anthony F. Troy, Esquire
Mays, Valentine, Davenport
and Moore
F&M Center
1111 East Main Street
P.O. Box 1122
Richmond, Virginia 23208

RE: MUR 1543

Dear Mr. Troy:

On November 4, 1983, the Commission found reason to believe that your client, the Davis for U.S. Senate Committee, had violated 2 U.S.C. § 441a, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 1 7 4 4 4 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Anthony F. Troy, Esquire
Mays, Valentine, Davenport
and Moore
F&M Center
1111 East Main Street
P.O. Box 1122
Richmond, Virginia 23208

RE: MUR 1543

Dear Mr. Troy:

On November 4, 1983, the Commission found reason to believe that your client, the Davis for U.S. Senate Committee, had violated 2 U.S.C. § 441a, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close its file as it pertains to your client. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Thomas J. Whitehead at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 4 4 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Davis for U.S. Senate Committee	)	
Waldrop for Congress Committee	)	MUR 1543
Richmond Crusade for Voters	).	
Democratic Party of Virginia Federal Campaign Committee	)	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on March 13, 1984, do hereby certify that the Commission decided by a vote of 4-1 to take the following actions in MUR 1543:

3. Take no further action against the Davis for U.S. Senate Committee and Nancy K. Sneade as treasurer.

4. Take no further action against the Democratic Party of Virginia Federal Campaign Committee and James S. Cremins as treasurer.

5. Take no further action against the Waldrop Committee and Herman F. Blake, Jr. as treasurer.

Commissioners Aikens, Elliott, McDonald, and McGarry voted affirmatively for the decision; Commissioner Reiche dissented. Commissioner Harris was not present at the time of the vote.

Attest:

3-13-84
Date

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

8404047449

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM JCR

DATE: MARCH 6, 1984

SUBJECT: ADDITIONAL OBJECTION - MUR 1543
General Counsel's Report
signed February 29, 1984

The above-named document was circulated to the Commission on Friday, March 2, 1984 at 2:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	X
Commissioner Elliott	
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	X

This matter will be placed on the Executive Session agenda for Tuesday, March 13, 1984.

8 4 0 4 0 4 7 4 4 5 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JODY C. RANSOM

DATE: MARCH 2, 1984

SUBJECT: OBJECTION - MUR 1543 General Counsel's Report signed February 29, 1984

The above-named document was circulated to the Commission on Friday, March 2, 1984 at 2:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	
Commissioner Elliott	
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	X

This matter will be placed on the Executive Session agenda for Tuesday, March 13, 1984.

8404047445 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: March 1, 1984

SUBJECT: MUR 1543 - GC Rpt

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[x]	Compliance	[x]
Sensitive	[x]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8 4 0 4 0 4 7 4 4 5 2

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

84 MAR 1 P4: 16

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Davis For U.S. Senate Committee	)	
Waldrop For Congress Committee	)	MUR 1543
Richmond Crusade For Voters	)	
Democratic Party of Virginia Federal Campaign Committee	)	

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Background

This matter was generated as the result of a complaint filed by J. Curtis Herge, counsel to the Republican Party of Virginia. The complainant alleged violations of 2 U.S.C. §§ 433, 434, and 441d by the Richmond and Virginia Crusade for Voters and violations of 2 U.S.C. § 441a by both the Davis for U.S. Senate Committee and the Democratic party of Virginia Federal Campaign Committee.

At issue here is whether the Davis and Democratic Committee's contributions to the Virginia and Richmond Crusade for Voters for get-out-the-vote ("GOTV") activities constitute excessive contributions to a Federal Committee and whether either or both of the Crusade Committees qualify as political committees.

Based on the facts set forth in the complaint and information supplied by the respondents, the Commission has found reason to believe that:

1. The Richmond Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b, and 441d;

8 4 0 4 0 4 7 4 4 5 3

2. The Virginia Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d;

3. The Davis for U.S. Senate Committee and Nancy K. Sneade as treasurer violated 2 U.S.C. § 441a;

4. The Democratic Party of Virginia Federal Campaign Committee and James S. Cremins as treasurer violated 2 U.S.C. § 441a; and

5. The Waldrop for Congress Committee and Herman F. Blake, Jr. as treasurer violated 2 U.S.C. § 434.

II. Legal and Factual Analysis

Our initial legal position in this matter has been supported by the information supplied by the respondents

Both the Virginia and Richmond Crusades have answered numerous questions posed by this office concerning their political activities and possible affiliation resulting in the following disclosures:

(a) Both groups share the same office in Richmond, Virginia;

(b) The Chairman of the Virginia Crusade for Voters is also an officer of the Richmond Crusade for Voters;

(c) Mailing lists of the Richmond Crusade are provided to the Virginia Crusade for certain mailings;

(d) GOTV activities were discussed between top ranking officials of both the Virginia and Richmond Crusades;

(e) The Virginia Crusade transferred a major portion of the funds used by the Richmond Crusade for its GOTV activities; and

8 4 0 4 0 4 7 4 4 5 4

(f) $7,582 was expended on behalf of federal canaidates in 1982.

While the Crusade for Voters has historically considered itself a GOTV group for black voters, it became a political committee in 1982 when it expended $7,582 on behalf of two federal candidates.

The findings against the Democratic Party and Davis Committee are based on the political committee status of the Crusade for Voters. Both groups made contributions to the Crusade, and earmarked those funds for GOTV activities. Both the Davis and Democratic Committees' contributions were made in good faith, unaware of the Crusade's political status and unaware that the GOTV expenditures would be considered federal candidate expenditures in excess of $1,000. In light of the fact that the Crusade was not registered with the Commission, neither Committee had any way of knowing the Crusade's Committee status. Therefore, we recommend that the Commission take no further action against the Davis Committee or the Democratic Party of Virginia Federal Campaign Committee's violations.

The Commission's 2 U.S.C. § 434 reason to believe finding against the Waldrop Committee was based upon its failure to report a $1,000 disbursement to the Crusade for Voters. It has been learned that the disbursement was in fact itemized as a consulting fee to the Chairman of the Crusade, William Thornton,

8 4 0 4 0 4 7 4 4 5 5

and thus it is recommended that no further action be taken against the Waldrop Committee.

III. Recommendations

3. Take no further action against the Davis for U.S. Senate Committee and Nancy K. Sneade as treasurer.

4. Take no further action against the Democratic Party of Virginia Federal Campaign Committee and James S. Cremins as treasurer.

5. Take no further action against the Waldrop Committee and Herman F. Blake, Jr. as treasurer.

Charles N. Steele
General Counsel

February 27, 1984
Date

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

Attachments

Proposed Notification Letters

8 4 0 4 0 4 7 4 4 5 6

MAYS, VALENTINE, DAVENPORT & MOORE
F & M CENTER 111 EAST MAIN STREET
P. O. BOX 1122
RICHMOND, VIRGINIA 23208
(804) 644-5011

RECEIVED AT THE FEC
GCC #1365
84 JAN 6 P1:05
MUR 1543
Callahan

WASHINGTON, D.C. OFFICE
SUITE 1220
1899 L STREET, N.W. 20036
TELEPHONE (202) 296-2560
RICHMOND OFFICE TELECOPIER
(804) 643-3281

December 14, 1983

FILE NO.
06326.89.001

CRANCE & CREST

84 JAN 6 P2:16
GENERAL COUNSEL

8 4 0 4 0 4 7 4 4 5 7

Ms. Suzanne Callahan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1543

Dear Ms. Callahan:

Responding to your letter of November 4, 1983, please be advised that the Davis for U.S. Senate Committee ("Davis Committee") does not wish to submit any additional factual or legal materials to the Commission at this time. If the Commission determines that the Richmond Crusade for Voters ("the Crusade") was a "political committee" within the meaning of 2 U.S.C. § 431(d), then the Davis Committee wishes to resolve this matter through informal conciliation.

Notwithstanding the status assigned to the Crusade under the Federal Election Campaign Act of 1971, that organization has been long recognized as the primary vehicle for getting out the black vote in this city. It was for this purpose that the Davis Committee contributed $5,677.00 to the Crusade. Moreover, you will note that no effort was made to conceal this expenditure; it was duly reported to the Commission as required by law.

As the Crusade was not registered as a political committee nor had been accused of functioning in this capacity, the Davis Committee had no reason to view it as such.

Again, let me close by reiterating my client's desire to resolve this matter through informal conciliation. Because the Davis Committee did not view the Crusade as a "political committee" and had no reason to, in view of past history, then

to now so categorize it would allow the Davis Committee to discern contribution limits through hindsight. I would hope that in view of all facts this matter could be dismissed at this stage without any further action. We sincerely hope the Commission will concur with our assessment.

If I can provide further information or be of assistance to you, please do not hesitate to call.

With kindest regards, I remain

Very truly yours,

Anthony F. Troy

80/520

8 4 0 4 0 1 7 4 4 5 8

AFT

HAYS, VALENTINE, DAVENPORT & MOORE
P. O. Box 1122
RICHMOND, VIRGINIA 23208

FEC
RICHMOND VA
84 JAN 6 P1:05
U.S. POSTAGE
20

Ms. Suzanne Callahan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

To OGC
Cott 1246
Callahan
1543

LAW OFFICES
HILL, TUCKER & MARSH
300 NORTH FIRST STREET
P. O. Box 27463
RICHMOND, VIRGINIA 23261-7463
Telephone (804) 644-5775

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARY
83 DEC 12 P 3: 15

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BABB, III
GARY A. HICKS

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
GARY A. HICKS
510 Princess Anne Street, Suite 300 (22401)
Telephone (703) 371-5700

9 December 1983

Mr. Danny L. McDonald, Chairman
Federal Election Commission
Washington, DC 20463

Re: MUR 1543

Dear Chairman McDonald:

Attached are responses to your questions on behalf of both the Virginia and Richmond Crusade for Voters.

Very truly yours,

William H. Babb, III
of
HILL, TUCKER & MARSH

WHB,III:msc

Enclosure

8 4 0 4 0 4 7 4 4 6 0

RICHMOND CRUSADE FOR VOTERS
212 East Clay Street
Richmond, VA 23219

ANSWERS TO QUESTIONS FROM:

FEDERAL ELECTION COMMISSION
Washington, DC 20463

SUBMITTED TO:

Attorney Henry L. Marsh, III,
Representing the Richmond Crusade for Voters
on November 4, 1983

RESPONDENT:

Ellen D. Pearson, President
Richmond Crusade for Voters

QUESTION: State the address, telephone number, and officers of the Richmond Crusade for Voters.

ANSWER: a. Richmond Crusade for Voters
212 East Clay Street
Richmond, VA 23219
(804) 649-8683

b. Officers, Names, addresses and telephone numbers:

Ellen D. Pearson, President
3122 Woodrow Avenue
Richmond, VA 23222, (804) 321-6210

William A. Thornton, 1st Vice President
2920 Howthorne Avenue
Richmond, VA 23222, (804) 321-3842

Elnora Williams, 2nd Vice President
2213 5th Avenue, #2
Richmond, VA 23222, (804) 321-5139

Linda Gross, Recording Secretary
6829-F Carnation Street
Richmond, VA 23225, (804) 272-3633

Jean Roland Pender, Corresponding Secretary
3512 Enslow Street
Richmond, VA 23222, (804) 329-4858

Arthur Brown, Treasurer
2721 Garland Avenue
Richmond, VA 23222. (804) 329-7742

Mary E. Cox, Parliamentarian
314 West Clay Street
Richmond, VA 23220, (904) 643-9229

A. Linwood Wilkerson, Chaplain
621 Overbrook Road
Richmond, VA 23222, (804) 321-6590

Officers, Richmond Crusade for Voters, Continued

Edwina Clay Hall, Historian
1234 DuBois Street
Richmond, VA 23220, (804) 321-7788

Robert T. Dance, Sargeant-at-Arms
P. O. Box 16144
Richmond, VA 23222, (804) 321-7028

Norvell K. Robinson, Chairman of the Board
115 Overbrook Road
Richmond, VA 23222, (804) 329-8616

William S. Thornton, Consultant Coordinator
206 East Clay Street
Richmond, VA 23219, (804) 648-0131

b. Copy of Richmond Crusade for Voters By-Laws is attached.

QUESTION: State the address, telephone number, and officers of the Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

ANSWER: Not Applicable

QUESTION: Please distinguish the following groups in detail: (a) the Virginia Crusade for Voters; (b) the Richmond Crusade for Voters; and (c) the Crusade for Voters.

ANSWER: This respondent's answer alludes to the Richmond Crusade for Voters, however, the Richmond Crusade for Voters may, On occasion, depending on the individual making reference to the appropriately-named organization, the Richmond Crusade for Voters, located in the City of Richmond, VA, refer to the latter as: Crusade for Voters.

QUESTION: Do the above groups use separate mailing lists or share mailing lists?

ANSWER: The Richmond Crusade for Voters' mailing list includes names and addresses of persons residing in the City of Richmond, for the most part. Persons who areparticipating members who have changed their residences (who have moved to surrounding counties) are still considered members of the Richmond Crusade for Voters; their names have remained on the Richmond Crusade for Voters mailing list. The Richmond Crusade for Voters mailing list is utilized by the Virginia Crusade for Voters when the latter organization Communicates information relative to state-wide meetings.

QUESTION: From what source(s) are potential contributions for each group developed?

ANSWER: The answer to this question alludes to the Richmond Crusade for Voters ONLY: Source(s) for potential contributors for the Richmond Crusade for Voters are developed from:

Incumbents and candidates seeking reelection or election to city, state and national offices and/or the particular established committee(s) of those incumbents and candidates and/or party committees.

Answers to Questions from Federal Election Commission
Washington, DC

Respondent: Ellen D. Pearson

QUESTION: In your letter of September 14, 1983, you state that the Virginia Crusade for Voters was asked for assistance in GOTV activities in black communities by both the Davis and Waldrop Committees. The VirginiaCrusade agreed and requested and received funds to cover GOTV expenses by both candidates. In this regard, please itemize the amount and date of each contribution by Davis and Waldrop to the Virginia Crusade.

ANSWER: This respondent was not provided with a copy of the September 14, 1983 itemized amount and date of each contribution by Davis and Waldrop to the Virginia Crusade as she is not an officer of the Virginia Crusade.

QUESTION:

a. Are there any other local Crusade for Voter groups in Virginia besides the Richmond Crusade?

ANSWER: To the best of my knowledge, there is a Hampton, VA Crusade for Voters.

QUESTION: Included in your response of September 14, 1983, you submitted two separate itemized listsof expenditures by the Virginia Crusade for Voters and the Richmond Crusade for Voters. In this regard, do those figures represent total expenditures by each group? Explain.

ANSWER: This respondent is unable to answer the above question.

QUESTION: Do thosefigures represent pro rated expendituresin connection with federal elections? If yes, explain the equation used to pro rate thos e expenditures.

ANSWER: This respondent is unable to answer the above question.

QUESTION: Please itemize the amount the Girginia Crusade spent on: (a) the Waldrop Canpaig; (b) the Davis Campaign; and (c) any other federal candidate.

ANSWER: this respondent is unable to answer the above question.

QUESTION: Please itemize the amount the Richmond Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign, and (c) any other federal candidate.

ANSWER: This respondent is unable to answer the avove question.

QUESTION: You state in your letter of September 14, 1983, that the Virginia Crusade contacted the Richmond Crusade concerning GOTV activities in the Third District. Please provide specific details of what transpired and submit copies of any correspondence, telephone logs or contemporaneous memoranda in this regard. Name the individuals involved.

ANSWER: In person conversations between the Chairman of the Virginia Crusade, the president of the Richmond Crusade and the Treasurer of the Richmond Crusade were held to this effect.

QUESTION: Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Virginia Crusade for Voters.

ANSWER: This respondent is unable to answer the above question.

Answers to Questions from Federal Election Commission
Washington, DC

Respondent: Ellen D. Pearson

QUESTION: Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the life paid for by the Richmond Crusade for Voters.

ANSWER: Copies attached

QUESTION: Itemize all transfers of funds between the Virginia Crusade and Richmond Crusade.

ANSWER: This respondent does not have copies of these transfers in her files; she will attempt to obtain them prior to submission of her responses to the Attorney.

QUESTION: Please submit photocopies of all reports filed by the Virginia Crusade for Voters with the Commonwealth of Virginia in connection with 1983 elections.

ANSWER: This respondent is unable to answer this question.

QUESTION: Please submit photocopies of all reports filed by the Richmond Crusade for Voters with the Commonwealth of Virginia in connection with the 1983 elections.

ANSWER: This respondent prepared a report to be filed with the Commonwealth of Virginia in connection with the 1982 elections on behalf of the Richmond Crusade for Voters, however, said report was not filed subsequest to this pending charge. It might be noted here that, on occasion, the Richmond Crusade for Voters did not file reports with the Commonwealth of Virginia at exact post election days: 60 days, six months, one year or other. To have filed the report subsequest to this action, seemed inappropriate at the time. However, it was hope, on the part of this respondent, that the Richmond Crusade for Voters report would have been filed within one year.

Ellen D. Pearson
Signed

STATE OF VIRGINIA)
:
CITH OF RICHMOND)

Personally appeared before me ELLEN D. PEARSON on the 9th date of December, 19 83, who stated that: to the best of her knowledge and belief, the above answers aretrue.

Margaret S. Cosby
Notary Public

MY COMMISSION EXPIRES: February 26, 1984

RICHMOND CRUSADE FOR VOTERS

BY-LAWS TO THE CONSTITUTION

PREAMBLE

The Preamble to the Constitution of the Richmond Crusade for Voters will be recited in unison at each regular meeting.

ARTICLE I

This document represents the By-Laws to the Constitution of the Richmond Crusade for Voters.

ARTICLE II

Each crusader will be responsible for recognizing the purpose of the organization as it is written in Article II, Sections 1 and 2 of the Constitution of the Richmond Crusade for Voters.

ARTICLE III

The Richmond Crusade for Voters may consider endorsements for Primary Elections but the Organization will not be bound by these endorsements for General Elections and, upon consideration, in the best interest of the Black Community, may change its endorsements for General Elections.

ARTICLE IV

Pursuant to Article IV of the Constitution, any monies, deposited in the General Treasury may be earmarked for special projects, by two-thid (2/3) vote of the membership in attendance.

ARTICLE V

ELECTIONS

Officers of this organization shall be elected bi-annually and serve until their successors are elected and installed. The President of this organization shall only succeed himself or herself once and thereby serve a tenure of four (4) years, unless removed from office for dereliction of duty.

ARTICLE VI

COMMITTEES

Section 1: Standing committee chairpersons shall be appointed at the January meeting by the President. Chairpersons failing to call a meeting and who do not call meeting within three (3) months, will be replaced by the President.

8 4 0 4 0 4 7 4 4 6 5

ARTICLE VI (continued)

Section 2: An Audit Committee shall be appointed by the President in January to audit the Treasurer's books and report to the body by the regular meeting in June. The Audit Committee, consisting of three (3) members, shall be appointed as follows: one by the President and two (2) by the membership. This committee shall audit all monies in the treasury designated for and disbursed by the Richmond Crusade for Voters.

Section 3: Chairpersons of each standing committee shall attend at least one Executive Committee meeting before regular meetings. The Executive Committee shall be composed of all elected officers, the immediate Past President and chairpersons of each standing committee.

Section 4: The Get-Out-The-Vote Committee shall be composed of no less than nineteen (19) persons: The chairperson, to be appointed by the President and two (2) members selected by and from each of the nine districts. The chairperson of this committee shall not hold another major chairmanship in this organization. This committee shall make a financial report to the membership at least thirty (3) days subsequent to any election.

Section 5: The Research Committee shall be composed of seventeen (17) as follows: One (1) elected from each and by the proper vote, of each of the nine districts; five (5) consultants and three (3) citizens "at large" to be appointed by the President. All decisions made regarding confiential interviews of candiates shall be made by the Research Committee to be presented to the body for approval or disapproval by majority vote. This committee shall make its recommendations to the membership prior to all elections. This committee shall research all candidates and all issues to be voted on and make recommendations to the membership.

ARTICLE VII

Section 1: Each member is "requested" to donate the sum of twelve ($12.00) dollars per year to assist in defraying the expenses of this organization. Membership cards will be issued to any member after he or she has donated five ($5.00) dollars toward the twelve dollar donation and who has met the requirements for membership as stated in Section 2 below:

Section 2: Membership to this organization shall be confirmed only after the applicant has attended three meetings within a calendar year and has donated a minimum of five ($.500) dollars.

Section 3: Any person who has been purged from the City Registrar's list will no longer be eligible for membership until he or she has been restored to the voting list.

ARTICLE VIII

Voting: Members who have not attended at least three (3) meetings during the calendar year will not be eligible to vote in the proceedings of the meetings of this organization.

8 4 0 4 0 1 7 4 4 6 6

CRUSADE FOR VOTERS

SINCE 1956
206 EAST CLAY STREET
RICHMOND, VIRGINIA 23219
648-2102

Dear Crusader:

YOUR VOTE IS A TERRIBLE THING TO WASTE!

Unlike money, you don't get dividends or interest by saving your vote.
YOU CAN ONLY GET DIVIDENDS OR INTEREST ON YOUR VOTE WHEN YOU USE IT!

Your Crusade for Voters (Research Committee) has for the past 26 years made endorsements for candidates who would do the most for black people. We have never given you the wrong decision and don't intend to start now. We do not accept money or political favors for our endorsements.

If we, as black people, would stick together, we could control our own destiny in Richmond.

We have an opportunity to show President Reagan and the Republicans that we resent their cutting of employment programs, Medicare and Medicaid, Social Security, and that we will not tolerate 20.2% black unemployment. WE MUST VOTE THE RASCALS OUT!

We believe that the following slate of Democratic candidates recommended to you by the Crusade for Voters is the best for the coming election.

- ☒ RICHARD DAVIS, U.S. SENATE
- ☒ JOHN WALDROP, Congress, Third Congressional District

For the House of Delegates to the Virginia General Assembly, we must re-elect the team of democratic Candidates who have fought for the interest of the City of Richmond. Because of the new single member redistricting plan, you can only vote for one delegate. Be sure to check your precinct on the reverse side of this letter.

HOUSE OF DELEGATES
(YOU CAN ONLY VOTE FOR ONE)

- ☒ JAMES CHRISTIAN, 70th House District
- ☒ BENJAMIN LAMBERT, 71st House District
- ☒ WALTER EMROCH, 68th House District
- ☒ FRANKLIN HALL, 69th House District

IT IS MOST IMPORTANT THAT YOU VOTE ON TUESDAY, NOVEMBER 2ND, 1982

VOTE EARLY - POLLS OPEN 6 a.m. CLOSE 7 p.m.

For transportation or other voting information call 648-3241, 648,3242, 648-3249.

Crusadingly yours,

Ellen Pearson

(Mrs.) Ellen Pearson
President

John L. Howlette
Chairman, Research

Philmore Howlette
Chairman, Get out the vote

Arthur Brown
Treasurer

William S. Thornton
Chief Consultant

Henry L. Marsh, III
Legal Counsel

L. Douglas Wilder
Consultant

Mailing is expensive. Please send any contributions you can, $5.00, $10.00, $25.00 or more to Arthur Brown, Treasurer, Richmond Crusade for Voters, 206 East Clay Street, Richmond, Virginia 23219

4 0 4 0 1 7 4 4

CRUSADE FOR VOTERS
SAMPLE BALLOT

CITY OF RICHMOND

GENERAL ELECTION

Tuesday, November 2, 1982

Member
United States Senate
(Vote for not more than one)

☒ Richard J. "Dick" Davis

Member
House of Representatives
Third District
(Vote for not more than one)

☒ John A. Waldrop, Jr.

Member
House of Delegates
68th District
(Vote for not more than one)

☒ Walter H. Emroch

Member
House of Delegates
69th District
(Vote for not more than one)

☒ Franklin P. Hall

Member
House of Delegates
70th District
(Vote for not more than one)

☒ James S. Christian, Jr.

Member
House of Delegates
71st District
(Vote for not more than one)

☒ Benjamin J. Lambert III

CRUSADE FOR VOTERS
206 E. Clay St., Richmond, VA 23219

CRUSADE FOR VOTERS
SAMPLE BALLOT

CITY OF RICHMOND

SPECIAL ELECTION

Tuesday, November 2, 1982

PROPOSED
CONSTITUTIONAL AMENDMENTS

QUESTION 1

Shall the Constitution of Virginia be amended to change the information required to register to vote by deleting marital status and occupation and by including any prior legal name?

☒ YES
☐ NO

QUESTION 2

Shall Section 1 of Article II of the Constitution of Virginia be amended to authorize restoration of civil rights to felons as may be provided by general law?

☒ YES
☐ NO

QUESTION 3

Shall the Constitution of Virginia be amended to authorize the General Assembly to limit the introduction of legislation in the odd-year short session?

☐ YES
☒ NO

HOUSE DISTRICTS/VOTING PRECINCTS

EMROCH -	101,	102,	103,	104,	105,	106,	201
	202,	204,	205,	207,	208,	209,	401,
	501,	502,	503,	504,	505,	804	
HALL -	107,	108,	109,	110,	402,	403,	404,
	405,	406,	407,	803,	901,	902,	903,
	905,	906					
CHRISTIAN -		602,	603,	604,	608,	701,	702,
	703,	704,	706,	801,	802,	805,	806,
	807,	904,	907				
LAMBERT -	203,	206,	301,	302,	303,	304,	305,
	306,	307,	308,	309,	506,	507,	601,
	605,	606,	607,	707,	708		

A VOTE IS A TERRIBLE THING TO WASTE!

VOTE TUESDAY, NOVEMBER 2, 1982

BY AUTHORITY OF ARTHUR BROWN, TREASURER

QUESTIONS

1. State the address, telephone number, and officers of the Virginia Crusade for Voters. If a Charter or By-Laws exist, please submit copies:

   Answer: William S. Thornton, Chrmn. - 206 E. Clay Street Richmond, VA 23219 - 804-648-0131

   Robert L. Scales, Vice Chrmn. - P. O. Box 65 Cumberland, VA 23040

   M. Philmore Howlette, Treas. - 316 W. Clay Street Richmond, VA 23220 - 804-643-5185

   Anna Carr, Secretary - 1502 Sharpsburg Ct. Richmond, VA 23228 - 804-262-8477; Copy of Constitution is attached.

2. State the address, telephone number, and officers of the Richmond Crusade for Voters.

   Answer: Not applicable.

3. State the address, telephone number, and officers of the Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

   Answer: There is no "Crusade for Voters".

4. Please distinguish the following groups in detail: (a) the Virginia Crusade for Voters; (b) the Richmond Crusade for Voters; and (c) Crusade for Voters.

   Answer: (a) The Richmond Crusade is the organization that concerns itself with the City of Richmond.

   (b) The Virginia Crusade concerns itself with State-wide matters.

   (c) There is no "Crusade for Voters".

5. Do the above groups use separate mailing lists or share mailing lists.

   Answer: Separate mailing lists.

6. From what source(s) are potential contributors for each group developed?

   Answer: Word-of-mouth.

7. In your letter of September 14, 1983, you state that the Virginia Crusade for Voters was asked for assistance in GOTV activities in black communities by both the Davis and Waldrop Committees. The

8 4 0 4 0 4 7 4 4 6 9

Virginia Crusade agreed and requested and received funds to cover GOTV expenses by both candidates. In this regard, please itemize the amount and date of each contribution by Davis and Waldrop to the Virginia Crusade.

Answer: Davis Committee - $14,000.00
Waldrop Committee - $1,000.00

8. Are there any other local Crusade for Voters groups in Virginia besides the Richmond Crusade?

Answer: Yes. Petersburg, Newport News and Hampton.

9. Include in your response of September 14, 1982, you submitted two separate itemized lists of expenditures by the Virginia Crusade for Voters and the Richmond Crusade for Voters. In this regard, do those figures represent total expenditures by each group? Expalin.

Answer: Yes, they are the total expenditures.

10. Do those figures represent pro rated expenditures in connection with federal elections? If yes, explain the equation used to pro rate those expenditures.

Answer: No, the figures are not pro rated.

11. Please itemize the amount the Virginia Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign; and (c) any other federal candidate.

Answer: The GOTV efforts were on behalf of all candidates endorsed by the Virginia Crusade and expenditures were never separated.

12. You state in your letter of September 14, 1982, that the Virginia Crusade contacted the Richmond Crusade concerning GOTV activities in the Third District. Please provide specific details of what transpired and submit copies of all correspondence, telephone logs, or contemporaneous memoranda in this regard. Name the individuals involved.

Answer: Dr. Thornton on several occasions contacted Ms. Ellen Pearson by phone and in person after the Richmond Crusade had endorsed a slate of candidates. The substance of the conversation was that because Davis and Waldrop had been endorsed, the Richmond Crusade was entitled to receive funds on behalf of GOTV activities.

8 4 0 4 0 4 7 4 4 7 0

13. Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Virginia Crusade for Voters.

Answer: See the attached.

14. Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Richmond Crusade for Voters.

Answer: All of the literature was the same.

15. Itemize all transfers of funds between the Virginia Crusade and Richmond Crusade.

Answer: The Virginia Crusade transferred $18,800 to the Richmond Crusade and kept $3,000 for itself. No funds were transferred to the Virginia Crusade by the Richmond Crusade. The Virginia Crusade later transferred $663.04 to the Richmond Crusade that it had not spent to help with the Richmond Crusade's deficit.

16. Please submit photocopies of all reports filed by the Virginia Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

Answer: None were filed.

17. Please submit photocopies of all reports filed by the Richmond Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

Answer: Not applicable.

William S. Thornton

William S. Thornton

VIRGINIA:
CITY OF RICHMOND, to-wit:

Personally appeared before me WILLIAM S. THORNTON on the 9th day of December, 1983, who stated that to the best of his knowledge and belief, the above answers are true.

Margaret S. Cosby

Notary Public

My commission expires 2/26/84.

8 4 0 4 0 4 7 4 4 7 1

CRUSADE FOR VOTERS COMMITTEE OF VIRGINIA

CONSTITUTION

Preamble

In order to coordinate our efforts and act more closely as a great and powerful unit; and in order to lay a firm foundation upon which the coming generations may stand, we do dedicate ourselves and this organization.

ARTICLE I

The name of this organization shall be known as the Crusade for Voters Committee of Virginia.

ARTICLE II

Section 1. The purpose of this organization shall be to increase the voting strength of the population of the state of Virginia and to improve the moral, social, economic, educational and general welfare of the citizens.

Section 2. To establish and maintain up to date records of the voting strength of the citizens of the state of Virginia.

ARTICLE III

This organization shall not affiliate with any political party.

ARTICLE IV

This organization shall not accept monies from any political party, political candidate or political office holders. Candidates will be assessed a pro rata share for the get-out-the- vote effort.

ARTICLE V

Section 1. OFFICERS. The officers of this organization shall consist of president, vice-president, secretary, treasurer, and chaplain.

Section 2. METHOD OF ELECTION. The authorized officers of this organization shall shall be elected as follows:

There shall be elected from the floor a Nominating Committee composed of five(5) person. The duty of this committee shall be to canvass the eligible members for the several offices. The Nonimating Committee shall render its report at a regular meeting. The body shall receive the report of the Committee and additional nonimations may be made from the floor.

Section 3. Majority vote shall be used for all elections.

3 4 0 4 0 4 7 4 4 7 2

Section 4. The duties of the officers shall be as traditionally presented in Roberts Rules of Order or as the body may prescribe from time to time

Section 5. All officers shall serve until their successors are elected and installed.

ARTICLE VI

COMMITTEES. Membership, political action, research, finance, educational, program, suffrage and such others as the organization may add from time to time.

ARTICLE VII

Section 1. MEMBERSHIP. Any person who is a qualified voter and subscribes to the principles and objectives of this organization may be classified as a member.

ARTICLE VIII

This constitution may be amended by two-thirds vote of the members present providing a written notice will be given thirty (30) days prior to the meeting date and the specific section to be voted on be included in the notice.

8 4 0 4 0 4 7 4 4 7 3

ILL, TUCKER & MARSH
ATTORNEYS-AT-LAW
O. Box 27363
CHMOND, VIRGINIA 23261-7363

Mr. Danny L. McDonald, Chairman

Federal Election Commission

Washington, DC 20463

R 4 0 4 0 4 7 4 4 4 7

RECEIVED AT THE FEC
GCC#1199
83 DEC 5 P2:40
MUR 1543
Callahan

LAW OFFICES
MEZZULLO, MCCANDLISH & FRAMME, P.C.
700 EAST MAIN STREET
SUITE 804
RICHMOND, VA. 23219
(804) 782-9250

December 1, 1983

83 DEC 5 P2:40
GENERAL COUNSEL

Ms. Suzanne Callahan
Federal Election Commission
Washington, D.C. 20463

Re: Federal Election Commission Complaint
Virginia Crusade for Voters
MUR 1543

8 4 0 4 0 4 7 4 4 7 5

Dear Suzanne:

This follows up on our discussion last week concerning the above-referenced matter and the Commission's letter of November 4, 1983. We continue to believe that the Democratic Party of Virginia Federal Campaign Committee (Democratic Party Committee) and James S. Cremins as Treasurer have not violated any provision of the Federal Election Campaign Act of 1971, as amended (the Act). The Democratic Party Committee did not consider Virginia Crusade for Voters to be a campaign committee within the meaning of the Act, and apparently the Crusade had not registered as such. Under these circumstances, even if the Federal Election Commission determined that the Virginia Crusade for Voters should now register as a federal committee, we do not believe that the Democratic Party Committee should be found in violation of the Act for the $5,667.00 payment made to the Crusade in good faith and with full disclosure.

It is our strong hope that under the circumstances, the Commission will not find it necessary to pursue this matter further with respect to the Democratic Party Committee. We have a continuing commitment to make every effort to comply with the Act in all respects. If the Commission determines that the matter will be pursued further, then we would like to explore whether conciliation can be an appropriate method of bringing this matter to an early conclusion.

I look forward to hearing from you in the near future.

Yours very truly,

Tom McCandlish

Thomas W. McCandlish

TWM/drv

LAW OFFICES
EZZULLO, McCANDLISH & FRAMME, P.C.
700 EAST MAIN STREET
SUITE 804
RICHMOND, VA. 23219

RECEIVED AT THE FEC
83 DEC 5 P2:18

Ms. Suzanne Callahan
Federal Election Commission
Washington, D.C. 20463

R 1 0 4 0 1 7 4 4 4 7 5

LAW OFFICES
HILL, TUCKER & MARSH
509 NORTH THIRD STREET
P. O. Box 27563
RICHMOND, VIRGINIA 23261-7563
Telephone (804) 649-9073

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III
GARY A. HICKS

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
GARY A. HICKS
510 Princess Anne Street Suite 300 (22401)
Telephone (703) 371-5700

Mike
Callahan

30 November 1983

RECEIVED
GENERAL COUNSEL
83 DEC 5 P2:39

Ms. Suzzanne Callahan
Office of General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1543

Dear Ms. Callahan:

Pursuant to our telephone conversation last week, we are writing on behalf of our clients, the Richmond Crusade for Voters and the Virginia Crusade for Voters to request an extension from December 1, 1983 to December 9, 1983 to respond to the questions posed in the Commission's letter of November 4, 1983.

This extension is necessary because Mr. Marsh has been out of the city taking depositions in another case for the past few weeks.

We thank you for your consideration in this matter.

Very truly yours,

William H. Bass III

of

HILL, TUCKER & MARSH

WHB,III/sem

9040047447 7

HILL, TUCKER & MARSH
ATTORNEYS-AT-LAW
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363

LAW
Rule of Right
Not Might

RECEIVED AT THE FE
03 DEC 5 A 9:05

Ms. Suzzanne Callahan
Office of General Counsel
Federal Election Commission
Washington, DC 20463

CCC #1116

LAW OFFICES
HILL, TUCKER & MARSH
509 NORTH THIRD STREET
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363
Telephone (804) 648-9074

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III
GARY A. HICKS

15 November 1983

83 NOV 15 P 4: 07

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
GARY A. HICKS
310 Princess Anne Street Suite 300 (22401)
Telephone (703) 371-3700

83 NOV 18 A 9: 49

Mr. Danny L. McDonald, Chairman
Federal Election Commission
Washington, DC 20463

Re: MUR 1543

Dear Chairman McDonald:

We are writing on behalf of our clients, the Richmond Crusade for Voters and the Virginia Crusade for Voters and in response to your letter of November 4, 1983.

Pursuant to a telephone conversation we had with Suzanne Callahan on the above date, it is our understanding that regardless of whether we elect to enter into conciliation at this time, we would still be required to answer the additional questions raised in your letter of November 4, 1983.

Because we had assumed that we would not be required to answer the additional questions if we sought conciliation, we are not prepared to submit answers by November 17, 1983 (10 days after receipt). Therefore, we are requesting an extension to December 1, 1983 to respond to your questions, and at that time will also notify you definitely whether we will request conciliation.

Very truly yours,

Will H Bass

of
HILL, TUCKER & MARSH

WHB,III:msc

8404047479

LL, TUCKER & MARSH
ATTORNEYS-AT-LAW
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363

3 4 0 4 0 1 7 4 4

NOV 17 P 1:51

Mr. Danny L. McDonald, Chairman
Federal Election Commission
Washington, DC 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1983

Mr. Herman F. Blake, Jr., Treasurer
John Waldrop for Congress Committee
P.O. Box 9125
Richmond, Virginia 23227

RE: MUR 1543

Dear Mr. Blake:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleged 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, the Commission, on November 1, 1983, determined that there is reason to believe that the Waldrop for Congress Committee, and you as treasurer, have violated 2 U.S.C. § 434, a provision of the Act. Specifically, we have information that a representative of your committee contacted the Virginia Crusade for Voters regarding get-out-the-vote efforts and the Crusade requested and received funds from you to cover costs. We have reviewed your reports during the relevant time period and it appears that you may have failed to report an expenditure to the Virginia Crusade for Voters.

As of this date, we have received no written response from you in connection with this matter. Please submit a detailed statement as to your contacts with the Virginia and/or Richmond Crusade for Voters including, but not limited to, any transfers of money by the Waldrop Committee to either group. Statements should be submitted under oath within ten days.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against you, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 4 8 1

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Danny L. McDonald

Danny L. McDonald,
Chairman

Enclosures
Procedures

8 4 0 4 0 4 7 4 4 8 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1983

Thomas W. McCandlish, Esquire
Mezzullo, McCandlish and Framme, P.C.
700 East Main Street
Suite 804
Richmond, Virginia 23219

RE: MUR 1543

Dear Mr. McCandlish:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Democratic Party of Virginia Federal Campaign Committee, has 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 November 1, 1983, determined that there is reason to believe that the Democratic Party of Virginia Federal Campaign Committee, and James S. Cremins as treasurer, have violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 4 8 3

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Danny L. McDonald

Danny L. McDonald,
Chairman

Enclosures
Procedures

8 4 0 4 0 4 7 4 4 8 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1983

Anthony F. Troy, Esquire
Mays, Valentine, Davenport
and Moore
F&M Center
1111 East Main Street
P.O. Box 1122
Richmond, Virginia 23208

RE: MUR 1543

Dear Mr. Troy:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Davis for U.S. Senate 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 November 1, 1983, determined that there is reason to believe that the Davis for U.S. Senate Committee, and Nancy K. Sneade as treasurer, have violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 4 8 5

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Danny L. McDonald

Danny L. McDonald,
Chairman

Enclosures
Procedures

8 4 0 4 0 4 7 4 4 8 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1983

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Virginia and Richmond Crusades for Voters, had 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 November 1, 1983, determined that in addition to previous findings against the Richmond Crusade for Voters, there is reason to believe that the Virginia Crusade for Voters has violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d, provisions of the Act.

Please submit answers to the enclosed questions within ten days of your receipt of this letter. Statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 4 8 7

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Danny L. McDonald

Danny L. McDonald,
Chairman

Enclosures
Procedures
Questions

8 4 0 4 0 4 7 4 4 8 8

QUESTIONS

State the address, telephone number, and officers of the Virginia Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

State the address, telephone number, and officers of the Richmond Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

State the address, telephone number, and officers of the Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

Please distinguish the following groups in detail: (a) the Virginia Crusade for Voters; (b) the Richmond Crusade for Voters; and (c) the Crusade for Voters.

Do the above groups use separate mailing lists or share mailing lists?

From what source(s) are potential contributors for each group developed?

In your letter of September 14, 1983, you state that the Virginia Crusade for Voters was asked for assistance in GOTV activities in black communities by both the Davis and Waldrop Committees. The Virginia Crusade agreed and requested and received funds to cover GOTV expenses by both candidates. In this regard, please itemize the amount and date of each contribution by Davis and Waldrop to the Virginia Crusade.

Are there any other local Crusade for Voter groups in Virginia besides the Richmond Crusade?

Included in your response of September 14, 1982, you submitted two separate itemized lists of expenditures by the Virginia Crusade for Voters and the Richmond Crusade for Voters. In this regard, do those figures represent total expenditures by each group? Explain.

8 4 0 4 0 4 7 4 4 9 9

Do those figures represent pro rated expenditures in connection with federal elections? If yes, explain the equation used to pro rate those expenditures.

Please itemize the amount the Virginia Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign; and (c) any other federal candidate.

Please itemize the amount the Richmond Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign; and (c) any other federal candidate.

You state in your letter of September 14, 1982, that the Virginia Crusade contacted the Richmond Crusade concerning GOTV activities in the Third District. Please provide specific details of what transpired and submit copies of any correspondence, telephone logs or contemporaneous memoranda in this regard. Name the individuals involved.

Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Virginia Crusade for Voters.

Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Richmond Crusade for Voters..

Itemize all transfers of funds between the Virginia Crusade and Richmond Crusade.

Please submit photocopies of all reports filed by the Virginia Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

Please submit photocopies of all reports filed by the Richmond Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

8 4 0 4 0 4 7 4 4 9 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Davis for U.S. Senate Committee	)	MUR 1543
Waldrop for Congress Committee	)	
Richmond Crusade for Voters	)	
Democratic Party of Virginia Federal Campaign Committee	)	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary of the Federal Election Commission Executive Session on November 1, 1983, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1543:

1. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 433.

2. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 434.

3. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441a(f).

4. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441b.

5. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441d.

6. Find reason to believe the Davis for U.S. Senate Committee and Nancy K. Sneade as treasurer violated 2 U.S.C. § 441a.

7. Find reason to believe the Democratic Party of Virginia Federal Campaign Committee and James S. Cremins as treasurer violated 2 U.S.C. § 441a.

(Continued)

8 4 0 4 0 1 7 4 4 9 1

8. Find reason to believe the Waldrop Committee and Herman F. Blake, Jr. as treasurer violated 2 U.S.C. § 434.

9. Approve and send the notifications and questions attached to the FEC General Counsel's report dated October 25, 1983.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

11-2-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

8 4 0 4 0 4 7 4 4 9 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JAN SAVAGE JS

DATE: OCTOBER 27, 1983

SUBJECT: OBJECTION - MUR 1543 General Counsel's Report signed October 25, 1983

The above-named document was circulated to the Commission on Wednesday, October 26, 1983 at 11:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	
Commissioner Elliott	X (comments)
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, November 1, 1983.

8 4 0 4 0 4 7 4 4 9 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: October 25, 1983

SUBJECT: MUR 1543 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8404047444 94

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

83 OCT 25 P3: 59

In the Matter of)
)
Davis For U.S. Senate Committee)
Waldrop For Congress Committee) MUR 1543
Richmond Crusade For Voters)
Democratic Party of Virginia)
Federal Campaign Committee)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Background

This matter was generated as the result of a complaint filed by J. Curtis Herge, counsel to the Republican Party of Virginia. The complainant alleged violations of 2 U.S.C. §§ 433, 434 and 441d by the Richmond and Virginia Crusade for Voters and violations of 2 U.S.C. § 441a by both the Davis for U.S. Senate Committee and the Democrutic Party of Virginia Federal Campaign Committee.

II. Legal and Factual Analysis

At issue here is whether the Davis and Democratic Committees' contributions to the Virginia and Richmond Crusade for Voters for get-out-the-vote ("GOTV") activities constitute excessive contributions to a Federal committee and whether either or both of the Crusade Committees qualify as political committees.

Pursuant to 2 U.S.C. § 431(4), the term "political committee" means any committee, club, association, or other group of persons which receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures

8 4 0 4 0 4 7 4 4 9 5

aggregating in excess of $1,000 during a calendar year. Pursuant to 2 U.S.C. § 431(9)(A)(i), the term "expenditure" includes any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for federal office. Under section 433, political committees are required to file a statement of organization within ten days after becoming a political committee within the meaning of section 431(4). Under section 434, all political committees are required to file reports of receipts and disbursements.

In response to receipt of the complaint, counsel to the Virginia and Richmond Crusades stated both organizations were independent from the other and that each attempts to increase the number of black registered voters.1/ According to counsel, both groups have endorsed various political candidates over the years regardless of political affiliation.

The materials submitted by the complainant included two pieces of literature; one, a sample ballot and the other a letter with a printed listing of preferred candidates paid for by the "Crusade for Voters."2/ Under 11 C.F.R. § 100.7(b)(a), a state or local committee of a political party may make expenditures for "a printed slate card, sample ballot, palm card or other printed

---

1/ Both the Virginia and Richmond Crusade for Voters have the same attorney who filed combined responses.

2/ The literature did not specify whether it was financed by the Richmond Crusade or the Virginia Crusade for Voters.

8 4 0 4 0 4 7 4 4 9 6

listing(s) of three or more candidates for any public office for which an election is held in the state in which the committee is organized" and such expenditures are exempt from the definition of contribution.

However, in light of the fact that neither the Virginia nor Richmond Crusades are party committees, the expenditure exemption under 11 C.F.R. § 100.7(b)(a) is not applicable. The respondents in this matter contend that their activities are non-partisan in nature and, thus, fulfill the expenditure exemption set forth in 11 C.F.R. § 100.8(b)(3).

> Any cost incurred for non-partisan activity designed to encourage individuals to register to vote or to vote is not an expenditure..."non-partisan activity" means that no effort is or has been made to determine the party or candidate preference of individuals before encouraging them to register to vote or to vote.

In this matter, the Crusade's sample ballot and slate card were geared toward specific candidates, all Democrats, and cannot be considered merely as a non-partisan, get-out-the-vote activity. Because the Virginia and Richmond Crusade's expenditures must be proportionately allocated to the federal candidates it supported, it appears that both expended in excess of $1,000 in connection with federal elections and also accepted contributions exceeding $1,000 in a calendar year. Thus, we believe the Virginia and Richmond Crusades meet the criteria set forth in 2 U.S.C. § 431(4)(A) for political committee status.

8 4 0 4 0 4 7 4 4 9 7

Therefore, funds received by each should be considered "contributions" and the cost incurred on behalf of federal candidates as expenditures.

To find that the Crusades have qualified as political committees and, thus, in violation of 2 U.S.C. §§ 433 and 434, is consistent with past determinations of the Commission. In MURs 223 (Baltimore Clubs), 519 (SOUL), 615 and 698 (Coalition on Urban Politics et al.), 1171 (Lake County Democratic Central Committee) and 1463 (Democratic Alliance), the Commission determined that the organization in question had qualified as a political committee even though in each instance the organization was being paid by candidates for its services.

In MUR 223, the Commission found that payments by the Sarbanes for Senate Committee, each in excess of $1,000, to 16 political clubs in Baltimore triggered registration and reporting obligations for each club under the Act. The payments were for "ballots and canvass[ing]." In MUR 519, even though the committee in question (SOUL) was registered, it tried to claim that it was not a political committee because the source for all the money expended by SOUL came from the candidates themselves on whose behalf SOUL made expenditures.3/ In addition, SOUL asserted that the amount expended by it on behalf of a candidate was equal to the amount of money that the candidate transferred to SOUL. The Commission, nonetheless, treated the organization

---

3/ Among the services provided by SOUL were get-out-the-vote drives and mailings which included sample ballots.

8 4 0 4 0 4 7 4 4 9 8

as a political committee. Several organizations which were active on behalf of candidates Ron Faucheux and Richard Tonry in the 1976 and 1977 Louisiana elections were found to be political committees in MURs 615 and 698. These groups accepted funds from principal campaign committees for a variety of activities including printing of sample ballots, neighborhood canvassing and telephone banks in support of such candidates. In MUR 1171, the Commission determined that a local party committee had to register and report as a political committee even though the candidates paid the committee the assessed value of the services rendered by the committee. Most recently, the Commission found reason to believe, in MUR 1463, that the Democratic Alliance (District 26) violated 2 U.S.C. §§ 433 and 434. This finding was based on information which indicated that the Democratic Alliance had qualified as a political committee as it had accepted contributions and made expenditures in excess of $1,000 on behalf of candidates Paul Sarbanes and Steny Hoyer. Both candidates had paid to be listed on a sample ballot.

Because both of the Crusades' receipts and expenditures exceeded $1,000, they should have registered and reported in accordance with 2 U.S.C. §§ 433 and 434. Additionally, since the Crusades have not established separate federal accounts, there are possible violations of 2 U.S.C. § 441b which prohibits the acceptance of corporate and labor union contributions[4/] and

---

4/ Virginia state law does not prohibit the acceptance of such contributions.

8 4 0 4 0 4 7 4 4 9 9

11 C.F.R. § 102.5(a)(1) and (2) for depositing prohibited funds and funds from persons not aware of the application of federal election contribution limitations.

Moreover, the Davis Committee and the Democratic Committee, who made payments to the Crusade, exceeded the $5,000 contribution limitation of 2 U.S,C. § 441a(a)(1)(C) and the Crusade appears to have violated 2 U.S.C. § 441a(f) for accepting excessive contributions. Likewise, any disbursements by the Crusade on behalf of federal candidates are subject to the $1,000 per election contribution limitation of 2 U.S.C. § 441a(a)(1)(A).

In addition, a political committee making expenditures for the purpose of financing communication expressly advocating the election of a clearly identified candidate is responsible for stating whether or not the communication was authorized by the candidate. The subject literature, which was publicly distributed, failed to provide an appropriate disclaimer in violation of 2 U.S.C. § 441d.

On July 26, 1983, the Commission voted to find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d. At that same meeting, the Commission voted to hold in abeyance any action against other possible respondents until such time as additional information could be requested from the Richmond Crusade. A notification letter containing numerous questions was sent to the respondent and on September 14, 1983, a reply was received.

8 4 0 4 0 4 7 4 5 0 0

Counsel's response has raised additional questions. According to counsel, both the Davis and Waldrop Committees contacted the Virginia Crusade for Voters asking for assistance in GOTV activities within the black community. The Virginia Crusade agreed to do so and requested and received funds from each candidate. A review of candidate reports indicate that the Davis Committee reports expenditures to the Virginia Crusade but the Waldrop Committee does not. It is unclear why the Davis and Waldrop Committees made their contributions to the Virginia Crusade for Voters, yet the Davis Committee directed the Democratic Party of Virginia to make its contribution to the Richmond Crusade.

Counsel contends that both the Richmond and Virginia Crusades are not affiliated within the meaning of 11 C.F.R. § 100.5(g) and they do not believe they have made any expenditures within the meaning of 11 C.F.R. § 100.8(b)(3).

Thus far, it is unclear whether both Crusades share office space. However, it appears that they do share the same mailing address and have had contact concerning activities for and contributions by the Davis and Waldrop Committees. Both Crusades have provided an itemization of expenditures which indicate that each has spent in excess of $1,000 on behalf of federal candidates. It is a fact that the Davis Committee has contributed in excess of $1,000 to the Virginia Crusade and it appears the Waldrop Committee has failed to report its contribution to the Virginia Crusade.

8 4 0 4 0 4 7 4 5 0 1

Based on the above, the Office of General Counsel recommends that the Commission find reason to believe against the remaining respondents and approve and send the attached notifications and questions.

III. Recommendations

1. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 433.

2. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 434.

3. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441a(f).

4. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441b.

5. Find reason to believe the Virginia Crusade for Voters violated 2 U.S.C. § 441d.

6. Find reason to believe the Davis for U.S. Senate Committee and Nancy K. Sneade as treasurer violated 2 U.S.C. § 441a.

7. Find reason to believe the Democratic Party of Virginia Federal Campaign Committee and James S. Cremins as treasurer violated 2 U.S.C. § 441a.

8. Find reason to believe the Waldrop Committee and Herman F. Blake, Jr. as treasurer violated 2 U.S.C. § 434.

9. Approve and send attached notifications and questions.

Charles N. Steele
General Counsel

10/25/83
Date

BY: Kenneth A. Gross by [illegible]
Kenneth A. Gross
Associate General Counsel

Attachments
Notification Letters
(10 pages attached)

R 4 0 4 0 4 7 4 5 0 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Anthony F. Troy, Esquire
Mays, Valentine, Davenport
and Moore
F&M Center
1111 East Main Street
P.O. Box 1122
Richmond, Virginia 23208

RE: MUR 1543

Dear Mr. Troy:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Davis for U.S. Senate 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 , 1983, determined that there is reason to believe that the Davis for U.S. Senate Committee, and Nancy K. Sneade as treasurer, have violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 1 7 4 5 0 3

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 0 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas W. McCandlish, Esquire
Mezzullo, McCandlish and Framme, P.C.
700 East Main Street
Suite 804
Richmond, Virginia 23219

RE: MUR 1543

Dear Mr. McCandlish:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Democratic Party of Virginia Federal Campaign Committee, has 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 , 1983, determined that there is reason to believe that the Democratic Party of Virginia Federal Campaign Committee, and James S. Cremins as treasurer, have violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 5 0 5

3

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

R 4 0 4 0 4 7 4 5 0 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Herman F. Blake, Jr., Treasurer
John Waldrop for Congress Committee
P.O. Box 9125
Richmond, Virginia 23227

RE: MUR 1543

Dear Mr. Blake:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleged 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, the Commission, on , 1983, determined that there is reason to believe that the Waldrop for Congress Committee, and you as treasurer, have violated 2 U.S.C. § 434, a provision of the Act. Specifically, we have information that a representative of your committee contacted the Virginia Crusade for Voters regarding get-out-the-vote efforts and the Crusade requested and received funds from you to cover costs. We have reviewed your reports during the relevant time period and it appears that you may have failed to report an expenditure to the Virginia Crusade for Voters.

As of this date, we have received no written response from you in connection with this matter. Please submit a detailed statement as to your contacts with the Virginia and/or Richmond Crusade for Voters including, but not limited to, any transfers of money by the Waldrop Committee to either group. Statements should be submitted under oath within ten days.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against you, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 5 0 7

5

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 0 8

6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client, the Virginia and Richmond Crusades for Voters, had 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 , 1983, determined that in addition to previous findings against the Richmond Crusade for Voters, there is reason to believe that the Virginia Crusade for Voters has violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d, provisions of the Act.

Please submit answers to the enclosed questions within ten days of your receipt of this letter. Statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 5 0 9

7

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures
Questions

8404047451 0

8

QUESTIONS

State the address, telephone number, and officers of the Virginia Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

State the address, telephone number, and officers of the Richmond Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

State the address, telephone number, and officers of the Crusade for Voters. If a Charter or By-Laws exist, please submit copies.

Please distinguish the following groups in detail: (a) the Virginia Crusade for Voters; (b) the Richmond Crusade for Voters; and (c) the Crusade for Voters.

Do the above groups use separate mailing lists or share mailing lists?

From what source(s) are potential contributors for each group developed?

In your letter of September 14, 1983, you state that the Virginia Crusade for Voters was asked for assistance in GOTV activities in black communities by both the Davis and Waldrop Committees. The Virginia Crusade agreed and requested and received funds to cover GOTV expenses by both candidates. In this regard, please itemize the amount and date of each contribution by Davis and Waldrop to the Virginia Crusade.

Are there any other local Crusade for Voter groups in Virginia besides the Richmond Crusade?

Included in your response of September 14, 1982, you submitted two separate itemized lists of expenditures by the Virginia Crusade for Voters and the Richmond Crusade for Voters. In this regard, do those figures represent total expenditures by each group? Explain.

8 4 0 4 0 4 7 4 5 1 1

Do those figures represent pro rated expenditures in connection with federal elections? If yes, explain the equation used to pro rate those expenditures.

Please itemize the amount the Virginia Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign; and (c) any other federal candidate.

Please itemize the amount the Richmond Crusade spent on: (a) the Waldrop campaign; (b) the Davis campaign; and (c) any other federal candidate.

You state in your letter of September 14, 1982, that the Virginia Crusade contacted the Richmond Crusade concerning GOTV activities in the Third District. Please provide specific details of what transpired and submit copies of any correspondence, telephone logs or contemporaneous memoranda in this regard. Name the individuals involved.

Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Virginia Crusade for Voters.

Please submit copies of all literature referencing a federal candidate in any way whatsoever including, but not limited, sample ballots, slate cards and the like paid for by the Richmond Crusade for Voters.

Itemize all transfers of funds between the Virginia Crusade and Richmond Crusade.

Please submit photocopies of all reports filed by the Virginia Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

Please submit photocopies of all reports filed by the Richmond Crusade for Voters with the Commonwealth of Virginia in connection with 1982 elections.

8 4 0 4 0 4 7 4 5 1 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS MWE /JODY C. RANSOM jcr

DATE: OCTOBER 19, 1983

SUBJECT: MUR 1543 - Comprehensive Investigative Report #1 signed October 17, 1983

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, October 18, 1983.

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

8 4 0 4 0 4 7 4 5 1 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: October 17, 1983

SUBJECT: MUR 1543: Comprehensive Investigative Report #1

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[ ]	Compliance	[x]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[x]	Litigation	[ ]
Sensitive	[x]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8404047451 4

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

83 OCT 17 P4: 50

SENSITIVE

In the Matter of	)	
	)	
Davis For U.S. Senate Committee	)	
Waldrop For Congress Committee	)	MUR 1543
Richmond Crusade For Voters	)	
Democratic Party of Virginia Federal Campaign Committee	)	

COMPREHENSIVE INVESTIGATIVE REPORT #1

On July 26, 1983, the Commission found reason to believe the Richmond Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b and 441d. The respondent was notified of the Commission's action on August 2, 1983. On August 20, 1983, the respondent submitted a letter stating they would be unable to provide the requested information until September 15th; the information was received by the Commission on September 19, 1983.

At issue here is whether the Davis and Democratic Committees' contributions to the Virginia and Richmond Crusade for Voters for get-out-the-vote ("GOTV") activities constitute excessive contributions to a Federal committee and whether either or both of the Crusade Committees qualify as political committees.

Counsel's response has raised additional questions. According to counsel, both the Davis and Waldrop Committees contacted the Virginia Crusade for voters asking for assistance in GOTV activities within the black community. The Virginia Crusade agreed to do so and requested and received funds from

8 4 0 4 0 4 7 4 5 1 5

each candidate. A review of candidate reports indicate that the Davis Committee reports expenditures to the Virginia Crusade but the Waldrop Committee does not. It is unclear why the Davis and Waldrop Committees made their contributions to the Virginia Crusade for Voters, yet the Davis Committee directed the Democratic Party of Virginia to make its contribution to the Richmond Crusade.

Counsel contends that both the Richmond and Virginia Crusades are not affiliated within the meaning of 11 C.F.R. § 100.5(g) and they do not believe they have made any expenditures within the meaning of 11 C.F.R. § 100.8(b)(3).

It appears that both the Virginia and Richmond Crusades share the same mailing address and have had contact concerning activities for and contributions by the Davis and Waldrop Committees. Both Crusades have provided an itemization of expenditures which indicate that each has spent in excess of $1,000 on behalf of federal candidates. We know that the Davis Committee has contributed in excess of $1,000 to the Virginia Crusade and it appears the Waldrop Committee has failed to report its contribution to the Virginia Crusade. However, additional information from all respondents is still necessary in order to fully ascertain whether these groups are affiliated and whether they are vendors or meet the criteria of political committee. A

8 4 0 4 0 4 7 4 5 1 6

General Counsel's Report with recommended questions to the respondents is in preparation and will be circulated to the Commission shortly.

Charles N. Steele
General Counsel

October 17, 1983
Date

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 1 7

LAW OFFICES
HILL, TUCKER & MARSH
500 NORTH THIRD STREET
P. O. Box 27263
RICHMOND, VIRGINIA 23261-7263
Telephone (804) 648-9073

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III
GARY A. HICKS

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
GARY A. HICKS
510 Princess Anne Street, Suite 300 (22401)
Telephone (703) 371-3700

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
83 SEP 19 P2: 12

14 September 1983

Ms. Lee Ann Elliott
Vice Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1543

Dear Ms. Elliott:

We are writing to reply to your letter dated August 2, 1983, and on behalf of the Richmond Crusade for Voters and the Virginia Crusade for Voters.

Pursuant to your request, we are attaching itemized lists of expenditures for both organizations during the year in question.

The following is our response to the other questions raised in your letter:

1) There is no correspondence nor memoranda concerning the solicitation of and use of the funds at issue here, all contacts were oral, either face to face or by telephone.

2) After the Virginia Crusade had endorsed Mr. Davis, a representative of the Davis Committee approached the Virginia Crusade and asked it if it would assist the Davis Committee in get out the vote efforts within the black community. The Virginia Crusade agreed to do so and requested funds to cover the expenses of its proposed endeavor.

3) Similarly, a representative of the Waldrop Committee contacted the Virginia Crusade for Voters regarding get out the vote efforts and the Crusade requested and received funds from that source.

3 4 0 4 0 4 7 4 5 1 8

4) There is no formal ongoing relationship between the Richmond Crusade for Voters and the Virginia Crusade for Voters. They are two separate organizations. The Richmond Crusade concerns itself with voter registration and get out the vote efforts for elections affecting the City of Richmond and the Third District, while the Virginia Crusade concerns itself with voter registration and get out the vote efforts for State-wide elections. In 1982, however, because the Virginia Crusade made its endorsements first, it was the first to be approached by the Davis Committee and it in turn contacted the Richmond Crusade regarding get out the vote activities for the city and the Third District.

5) It is the opinion of the Richmond and Virginia Crusades that they are not "affiliated" within the meaning of that term as set forth in 11 C.F.R. §100.5(g). Neither Crusade is affiliated with any organizations operating outside the Commonwealth of Virginia.

Both the Richmond and the Virginia Crusades wish to reiterate that they do not believe that they made "expenditures" within the meaning of 11 C.F.R. 100.8(b)(3) because the expenses they incurred were for "nonpartisan activity" solely intended to encourage individuals to register to vote and to vote. No effort is or ever has been made by either organization to determine the party or candidate preference of the individuals they contact before encouraging them to register to vote or to vote or before giving them rides to the polls.

The two organizations' endorsements of political candidates have never been based upon party affiliations. The organizations have endorsed Republican, Democratic and Independent candidates when those candidates were opposed by other candidates with different political party affiliations.1/

1/ Examples of such endorsements are: (1) For U.S. Senate; Traylor-Rep. 1966; Spong-Dem. 1966 (note that both a Republican and a Democrat were endorsed for Senate seats in the same election year). (2) for gubernatorial elections, Godwin-Dem. 1965; Holton-Rep. 1969; Howell-Indep., 1973; (3) for Attorney General, Coleman-Rep. 1977; Baliles-Dem., 1981.

8 4 0 4 0 4 7 4 5 1 9

As the examples illustrate, both organizations have a long history of activity designed to enhance black voter participation without regard to party.

Very truly yours,

Henry L. Marsh, III

of

HILL, TUCKER & MARSH

HLM,III:ml

Enclosure

8 4 0 4 0 4 7 4 5 2 0

RICHMOND CRUSADE FOR VOTERS

Expenditures

1.	Deposit, post office, bulk rate	$ 5,500.00
2.	Quality Printing Company	4,178.00
3.	Copy Cat	1,066.60
4.	State Board of Elections	500.00
5.	Telephones, installation and 1 month's rent	480.00
6.	City of Richmond, sound permits	90.00
7.	Pizzini, placards	172.96
8.	Atlas Print Shop	42.25
9.	Pamela Wilson's salary (3 weeks)	450.00
10.	Office help, telephones, stuffing & labeling	450.00
11.	Rent, 212 E. Clay Street	250.00
12.	Janitorial services, 212 E. Clay Street	50.00
13.	Distribution of placards	150.00
14.	Poll workers, transportation, etc.	6,020.00
15.	Office supplies	273.43
16.	Valerie Bates, signs	30.00
17.	Lunches, coffee, cokes for office workers	43.17
	Total	$ 19,746.41

8 4 0 4 0 1 7 4 5 2 1

VIRGINIA CRUSADE FOR VOTERS

Expenditures

1.	Postmaster, City of Richmond	$ 744.27
2.	Secretarial help, 3 weeks	450.00
3.	Office rent, 2 months	200.00
4.	Telephone	86.66
5.	Office manager	750.00
6.	Copy Cat	53.70
7.	Office Supplies	52.33
8.	Richmond Crusade for Voters	663.04
	TOTAL	$ 3,000.00

BERKSHIRE BOND USA 50% COTTON FIBER

8 4 0 4 0 4 7 4 5 2 2

L, TUCKER & MARSH
P. O. BOX 27363
ICHMOND, VIRGINIA

8 4 0 4 0 4 7 4 5 2

LAW
Rule of Right
Not Might

RICHMOND
SEP 15 93

Ms. Lee Ann Elliot
Vice Chairman
Federal Election Commission
Washington, D. C. 20463

RECEIVED AT THE FEC
GCC# 770
83 SEP 8 A10:07

LAW OFFICES
HILL, TUCKER & MARSH
509 NORTH THIRD STREET
P. O. BOX 27363
RICHMOND, VIRGINIA 23261-7363
Telephone (804) 648-9075

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
510 Princess Anne Street, Suite 200 (22401)
Telephone (703) 371-3700

30 August 1983

83 SEP 8 A9:07
GENERAL COUNSEL

Federal Election Commission
Washington, D.C. 20463

Attention: Suzanne Callahan

Re: MUR 1543

Dear Ms. Callahan:

Pursuant to our telephone conversation on the above date, we are writing to confirm our oral request for a further extension of time to respond to Ms. Lee Ann Elliott's letter of August 2, 1983. Our request is that we be allowed to respond no later than September 15, 1983.

Thank you.

Very truly yours,

Henry L. Marsh, III

of

HILL, TUCKER & MARSH

HLM,III/sem

8404047452 4

LL, TUCKER & MARSH
ATTORNEYS-AT-LAW
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363

LAW
Rule of Right
Not Might

RECEIVED
83 SEP 20 A 10:17
1282544

Federal Election Commission
Washington, D.C. 20463

ATTN: Suzanne Callahan

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 2, 1983

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your clients 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 July 26, 1983, determined that there is reason to believe that the Richmond Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b, and 441d, provisions of the Act. Specifically, it appears that your client's expenditures on behalf of federal candidates exceeded $1,000 during the calendar year and thus triggered political committee status as defined in the Act.

Your response to the Commission's initial notification of this complaint has been reviewed and we find that additional information is necessary. Please provide an itemization of all expenditures made by the Virginia and Richmond Crusades for Voters in connection with federal elections. The list should include all activities and materials in which a federal candidate is featured or mentioned. If there is a question as to whether a certain expenditure qualifies as a federal expenditure, submit a copy of the material along with its cost for review by this office.

If possible, provide the Commission with an itemization of the Crusade's use of the funds it received from the Democratic Committee and the Davis Committee along with any correspondence or memoranda concerning the solicitation of and use of the funds

8 4 0 4 0 4 7 4 5 2 6

at issue here. Please provide a detailed statement as to any contacts whatsoever by the Crusade with the Davis and Waldrop campaigns concerning expenditures to be made on their behalf.

Additionally, please submit a detailed statement as to the relationship between the Richmond Crusade for Voters, the Crusade for Voters of Virginia, and the Crusade for Voters. Specifically, please discuss the relationship of these groups as to whether or not they meet any of the indicia of affiliation set forth in 11 C.F.R. § 100.5. A detailed response is requested. If the Crusade has any affiliates operating outside the Commonwealth of Virginia, please so state.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Lee Ann Elliott

Lee Ann Elliott,
Vice Chairman

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 2 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your clients 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 July 26, 1983, determined that there is reason to believe that the Richmond Crusade for Voters violated 2 U.S.C. §§ 433, 434, 441a(f), 441b, and 441d, provisions of the Act. Specifically, it appears that your client's expenditures on behalf of federal candidates exceeded $1,000 during the calendar year and thus triggered political committee status as defined in the Act.

Your response to the Commission's initial notification of this complaint has been reviewed and we find that additional information is necessary. Please provide an itemization of all expenditures made by the Virginia and Richmond Crusades for Voters in connection with federal elections. The list should include all activities and materials in which a federal candidate is featured or mentioned. If there is a question as to whether a certain expenditure qualifies as a federal expenditure, submit a copy of the material along with its cost for review by this office.

If possible, provide the Commission with an itemization of the Crusade's use of the funds it received from the Democratic Committee and the Davis Committee along with any correspondence or memoranda concerning the solicitation of and use of the funds

8 4 0 4 0 4 7 4 5 2 8

at issue here. Please provide a detailed statement as to any contacts whatsoever by the Crusade with the Davis and Waldrop campaigns concerning expenditures to be made on their behalf.

Additionally, please submit a detailed statement as to the relationship between the Richmond Crusade for Voters, the Crusade for Voters of Virginia, and the Crusade for Voters. Specifically, please discuss the relationship of these groups as to whether or not they meet any of the indicia of affiliation set forth in 11 C.F.R. § 100.5. A detailed response is requested. If the Crusade has any affiliates operating outside the Commonwealth of Virginia, please so state.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Sonc
7/29

Enclosures
Procedures

8404047452 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Davis for U.S. Senate Committee	)	MUR 1543
Waldrop for Congress Committee	)	
Richmond Crusade for Voters	)	
Democratic Party of Virginia Federal Campaign Committee	)	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on July 26, 1983, do hereby certify that the Commission decided by a vote of 4-0 to take the following actions in MUR 1543:

1. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. §§433, 434, 441a(f), 441b, and 441d.

2. Hold in abeyance any action with respect to the General Counsel's recommendations 6, 7, and 8 in the July 15, 1983 report at this time.

3. Direct the Office of General Counsel to send appropriate letters pursuant to these actions.

Commissioners Aikens, Elliott, Harris, and McGarry voted affirmatively for the decision; Commissioners McDonald and Reiche were not present at the time of the vote on this matter.

Attest:

7/26/83
Date

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

8 4 0 4 0 4 7 4 5 3 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY RANSOM

DATE: JULY 19, 1983

SUBJECT: OBJECTIONS - MUR 1543 General Counsel's Report signed July 15, 1983

The above-named document was circulated to the Commission on July 15, 1983 at 2:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	
Commissioner Elliott	X
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	X
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, July 26, 1983.

8 4 0 4 0 4 7 4 5 3 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: JULY 15, 1983

SUBJECT: OBJECTION - MUR 1543 General Counsel's Report signed July 14, 1983

The above-named document was circulated to the Commission on Friday, July 15, 1983 at 2:00.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	
Commissioner Elliott	X
Commissioner Harris	
Commissioner McDonald	
Commissioner McGarry	
Commissioner Reiche	

This matter will be placed on the Executive Session agenda for Tuesday, July 26, 1983.

8 4 0 4 0 4 7 4 5 3 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: July 15, 1983

SUBJECT: MUR 1543 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8404047453 3

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

83 JUL 15 A9:55

In the Matter of)
)
Davis For U.S. Senate Committee)
Waldrop For Congress Committee) MUR 1543
Richmond Crusade For Voters)
Democratic Party of Virginia)
Federal Campaign Committee)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. Background

On April 7, 1983, J. Curtis Herge, counsel to the Republican Party of Virginia, filed a complaint with the Commission. Mr. Herge alleges that a letter was distributed by the Richmond Crusade for Voters ("Crusade for Voters"), an unregistered committee, which advocated the election of Richard J. Davis to the U.S. Senate and John Waldrop to the U.S. House of Representatives; contributions were solicited in the subject letter which was submitted with the complaint.

Both the reports of the Davis Committee and Democratic Party of Virginia Federal Campaign Committee ("Democratic Committee") show payments made by them to the Crusade for Voters, in the amount of $5,667 each. The complainant alleges that the payments made by the Davis Committee and the Democratic Committee to the Crusade for Voters appear to constitute contributions to a political committee which may have exceeded the limitations of § 441a. The complainant asserts that the subject letter does not qualify under the exemption provisions of § 100.8(b)(3) because it is partisan in nature and thus the Crusade for Voters meets

8 4 0 4 0 4 7 4 5 3 4

the criteria of a political committee supporting federal candidates which must comply with the provisons of the FECA of 1971, as amended.

It is further alleged that the three committees 1/ are affiliated and therefore have violated § 433 and § 434 for failure to report accordingly. In addition, a violation of § 441d is alleged to have been committed in that the disclaimer does not accurately reflect the identity of those responsible for the communication.

All of the named respondents were sent copies of the complaint on April 14, 1983.

II. Legal Analysis

Pursuant to 2 U.S.C. § 431(4), the term "political committee" means any committee, club, association, or other group of persons which receives contributions aggregating in excess of $1,000 during a calendar year or which makes expenditures aggregating in excess of $1,000 during a calendar year. Pursuant to 2 U.S.C. § 431(9)(A)(i), the term "expenditure" includes any purchase, payment, distribution, loan, advance, deposit, or gift of money or anything of value, made by any person for the purpose of influencing any election for federal office. Under section 433, political committees are required to file a statement of

---

1/ Complainant considers these to be: Crusade for Voters; Richmond Crusade for Voters; and Virginia Crusade for Voters. Apparently, there are two committees, i.e., Richmond Crusade for Voters and Virginia Crusade for Voters. See infra.

8 4 0 4 0 4 7 4 5 3 5

organization within ten days after becoming a political committee within the meaning of section 431(4). Under section 434, all political committees are required to file reports of receipts and disbursements.

In response to the complaint filed, the Crusade stated that its main purpose is non-partisan GOTV and voter education activities for blacks in the Richmond area in connection with both state and federal elections. According to the response, the Crusade has endorsed Democratic and Republican as well as independent candidates in the past.

> The aforesaid Crusade's objectives have been accomplished by a series of Crusade activities including the recommendation of candidates for particular offices, voter education forums and get out the vote activities.

The materials submitted by the complaint included two pieces of literature; one, a sample ballot and the other a letter with a printed listing of preferred candidates paid for by the Crusade for Voters. Under 11 C.F.R. § 100.7(b)(a), <u>a state or local committee of a political party</u> may make expenditures for "a printed slate card, sample ballot, palm card or other printed listing(s) of three or more candidates for any public office for which an election is held in the state in which the committee is organized" and such expenditures are exempt from the definition of contribution.

8 4 0 4 0 4 7 4 5 3 6

However, in light of the fact that the Crusade is not a party committee, the expenditure exemption under 11 C.F.R. § 100.7(b)(a) is not applicable. The respondents in this matter contend that the Crusade's activities are non-partisan in nature and, thus, fulfill the expenditure exemption set forth in 11 C.F.R. § 100.8(b)(3).

> Any cost incurred for non-partisan activity designed to encourage individuals to register to vote or to vote is not an expenditure..."non-partisan activity" means that no effort is or has been made to determine the party or candidate preference of individuals before encouraging them to register to vote or to vote.

In this matter, the Crusade's sample ballot and slate card were geared toward specific candidates, all Democrats, and cannot be considered merely as a non-partisan, get-out-the-vote activity. Because the Crusade's expenditures must be proportionately allocated to the federal candidates it supported, it appears that the Crusade expended in excess of $1,000 in connection with federal elections and it also accepted contributions exceeding $1,000 in a calendar year. Thus, we believe the Crusade meets the criteria set forth in 2 U.S.C. § 431(4)(A) for political committee status. Therefore, funds received by the Crusade should be considered "contributions" and the cost incurred on behalf of federal candidates as expenditures.

To find that the Crusade has qualified as a political committee and, thus, is in violation of 2 U.S.C. §§ 433 and 434,

8 4 0 4 0 4 7 4 5 3 7

would be consistent with past determinations of the Commission. In MURs 223 (Baltimore Clubs), 519 (SOUL), 615 and 698 (Coalition on Urban Politics et al.), 1171 (Lake County Democratic Central Committee) and 1463 (Democratic Alliance), the Commission determined that the organization in question had qualified as a political committee even though in each instance the organization was being paid by candidates for its services.

In MUR 223, the Commission found that payments by the Sarbanes for Senate Committee, each in excess of $1,000, to 16 political clubs in Baltimore triggered registration and reporting obligations for each club under the Act. The payments were for "ballots and canvass[ing]." In MUR 519, even though the committee in question (SOUL) was registered, it tried to claim that it was not a political committee because the source for all the money expended by SOUL came from the candidates themselves on whose behalf SOUL made expenditures. 2/ In addition, SOUL asserted that the amount expended by it on behalf of a candidate was equal to the amount of money that the candidate transferred to SOUL. The Commission, nonetheless, treated the organization as a political committee. Several organizations which were active on behalf of candidates Ron Faucheux and Richard Tonry in the 1976 and 1977 Louisiana elections were found to be political committees in MURs 615 and 698. These groups accepted funds from

---

2/ Among the services provided by SOUL were get-out-the-vote drives and mailings which included sample ballots.

8 4 0 4 0 4 7 4 5 3 8

principal campaign committees for a variety of activities including printing of sample ballots, neighborhood canvassing and telephone banks in support of such candidates. In MUR 1171, the Commission determined that a local party committee had to register and report as a political committee even though the candidates paid the committee the assessed value of the services rendered by the committee. Most recently, the Commission found reason to believe, in MUR 1463, that the Democratic Alliance (District 26) violated 2 U.S.C. §§ 433 and 434. This finding was based on information which indicated that the Democratic Alliance had qualified as a political committee as it had accepted contributions and made expenditures in excess of $1,000 on behalf of candidates Paul Sarbanes and Steny Hoyer. Both candidates had paid to be listed on a sample ballot.

Because the Crusade's receipts and expenditures exceeded $1,000, it should have registered and reported in accordance with 2 U.S.C. §§ 433 and 434. Additionally, since the Crusade has not established a separate federal account, there are possible violations of 2 U.S.C. § 441b which prohibits the acceptance of corporate and labor union contributions 3/ and 11 C.F.R. § 102.5(a)(1) and (2) for depositing prohibited funds and funds from persons not aware of the application of federal election contribution limitations.

3/ Virginia state law does not prohibit the acceptance of such contributions.

8 4 0 4 0 4 7 4 5 3 9

Moreover, the Davis Committee and the Democratic Committee, who made payments to the Crusade, exceeded the $5,000 contribution limitation of 2 U.S.C. § 441a(a)(1)(C) and the Crusade appears to have violated 2 U.S.C. § 441a(f) for accepting excessive contributions. Likewise, any disbursements by the Crusade on behalf of federal candidates are subject to the $1,000 per election contribution limitation of 2 U.S.C. § 441a(a)(1)(A).

In addition, a political committee making expenditures for the purpose of financing communication expressly advocating the election of a clearly identified candidate is responsible for stating whether or not the communication was authorized by the candidate. The subject literature, which was publicly distributed, failed to provide an appropriate disclaimer in violation of 2 U.S.C. § 441d.

Since the Crusade appears to be a political committee, it is subject to the limitations and prohibitions of the Act. Accordingly, we recommend that the Commission find reason to believe that the Crusade has violated 2 U.S.C. §§ 433, 434, 441a(f), 441b, and 441d. We further recommend that the Commission find reason to believe that the Davis and Democratic Committees exceeded the limitations of § 441a by $667 placing each in violation of that section.

While the complainant alleges that the respondent committees, the Crusade for Voters of Virginia and the Richmond Crusade for Voters, are affiliated, there is no evidence that the

8 4 0 4 0 4 7 4 5 4 0

committees meet any of the indicia of affiliation set forth in § 100.5(a):

> All committees established, financed, maintained, or controlled by the same corporation, labor organization, person, or group of persons including any parent, subsidiary, branch, division, department, or local unit therefore thereof, are affiliated.

The letter on behalf of the Committees indicates that the Crusade for Voters of Virginia is a statewide organization while the Richmond Crusade for Voters is, as the name implies, a Richmond, Virginia organization.

While the Waldrop Committee was mentioned in the Crusade's literature, no monies were transacted between the two groups; we have no reason to believe the Waldrop Committee has violated the Act in connection with the issues addressed in this MUR.

III. Recommendtions

1. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. §§ 433.

2. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. § 434.

3. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. § 441a(f).

4. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. § 441b.

5. Find reason to believe the Richmond Crusade for Voters violated 2 U.S.C. § 441d.

6. Find reason to believe that the Davis Committee violated 2 U.S.C. § 441a.

8 4 0 4 0 4 7 4 5 4 1

7. Find reason to believe that the Democratic Committee violated 2 U.S.C. § 441a.

8. Find no reason to believe that the Waldrop Committee violated any provision of the Act.

9. Approve and send attached notification letters.

Charles N. Steele
General Counsel

Date: July 14, 1982

BY: Kenneth A. Gross
Associate General Counsel

Attachments

Complaint (9 pages)
Davis response (2 pages)
Crusade for Voters response (2 pages)
Democratic Party of Virginia response (2 pages)
Notification letters (6 pages)
(21 total pages attached)

8 4 0 4 0 4 7 4 5 4 2

83 APR 11 AM: 32

SEDAM & HERGE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE [illegible]
[illegible] GREENSBORO DRIVE
McLEAN, VIRGINIA [illegible]
(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

JANIS A. CHERRY
JOHN ROBERT CLARK III
D. ERIC SIVERTSEN
SHARON L. POWERS
CLAIRE M. BOCCELLA

SUITE [illegible]
[illegible] PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. [illegible]
(202) 821-[illegible]
TELEX 710-[illegible]
CABLE SEDAMHERGE

April 7, 1983

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

Dear Sir:

This letter constitutes a complaint filed on behalf of our client, Republican Party of Virginia, 115 East Grace Street, Richmond, Virginia 23219, pursuant to the provisions of 2 U.S.C. §437g(a)(1), in the belief that the Crusade for Voters, 206 East Clay Street, Richmond, Virginia 23219, (apparently sometimes also known as the Richmond Crusade for Voters and the Virginia Crusade for Voters); the Davis for U.S. Senate Committee ("Davis Committee"), P. O. Box 522, Richmond, Virginia 23204; and, the Democratic Party of Virginia - Federal Campaign Committee ("Democratic Committee"), Suite 801, 7th & Franklin Building, Richmond, Virginia 23219, have violated several provisions of the Federal Election Campaign Act of 1971 ("the Act"), as amended.

Attached hereto and made a part hereof is a copy of a letter from Mrs. Ellen Pearson, President of the Crusade for Voters, which, upon information and belief, was either mailed or distributed to Virginia voters in connection with the general election of November 2, 1982. The subject letter advocates the election of Richard J. Davis, a candidate for election to the United States Senate, and John Waldrop, a candidate for election to the United States House of Representatives. The letter clearly was published for the purpose of influencing federal elections; and, it solicits contributions as that term is defined in 2 U.S.C. §431(8)(A)(i). The letter was published upon Crusade for Voters' letterhead. Contributions are solicited in the letter for the Richmond Crusade for Voters, and the letter requests that all contributions be sent to the same address listed for Crusade for Voters. Upon information and belief, Crusade for Voters issued additional communications and made additional expenditures in connection with Federal elections in Virginia in 1982.

8 4 0 4 0 4 7 4 5 4 3

Also attached hereto and made a part hereof, are copies of portions of the Davis Committee's twelve day pre-election report and thirty day post-election report, and the Democratic Committee's thirty day post-election report, all filed in connection with the Virginia general election on November 2, 1982.

Page 8 of 8 for line 17, Schedule B, of the Davis Committee's twelve day pre-election report shows a $3,000.00 payment by the Davis Committee to Virginia Crusade for Voters on October 11, 1982. Page 15 of 19 for line 17, Schedule B, of the Davis Committee's thirty day post-election report shows another $2,667.00 payment to Virginia Crusade for Voters on October 26, 1982, for a total of $5,667.00 paid to the Virginia Crusade for Voters by the Davis Committee during calendar year 1982.

Page 5 of 47 for line 23, Schedule F, of the Democratic Committee's thirty day post-election report shows a payment by the Democratic Committee to the Richmond Crusade for Voters of $5,667.00 on October 25, 1982.

The payments made by the Davis and Democratic Committees appear to constitute contributions, within the meaning of 2 U.S.C. §431(8)(A)(i). As the exact use made of the funds paid by the Davis and Democratic Committees to the Virginia and Richmond Crusade for Voters, respectively, is unknown, both the Davis and Democratic committees may have violated 2 U.S.C. §441a by contributing more than $5,000.00 to a political committee in calendar year 1982. The Davis Committee lists "voter contact" and "voter education and transportation" as the purposes of its expenditures to Virginia Crusade for Voters. The Democratic Committee lists "GOTV" or "get out the vote" as the purpose of its expenditures to Richmond Crusade for Voters. The attached letter clearly does not qualify under the Act's exemption provisions for contributions and expenditures by state and local party committees for "sample ballots," even though a listing of candidates appears on the back. This publication "clearly campaigns for the candidates" and is not intended "to educate the general public as to the identity of the candidates." See 2 U.S.C. §431(8)(B)(v); A.O. 1978-9. The letter does not qualify under the Act's exemption provisions for expenditures incurred for encouraging voters to register to vote, as this is clearly a partisan activity, designed to encourage voters to vote for specific candidates. See 11 C.F.R. §100.8(b)(3).

8 4 0 4 0 4 7 4 5 5 4 4

The activities engaged in by the Crusade for Voters and the Richmond and Virginia Crusade for Voters appear to bring them within the 2 U.S.C. §431(4) definition of "political committee." The three groups appear to be affiliated, as that term is defined in 11 C.F.R. §100.5(g)(2). It also appears likely from the attached letter and committee reports that the groups either received contributions or made expenditures in excess of $1,000 during calendar year 1982.

We are advised by the staff of the Federal Election Commission that neither the Crusade for Voters, the Richmond Crusade for Voters, nor the Virginia Crusade for Voters has registered as a political committee pursuant to 2 U.S.C. §433.

Accordingly, it appears that the Crusade for Voters, a/k/a the Richmond or Virginia Crusade for Voters, the Davis Committee and the Democratic Committee have violated the following provisions of the Federal Election Campaign Act of 1971, as amended:

1. Crusade for Voters, and the Richmond and Virginia Crusade for Voters, have apparently violated 2 U.S.C. §433, which makes it unlawful for a committee to fail to file a statement of organization within 10 days after becoming a political committee within the meaning of 2 U.S.C. §431(4); have apparently violated 2 U.S.C. §434 by failing to file reports of receipts and disbursements; and, have apparently violated 2 U.S.C. §441d by failing to state the identity of the persons, committees or candidates responsible for the attached communication.

2. The Davis and Democratic Committees have apparently violated 2 U.S.C. §441a in that they have contributed, within the meaning of 2

8 4 0 4 0 4 7 4 5 4 5

U.S.C. §431(8)(A)(i), more than $5,000.00 to a political committee in calendar year 1982.

Very truly yours,

J. Curtis Herge

J. CURTIS HERGE
Counsel to the Republican
Party of Virginia

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

Sworn to before me by J. CURTIS HERGE, Counsel to the Republican Party of Virginia, this 7th day of April, 1983.

Donna S. O'Donnell
Notary Public

My Commission Expires: 5/15/84

Commissioned:
Donna S. Sick

Attachments

8404047545 46

CRUSADE FOR VOTERS
SAMPLE BALLOT

CITY OF RICHMOND

GENERAL ELECTION

Tuesday, November 2, 1982

Member
United States Senate
(Vote for not more than one)

☒ Richard J. "Dick" Davis

Member
House of Representatives
Third District
(Vote for not more than one)

☒ John A. Waldrop, Jr.

Member
House of Delegates
68th District
(Vote for not more than one)

☒ Walter H. Emroch

Member
House of Delegates
69th District
(Vote for not more than one)

☒ Franklin P. Hall

Member
House of Delegates
70th District
(Vote for not more than one)

☒ James S. Christian, Jr.

Member
House of Delegates
71st District
(Vote for not more than one)

☒ Benjamin J. Lambert III

CRUSADE FOR VOTERS
206 E. Clay St., Richmond, VA 23219

CRUSADE FOR VOTERS
SAMPLE BALLOT

CITY OF RICHMOND

SPECIAL ELECTION

Tuesday, November 2, 1982

PROPOSED
CONSTITUTIONAL AMENDMENTS

QUESTION 1

Shall the Constitution of Virginia be amended to change the information required to register to vote by deleting marital status and occupation and by including any prior legal name?

☒ YES
☐ NO

QUESTION 2

Shall Section 1 of Article II of the Constitution of Virginia be amended to authorize restoration of civil rights to felons as may be provided by general law?

☒ YES
☐ NO

QUESTION 3

Shall the Constitution of Virginia be amended to authorize the General Assembly to limit the introduction of legislation in the odd-year short session?

☐ YES
☒ NO

HOUSE DISTRICTS/VOTING PRECINCTS

EMROCH -	101.	102.	103.	104.	105.	106.	201
	202.	204.	205.	207.	208.	209.	401.
	501.	502.	503.	504.	505.	804	
HALL -	107.	108.	109.	110.	402.	403.	404.
	405.	406.	407.	803.	901.	902.	903.
	905.	906					
CHRISTIAN -		602.	603.	604.	608.	701.	702.
	703.	704.	706.	801.	802.	805.	806.
	607.	904.	907				
LAMBERT -	203.	206.	301.	302.	303.	304.	305.
	306.	307.	308.	309.	506.	507.	601.
	605.	606.	607.	707.	708		

A VOTE IS A TERRIBLE THING TO WASTE

VOTE TUESDAY, NOVEMBER 2, 1982

BY AUTHORITY OF ARTHUR BROWN, TREASURER

5

8 4 0 4 0 4 7 4 5 4 7

CRUSADE FOR VOTERS

SINCE 1956
206 EAST CLAY STREET
RICHMOND, VIRGINIA 23219
648-2162

83 APRIL 11 : 32

Dear Crusader:

YOUR VOTE IS A TERRIBLE THING TO WASTE!

Unlike money, you don't get dividends or interest by saving your vote.
YOU CAN ONLY GET DIVIDENDS OR INTEREST ON YOUR VOTE WHEN YOU USE IT!

Your Crusade for Voters (Research Committee) has for the past 26 years made endorsements for candidates who would do the most for black people. We have never given you the wrong decision and don't intend to start now. We do not accept money or political favors for our endorsements.

If we, as black people, would stick together, we could control our own destiny in Richmond.

We have an opportunity to show President Reagan and the Republicans that we resent their cutting of employment programs, Medicare and Medicaid, Social Security, and that we will not tolerate 20.2% black unemployment. WE MUST VOTE THE RASCALS OUT!

We believe that the following slate of Democratic candidates recommended to you by the Crusade for Voters is the best for the coming election.

☒ RICHARD DAVIS, U.S. SENATE

☒ JOHN WALDROP, Congress, Third Congressional District

For the House of Delegates to the Virginia General Assembly, we must re-elect the team of democratic Candidates who have fought for the interest of the City of Richmond. Because of the new single member redistricting plan, you can only vote for one delegate. Be sure to check your precinct on the reverse side of this letter.

HOUSE OF DELEGATES
(YOU CAN ONLY VOTE FOR ONE)

☒	JAMES CHRISTIAN,	70th House District
☒	BENJAMIN LAMBERT,	71st House District
☒	WALTER EMROCH,	68th House District
☒	FRANKLIN HALL,	69th House District

IT IS MOST IMPORTANT THAT YOU VOTE ON TUESDAY, NOVEMBER 2ND, 1982

VOTE EARLY - POLLS OPEN 6 a.m. CLOSE 7 p.m.

For transportation or other voting information call 648-3241; 648,3242; 648-3249.

Crusadingly yours,

Ellen Pearson

(Mrs.) Ellen Pearson
President

John L. Howlette
Chairman, Research

Philmore Howlette
Chairman, Get out the vote

Arthur Brown
Treasurer

William S. Thornton
Chief Consultant

Henry L. Marsh, III
Legal Counsel

L. Douglas Wilder
Consultant

Mailing is expensive. Please send any contributions you can, $5.00, $10.00, $25.00 or more to Arthur Brown, Treasurer, Richmond Crusade for Voters, 206 East Clay Street, Richmond, Virginia 23219

6

8 4 0 4 0 4 7 4 5 4 8

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 8 of 8 for
LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)

DAVIS FOR U.S. SENATE

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
Richard Taylor 2909 Myrtle Avenue Norfolk, VA 23504	Net Salary	10-1-82	541.95
B. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Richard Taylor 2909 Myrtle Avenue Norfolk, VA 23504	Travel expense reimbursement	10-12-82	31.99
C. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Virginia Crusade for Voters 206 E. Clay Street Richmond, VA	Voter contact	10-11-82	3000.00
D. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Virginia State Conference NAACP 112 E. Clay Street, Suite 208 Richmond, VA 23219	Public relations events	10-11-82	200.00
E. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Liz Walker 506 Cameron Street, Sep. 31 Alexandria, VA 22314	Net Salary	10-1-82	304.80
F. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Liz Walker 506 Cameron Street, Apt. 31 Alexandria, VA 22314	Office expense	10-6-82	8.00
G. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Robert Watson 224 Anvil Road Mechanicsville, VA 23111	Net Salary	10-1-82	829.74
H. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Robert Watson 224 Anvil Road Mechanicsville, VA 23111	Travel expense reimbursement	10-1-82	275.26
I. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Unitemized Operating Expenditures $200 per Person Limit			908.47

SUBTOTAL of Disbursements This Page (optional) 6100.21

TOTAL This Period (last page this line number only) 434,937.74

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 15 of 19 for
LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)
Dick Davis for U.S. Senate

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
Sym-Tel W. Broad Street Richmond, Va.	electric-production	11-1-82	$156.00
B. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Eva S. Teig W. Franklin Street Richmond, Va.	travel expenses (staff)	11-19-82	$367.87
C. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Tidewater Metro Tranist P.O. Box 660 Norfolk, Va. 23501	fundraising event	11-10-82	$375.60
D. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Tidewater Printers, Inc. 821 W. 21st Street Norfolk, Va.	printed materials prtg costs	10-22-82	$2366.00
E. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Tidewater Printers, Inc. P.O. Box 660 Norfolk, Va.	printed materials-production	11-17-82	$156.00
F. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Trant Novelties, Inc. 913 W. 21st Street Norfolk, Va.	printed materials-production	11-17-82	$67.60
G. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Virginia Crusade for Voters *	voter education and transportation	10-26-82	$2667.00
H. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Virginia Education Assn. Richmond, Va.	printed materials-prtg cost	11-16-82	$348.68
I. Full Name, Mailing Address and ZIP Code	**Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):**	**Date (month, day, year)**	**Amount of Each Disbursement This Period**
Virginia Employment Comm. Richmond, Va.	payroll taxes	10-28-82	$1486.91
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			

8

8 4 0 7 4 5 0

SCHEDULE F

POLITICAL PARTY COMMITTEES OR DESIGNATED AGENT(S) ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE
(2 U.S.C. §441a(d))

LINE NUMBER 23

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full)
Democratic Party of Virginia - Federal Campaign Committee C00155952

Has your Committee been designated to make coordinated expenditures by a political party committee? ☐ YES ☐ NO
If YES, name the designating committee:

Full Name, Mailing Address and ZIP Code of Subordinate Committee

Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Post Master Richmond, VA 23232	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate—$ 58,312.64	Postage	10/25/82	1,215.21
Post Master Roanoke, VA 24002	James Olin, VA 6th District U. S. House Aggregate General Election Expenditure for this Candidate—$ 3,047.15	Postage	10/25/82	230.34
Richmond Crusade for Voters William Thornton 206 E. Clay St. Richmond, VA 23219	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate—$ 63,979.64	GOTV	10/25/82	5,667.00
National Voter Contact 316 Penn Ave., S.E. Washington, D.C. 20003	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate—$ 73,979.64	Phone bank operations	10/26/82	10,000.00

SUBTOTAL of Expenditures This Page (optional) .....

TOTAL This Period (last page this line number only) .....

9

40404745551

MAYS, VALENTINE, DAVENPORT & MOORE

F & M CENTER 1111 EAST MAIN STREET

P. O. BOX 1122

RICHMOND, VIRGINIA 23208

(804) 643-8011

RICHMOND, JR.

COUNSEL

RICHMOND OFFICE TELECOPIER

WASHINGTON, D. C. OFFICE
SUITE 1220
1899 L STREET, N. W. 20036
(202) 296-8860

GCC #37

83 MAY 13 A10:05

May 11, 1983

FILE NO.

83 MAY 13 A11:32

FEDERAL EXPRESS

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: No. MUR 1543

Dear Ms. Callaghan:

As shown on the enclosed Statement of Designation of Counsel, I have been designated as counsel for the Davis for U.S. Senate Committee ("Davis Committee"). I write today in response to your letter of April 14, 1983 and the complaint filed by the Republican Party of Virginia.

The Davis Committee stands charged of violating 2 U.S.C. § 441a by contributing more than $5,000.00 to a "political committee" in 1982. While the Davis Committee readily admits to paying $5,677.00 to the Richmond Crusade for Voters ("the Crusade"), it did not believe at that time that the latter organization was a "political committee" within the meaning of 2 U.S.C. § 431(d).

For more than twenty-five years, the Crusade has enjoyed a reputation in this city as the prime mover in getting black voters to the polls on election day. Perceiving a high voter turnout to be advantageous to the Davis campaign, representatives of the Davis Committee approached the Crusade to determine how it could assist the Crusade's efforts to get out the black vote. The Crusade responded at that time that $17,000.00 was needed to help finance its 1982 voter mobilization drive. Because this figure well exceeded the Davis

8 4 0 4 0 4 7 4 5 5 2

10

Committee's available resources for this project, it turned to the Democratic Party of Virginia ("Democratic Party") for assistance. At the request of the Davis Committee, the Democratic Party agreed to contribute two-thirds of the funds requested by the Crusade.

At all relevant times, the Davis Committee considered payments to the Crusade as disbursements for "get-out-the-vote" efforts. As such, these outlays would be exempted from the definition of expenditures under 11 C.F.R. § 100.8(b)(3). The Crusade operated independently of the Davis Committee throughout the 1982 campaign. Although the Davis Committee generally was aware of the Crusade's efforts to encourage the black voters of Richmond to vote on election day, at no time did it exercise any control over or directly participate in the Crusade's decision-making processes.

The Davis Committee is anxious to cooperate with the Office of the General Counsel in readily resolving this matter. Should you have any questions whatsoever, I will be happy to try to answer them. With best regards, I am

Very truly yours,

Anthony F. Troy

80:457

Enclosure

8404017455 3

11

LAW OFFICES
HILL, TUCKER & MARSH
309 NORTH THIRD STREET
P. O. Box 27369
RICHMOND, VIRGINIA 23261-7369
Telephone (804) 649-9973

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
210 Princess Anne Street Suite 200 (22401)
Telephone (703) 371-3700

FEC
GCC#43
83 MAY 13 AM 11:16
Collahan

12 May 1983

83 MAY 13 AM 11:16

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Callaghan:

I am writing on behalf of the Crusade for Voters of Virginia and the Richmond Crusade for Voters in connection with a complaint filed by the Republican Party of Virginia (MUR 1543).

The Crusade for Voters was established in 1956 when the number of black registered voters in the City of Richmond was approximately 4,000. Since that time the Crusade has devoted its efforts to encouraging black citizens to register and vote and to assist in the education of voters in the effective exercise of their right to vote. Currently in Richmond, the number of blacks registered to vote is in excess of 42,000.

The aforesaid Crusades' objectives have been accomplished by a series of Crusade activities including the recommendation of candidates for particular offices, voter education forums and get-out-the-vote activities.

The Crusade for Voters of Virginia operates as a state-wide organization and is usually involved in state-wide elections for both federal and State elections. The Richmond Crusade for Voters is a Richmond, Virginia organization which is usually involved in City of Richmond or Third Congressional District elections for both federal and Virginia elections at all levels.

Both organizations have historically and do at the present time maintain their independent and non-partisan status. The Crusade has endorsed Democratic, Republican and Independent candidates for public office in situations where those candidates were opposed by candidates from one or more of the other political parties. Individual endorsements are and have been based upon the platform of candidates who support issues of vital interest to black voters and not on political

8 4 0 4 0 1 7 4 5 5 4

affiliation. Although the Crusade will urge black voters to support particular candidates it has endorsed, its primary mission is and has been to increase the quantity and the effectiveness of blacks in the political process.

The request for contributions made in the letter attached to the complaint was solely for the purpose of supporting the on-going get-out-the-vote efforts of the Crusade and not for the purpose of influencing the elections in question.

The funds donated by the Davis and Democratic Committees were used solely for the purposes of distributing slates, sample ballots and for get-out-the-vote activities within the black community. Again, the reverse side of the letter attached to the complaint is clearly a sample ballot and slate card as those terms are contemplated by the Act.

The activities of the Crusade for Voters, both the State organization and the Richmond Crusade, are historically and presently nonpartisan because the organizations direct their efforts to the black community as a whole. These efforts are made without any prior knowledge or regard for whether the black citizens contacted are affiliated with or supportive of any particular political party or candidate. That philosophy has and continues to be utilized in voter education, voter registration, get-out-the-vote and voter transportation to the polls.

Very truly yours,

of

HILL, TUCKER & MARSH

HLM,III/sm

8404047455

LAW OFFICES
MEZZULLO, MCCANDLISH & FRAMME, P.C.
700 EAST MAIN STREET
SUITE 804
RICHMOND, VA. 23219
(804) 782-9250

May 10, 1983

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Callaghan:

I am writing on behalf of the Democratic Party of Virginia in connection with a complaint filed by the Republican Party of Virginia (MUR 1543). Enclosed is the statement of designation of counsel designating me as counsel for the Democratic Party of Virginia Federal Campaign Committee (Democratic Committee).

The complaint in question charges that the Democratic Committee contributed more than $5,000.00 to a political committee in calendar year 1982. The relevant facts are as follows.

After the Richmond Crusade for Voters (the Richmond Crusade) voted to endorse Democratic candidates for state and federal office, representatives from the Davis for U.S. Senate Committee (the Davis Committee) asked whether the state Democratic Party would be in a position to help pay the expenses of a get-out-the-vote drive to be conducted by the Crusade. The Crusade had endorsed two Democratic candidates for federal office, Richard J. Davis and John A. Waldrop, Jr., and four Democratic candidates for the House of Delegates, Walter H. Emroch, Franklin P. Hall, James S. Christian, Jr., and Benjamin J. Lambert, III. The state party determined that the Crusade get-out-the-vote drive would benefit federal and state democratic candidates. The state party was asked to provide $11,333.00 in get-out-the-vote expenses requested by the Richmond Crusade. $5,667.00 of this came from the Democratic Committee federal account, and $5,666.00 of the amount came from the state operating account and was allocated to the four democratic candidates for state office in the Richmond area.

The Democratic Committee understood that the payments to the Richmond Crusade were for get-out-the-vote efforts. The Richmond Crusade is an independent organization in the city of Richmond, Virginia. The Democratic Committee understood the mission of the Crusade to be to turn out black voters to the polls and to enhance the political power of the black community. The Democratic

83 MAY 11 PM 2:23
83 MAY 11 AM 11:41
8404047455 6
14

Committee had no specific knowledge of what would be done by the Crusade to turn out black voters for the election on November 2, 1982, though the Democratic Committee did understand that in the past the Richmond Crusade had made mail-outs to black households in Richmond urging blacks to vote, had provided transportation to the polls in predominantly black neighborhoods, and had poll workers and sample ballots at the polling places. The Democratic Committee did not exercise any control over the activities of the Crusade with respect to the 1982 election, nor did the Democratic Committee review any literature prepared by the Crusade.

The Democratic Committee did not and does not interpret its payment of expenses for the Richmond Crusade's get-out-the-vote drive as a contribution to the Crusade. Though in our telephone conversation, you indicated that the term contribution has been interpreted broadly by the Commission, we do not believe that the payment by the Democratic Committee of these expenses should be interpreted as falling within that definition. In addition, the exclusion in 11 C.F.R. § 100.8(b)(3) should also apply. Although the Democratic Committee obviously believed that the get-out-the-vote effort by the Richmond Crusade would benefit Democratic party candidates, the Democratic Committee had no reason to believe that in getting out the vote, the Richmond Crusade would make an effort "to determine the party or candidate preference of individuals before encouraging them to register to vote or to vote." 11 C.F.R. § 100.8(b)(3). In fact, in the past the Crusade has operated on an independent basis, endorsing at various times Democratic, Republican, or Independent candidates.

I trust this provides the information you require. If you have any additional questions, please contact me.

Yours very truly,

Thomas W. McCandlish

Thomas W. McCandlish

TWM/ssg

8 4 0 4 0 1 7 4 5 5 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Anthony F. Troy, Esquire
Mays, Valentine, Davenport
and Moore
F&M Center
1111 East Main Street
P.O. Box 1122
Richmond, Virginia 23208

RE: MUR 1543

Dear Mr. Troy:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client has 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 , 1983, determined that there is reason to believe that the Davis for U.S. Senate Committee has violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 1 7 4 5 5 8

16

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 5 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas W. McCandlish, Esquire
Mezzullo, McCandlish and Framme, P.C.
700 East Main Street
Suite 804
Richmond, Virginia 23219

RE: MUR 1543

Dear Mr. McCandlish:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your client has 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 , 1983, determined that there is reason to believe that the Democratic Party of Virginia Federal Campaign Committee has violated 2 U.S.C. § 441a, a provision of the Act. Specifically, it appears that the $5,667 payment made to the Virginia Crusade for Voters is considered a contribution to a federal committee which exceeds the limitations set forth in the Act.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

8 4 0 4 0 4 7 4 5 6 0

18

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 6 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Henry L. Marsh, III, Esquire
Hill, Tucker and Marsh
509 North Third Street
P.O. Box 27363
Richmond, Virginia 23261-7363

RE: MUR 1543

Dear Mr. Marsh:

The Federal Election Commission notified you on April 14, 1983, of a complaint which alleges that your clients 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 , 1983, determined that there is reason to believe that the Richmond Crusade for Voters and the Crusade for Voters of Virginia violated 2 U.S.C. §§ 433, 434, 441a(f), 441b, and 441d, provisions of the Act. Specifically, it appears that your client's expenditures on behalf of federal candidates exceeded $1,000 during the calendar year and thus triggered political committee status as defined in the Act.

Your response to the Commission's initial notification of this complaint has been reviewed and we find that additional information is necessary. Please provide an itemization of all expenditures made by the Virginia and Richmond Crusades for Voters in connection with federal elections. The list should include all activities and materials in which a federal candidate is featured or mentioned. If there is a question as to whether a certain expenditure qualifies as a federal expenditure, submit a copy of the material along with its cost for review by this office.

If possible, provide the Commission with an itemization of the Crusade's use of the funds it received from the Democratic Committee and the Davis Committee along with any correspondence or memoranda concerning the solicitation of and use of the funds

8 4 0 4 0 4 7 4 5 6 2

20

issue here. Please provide a detailed statement as to any contacts whatsoever by the Crusade with the Davis and Waldrop campaigns concerning expenditures to be made on their behalf.

You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2 paragraph 2 of the enclosed procedures.

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 Suzanne Callahan, the staff member assigned to this matter, at (202) 523-4529.

Sincerely,

Enclosures
Procedures

8 4 0 4 0 4 7 4 5 6 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: JUNE 3, 1983

SUBJECT: MUR 1543 - First General Counsel's Report dated June 2, 1983

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, June 2, 1983.

There were no objections to the First General Counsel's Report at the time of the deadline.

8404047456 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: June 2, 1983

SUBJECT: MUR 1543 - 1st GC Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[ ]	Compliance	[X]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[X]	Litigation	[ ]
Sensitive	[X]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8404047456 5

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 12:15 6/6/83

MUR NO. 1543
DATE COMPLAINT RECEIVED
BY OGC April 12, 1983
DATE OF NOTIFICATION TO
RESPONDENT 4/14/83 and
5/25/83
STAFF MEMBER
Suzanne Callahan

SENSITIVE

COMPLAINANT'S NAME: J. Curtis Herge, Republican Party of Virginia

RESPONDENT'S NAMES: Davis For U.S. Senate Committee
Waldrop For Congress Committee
Crusade For Voters
Democratic Party of Virginia

RELEVANT STATUTE: 2 U.S.C. §§ 433, 434, 441d, 441a
INTERNAL REPORTS CHECKED: Respondent
FEDERAL AGENCIES CHECKED: None

83 JUN 2 P12: 23
RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

8 4 0 4 0 4 7 4 5 6 6

SUMMARY OF ALLEGATIONS

On April 7, 1983, J. Curtis Herge, counsel to the Republican Party of Virginia, filed a complaint with the Commission. Mr. Herge alleges that a letter was distributed by the Crusade for Voters, an unregistered committee, which advocated the election of Richard J. Davis to the U.S. Senate and John Waldrop to the U.S. House of Representatives; contributions were solicited in the subject letter which was submitted with the complaint.

Both the Davis Committee and Democratic Committee's reports show payments made by them to the Crusade for Voters, in the amount of $5,667 each. The complainant alleges that the payments made by the Davis and Democratic Committees to the Crusade for Voters appear to constitute contributions to a political committee which may have exceeded the limitations of § 441a.

FACTUAL AND LEGAL ANALYSIS

The complainant asserts that the subject letter does not qualify under the exemption provisions of § 100.8(b)(3) and thus the Crusade for Voters meets the criteria of a political committee supporting federal candidates which must comply with the provisons of the FECA of 1971, as amended.

It is further alleged that the three committees are affiliated and therefore have violated § 433 and § 434 for failure to report accordingly. In addition, a violation of § 441d is alleged to have been committed in that the disclaimer does not accurately reflect the identity of those responsible for the communication.

All of the named respondents were sent copies of the complaint on April 14, 1983. All notifications were received by the respondents with the exception of the John Waldrop for Congress Committee; that notice was returned and marked "unclaimed". We have since obtained another address to which the complaint was re-sent to the Waldrop committee on May 25, 1983.

We anticipate being in a position to report to the Commission on this matter in approximately two weeks after affording the Waldrop committee an opportunity to respond to the allegations made against them.

Charles N. Steele
General Counsel

June 2, 1983
Date

BY: Kenneth A. Gross
Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 6 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 25, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Herman F. Blake, Jr., Treasurer
Waldrop for Congress
P.O. Box 64
Barhamsville, VA 23011-0064

Re: MUR 1543

Dear Mr. Blake:

This letter is to notify you that on April 11, 1983, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1543. 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 completing the enclosed form 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.

8 4 0 4 0 4 7 4 5 6 8

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

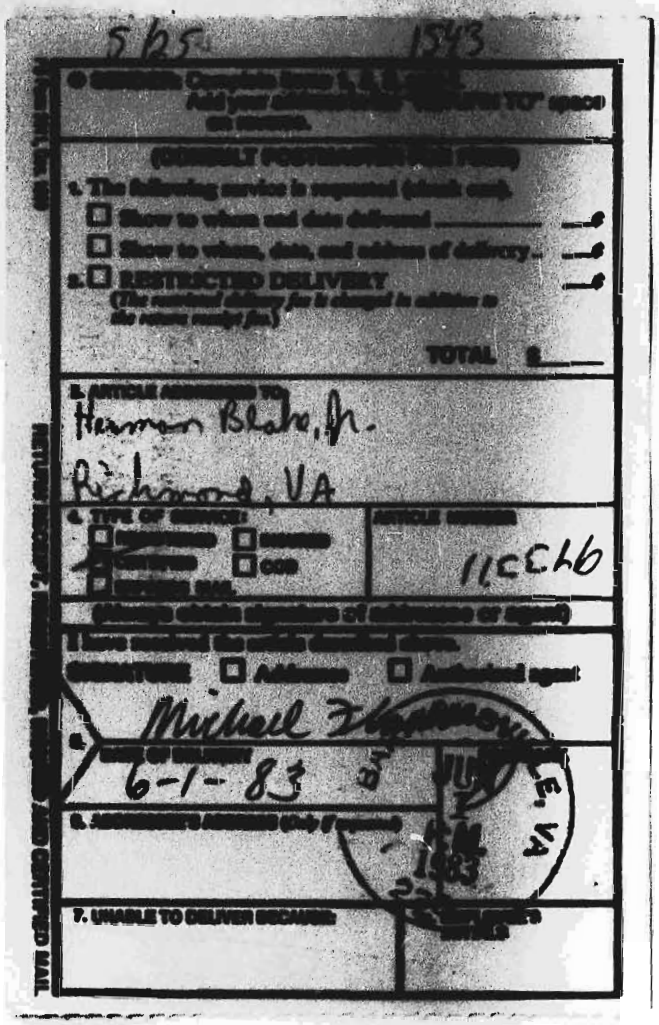
Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 6 9

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: John A. Waldrop, Jr.
Herman F. Blake, Jr.



STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1543

NAME OF COUNSEL: Anthony F. Troy

ADDRESS: Post Office Box 1122
Richmond, Virginia 23208

TELEPHONE: (804) 644-6011

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

5/10/83
Date

Nancy K. Sneade, Treasurer
Signature

NAME: NANCY K. SNEADE, TREASURER

ADDRESS: DAVIS FOR U.S. SENATE
P.O. BOX 522
RICHMOND, VA. 23204

HOME PHONE (804) 526-9452

BUSINESS PHONE: (804) 786-2078

8404047457 0

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR _____

NAME OF COUNSEL: Thomas W. McCandlish

ADDRESS: Suite 804, 700 Building, Richmond, VA 23219

TELEPHONE: (804) 782-9261

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/27/83

Date

Alan A. Diamonstein

Signature

Alan A. Diamonstein, Chair
Democratic Party of Virginia
801, 7th & Franklin Bldg.
Richmond, VA 23219
(804) 644-1966

NAME: Thomas W. McCandlish

ADDRESS: Suite 804, 700 Building, Richmond, VA 23219

HOME PHONE (804) 232-8582

BUSINESS PHONE: (804) 782-9261

8404047457 1

Gcal 9952

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
83 APR 29 P 4:07

STATEMENT OF DESIGNATION OF COUNSEL

Re: MUR 1543

NAME OF COUNSEL: HENRY L. MARSH, III

ADDRESS: 509 NORTH THIRD STREET
Richmond, VIRGINIA 23219

TELEPHONE: (804) 648-9073

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

4/29/83
Date

William S. Thornton
Signature

NAME: William S. Thornton

ADDRESS: 206 EAST CLAY ST.
Richmond, VA, 23219

HOME PHONE (804) 321-7742

BUSINESS PHONE: (804) 648-0131

8404047457 2

[illegible]
East Clay St
[illegible], Va
23219

8404017/4527

RICHMOND, VA 232
(PM)
1 MAY
1983

USA 20¢

Federal Election Commission
Washington, D.C. 20463

83 MAY 3 AM 11:44

204868

RECEIVED AT THE FEC

GCC#43

83 MAY 13 AM: 11

LAW OFFICES
HILL, TUCKER & MARSH
509 NORTH THIRD STREET
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363
Telephone (804) 648-9073

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III

FREDERICKSBURG, VA. OFFICE:
JOHN W. SCOTT, JR.
510 Princess Anne Street Suite 200 (22401)
Telephone (703) 371-5700

12 May 1983

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Callaghan:

I am writing on behalf of the Crusade for Voters of Virginia and the Richmond Crusade for Voters in connection with a complaint filed by the Republican Party of Virginia (MUR 1543).

The Crusade for Voters was established in 1956 when the number of black registered voters in the City of Richmond was approximately 4,000. Since that time the Crusade has devoted its efforts to encouraging black citizens to register and vote and to assist in the education of voters in the effective exercise of their right to vote. Currently in Richmond, the number of blacks registered to vote is in excess of 42,000.

The aforesaid Crusades' objectives have been accomplished by a series of Crusade activities including the recommendation of candidates for particular offices, voter education forums and get-out-the-vote activities.

The Crusade for Voters of Virginia operates as a state-wide organization and is usually involved in state-wide elections for both federal and State elections. The Richmond Crusade for Voters is a Richmond, Virginia organization which is usually involved in City of Richmond or Third Congressional District elections for both federal and Virginia elections at all levels.

Both organizations have historically and do at the present time maintain their independent and non-partisan status. The Crusade has endorsed Democratic, Republican and Independent candidates for public office in situations where those candidates were opposed by candidates from one or more of the other political parties. Individual endorsements are and have been based upon the platform of candidates who support issues of vital interest to black voters and not on political

83 MAY 13 AM: 11
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

8 4 0 4 0 4 7 4 5 7 4

affiliation. Although the Crusade will urge black voters to support particular candidates it has endorsed, its primary mission is and has been to increase the quantity and the effectiveness of blacks in the political process.

The request for contributions made in the letter attached to the complaint was solely for the purpose of supporting the on-going get-out-the-vote efforts of the Crusade and not for the purpose of influencing the elections in question.

The funds donated by the Davis and Democratic Committees were used solely for the purposes of distributing slates, sample ballots and for get-out-the-vote activities within the black community. Again, the reverse side of the letter attached to the complaint is clearly a sample ballot and slate card as those terms are contemplated by the Act.

The activities of the Crusade for Voters, both the State organization and the Richmond Crusade, are historically and presently nonpartisan because the organizations direct their efforts to the black community as a whole. These efforts are made without any prior knowledge or regard for whether the black citizens contacted are affiliated with or supportive of any particular political party or candidate. That philosophy has and continues to be utilized in voter education, voter registration, get-out-the-vote and voter transportation to the polls.

Very truly yours,

Henry L. Marsh, III

of

HILL, TUCKER & MARSH

HLM,III/sm

8 4 0 4 0 4 7 4 5 7 5

RECEIVED AT THE FEC
GCC #37
83 MAY 13 AM: 05

MAYS, VALENTINE, DAVENPORT & MOORE

F & M CENTER 1111 EAST MAIN STREET
P. O. BOX 1122
RICHMOND, VIRGINIA 23208
(804) 644-6011

COUNSEL
CHARLES D. VALENTINE
HORACE H. EDWARDS
EDWARD HIDALGO*

RICHMOND OFFICE TELECOPIER
(804) 649-2261

WASHINGTON, D. C. OFFICE
SUITE 1220
1899 L STREET, N. W. 20036
(202) 296-6560

*ADMITTED IN D. C. OR D. C. AND VIRGINIA
ALL OTHERS ADMITTED IN VIRGINIA

May 11, 1983

FILE NO.

83 MAY 13 AM: 32
GENERAL COUNSEL

8 4 0 4 0 4 7 4 5 7 6

FEDERAL EXPRESS

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: No. MUR 1543

Dear Ms. Callaghan:

As shown on the enclosed Statement of Designation of Counsel, I have been designated as counsel for the Davis for U.S. Senate Committee ("Davis Committee"). I write today in response to your letter of April 14, 1983 and the complaint filed by the Republican Party of Virginia.

The Davis Committee stands charged of violating 2 U.S.C. § 441a by contributing more than $5,000.00 to a "political committee" in 1982. While the Davis Committee readily admits to paying $5,677.00 to the Richmond Crusade for Voters ("the Crusade"), it did not believe at that time that the latter organization was a "political committee" within the meaning of 2 U.S.C. § 431(d).

For more than twenty-five years, the Crusade has enjoyed a reputation in this city as the prime mover in getting black voters to the polls on election day. Perceiving a high voter turnout to be advantageous to the Davis campaign, representatives of the Davis Committee approached the Crusade to determine how it could assist the Crusade's efforts to get out the black vote. The Crusade responded at that time that $17,000.00 was needed to help finance its 1982 voter mobilization drive. Because this figure well exceeded the Davis

Committee's available resources for this project, it turned to the Democratic Party of Virginia ("Democratic Party") for assistance. At the request of the Davis Committee, the Democratic Party agreed to contribute two-thirds of the funds requested by the Crusade.

At all relevant times, the Davis Committee considered payments to the Crusade as disbursements for "get-out-the-vote" efforts. As such, these outlays would be exempted from the definition of expenditures under 11 C.F.R. § 100.8(b)(3). The Crusade operated independently of the Davis Committee throughout the 1982 campaign. Although the Davis Committee generally was aware of the Crusade's efforts to encourage the black voters of Richmond to vote on election day, at no time did it exercise any control over or directly participate in the Crusade's decision-making processes.

The Davis Committee is anxious to cooperate with the Office of the General Counsel in readily resolving this matter. Should you have any questions whatsoever, I will be happy to try to answer them. With best regards, I am

Very truly yours,

Anthony F. Troy

80:457

Enclosure

8 4 0 4 0 4 7 4 5 5 7 7

LAW OFFICES
MEZZULLO, MCCANDLISH & FRAMME, P.C.
700 EAST MAIN STREET
SUITE 804
RICHMOND, VA. 23219
(804) 782-9250

May 10, 1983

Ms. Susan Callaghan
Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Callaghan:

I am writing on behalf of the Democratic Party of Virginia in connection with a complaint filed by the Republican Party of Virginia (MUR 1543). Enclosed is the statement of designation of counsel designating me as counsel for the Democratic Party of Virginia Federal Campaign Committee (Democratic Committee).

The complaint in question charges that the Democratic Committee contributed more than $5,000.00 to a political committee in calendar year 1982. The relevant facts are as follows.

After the Richmond Crusade for Voters (the Richmond Crusade) voted to endorse Democratic candidates for state and federal office, representatives from the Davis for U.S. Senate Committee (the Davis Committee) asked whether the state Democratic Party would be in a position to help pay the expenses of a get-out-the-vote drive to be conducted by the Crusade. The Crusade had endorsed two Democratic candidates for federal office, Richard J. Davis and John A. Waldrop, Jr., and four Democratic candidates for the House of Delegates, Walter H. Emroch, Franklin P. Hall, James S. Christian, Jr., and Benjamin J. Lambert, III. The state party determined that the Crusade get-out-the-vote drive would benefit federal and state democratic candidates. The state party was asked to provide $11,333.00 in get-out-the-vote expenses requested by the Richmond Crusade. $5,667.00 of this came from the Democratic Committee federal account, and $5,666.00 of the amount came from the state operating account and was allocated to the four democratic candidates for state office in the Richmond area.

The Democratic Committee understood that the payments to the Richmond Crusade were for get-out-the-vote efforts. The Richmond Crusade is an independent organization in the city of Richmond, Virginia. The Democratic Committee understood the mission of the Crusade to be to turn out black voters to the polls and to enhance the political power of the black community. The Democratic

8 4 0 4 0 1 7 4 5 7 8

Committee had no specific knowledge of what would be done by the Crusade to turn out black voters for the election on November 2, 1982, though the Democratic Committee did understand that in the past the Richmond Crusade had made mail-outs to black households in Richmond urging blacks to vote, had provided transportation to the polls in predominantly black neighborhoods, and had poll workers and sample ballots at the polling places. The Democratic Committee did not exercise any control over the activities of the Crusade with respect to the 1982 election, nor did the Democratic Committee review any literature prepared by the Crusade.

The Democratic Committee did not and does not interpret its payment of expenses for the Richmond Crusade's get-out-the-vote drive as a contribution to the Crusade. Though in our telephone conversation, you indicated that the term contribution has been interpreted broadly by the Commission, we do not believe that the payment by the Democratic Committee of these expenses should be interpreted as falling within that definition. In addition, the exclusion in 11 C.F.R. § 100.8(b)(3) should also apply. Although the Democratic Committee obviously believed that the get-out-the-vote effort by the Richmond Crusade would benefit Democratic party candidates, the Democratic Committee had no reason to believe that in getting out the vote, the Richmond Crusade would make an effort "to determine the party or candidate preference of individuals before encouraging them to register to vote or to vote." 11 C.F.R. § 100.8(b)(3). In fact, in the past the Crusade has operated on an independent basis, endorsing at various times Democratic, Republican, or Independent candidates.

I trust this provides the information you require. If you have any additional questions, please contact me.

Yours very truly,

Thomas W. McCandlish

Thomas W. McCandlish

TWM/ssg

8 4 0 4 0 4 7 4 5 7 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Democratic Party of Virginia
- Federal Campaign Committee
Suite 801
7th & Franklin Building
Richmond, VA 23219

Re: MUR 1543

Dear Sir/Madam:

This letter is to notify you that on April 11, 1983, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1543. 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 completing the enclosed form 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.

8 4 0 4 0 4 7 4 5 8 0

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

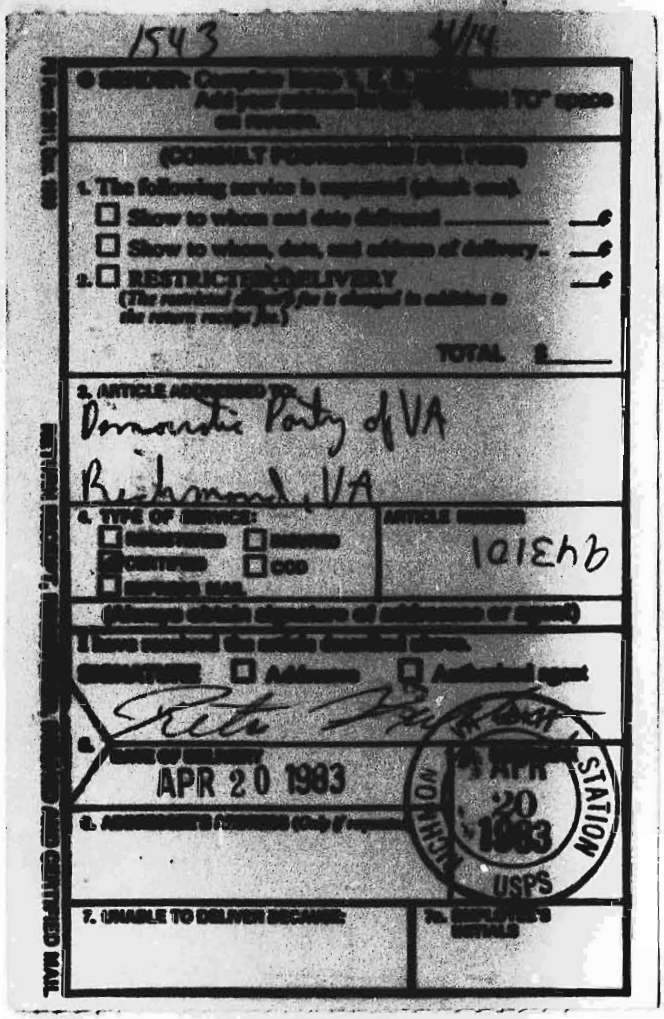
Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 8 1

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement


1543 4/14

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one)
☐ Show to whom and date delivered
☐ Show to whom, date, and address of delivery
2. ☐ RESTRICTED DELIVERY

TOTAL $

3. ARTICLE ADDRESSED TO:
Democratic Party of VA
Richmond, VA

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
101846

SIGNATURE ☐ Addressee ☐ Authorized agent

6. DATE OF DELIVERY
APR 20 1983

8. ADDRESSEE'S ADDRESS (ONLY IF REQUESTED)

7. UNABLE TO DELIVER BECAUSE:

9. EMPLOYEE'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

WASHINGTON DC STATION
APR 20 1983
USPS

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Davis for U.S. Senate Committee
P.O. Box 522
Richmond, VA 23204

Re: MUR 1543

Dear Sir/Madam:

This letter is to notify you that on April 11, 1983, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1543. 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 completing the enclosed form 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.

8 4 0 4 0 4 7 4 5 8 2

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

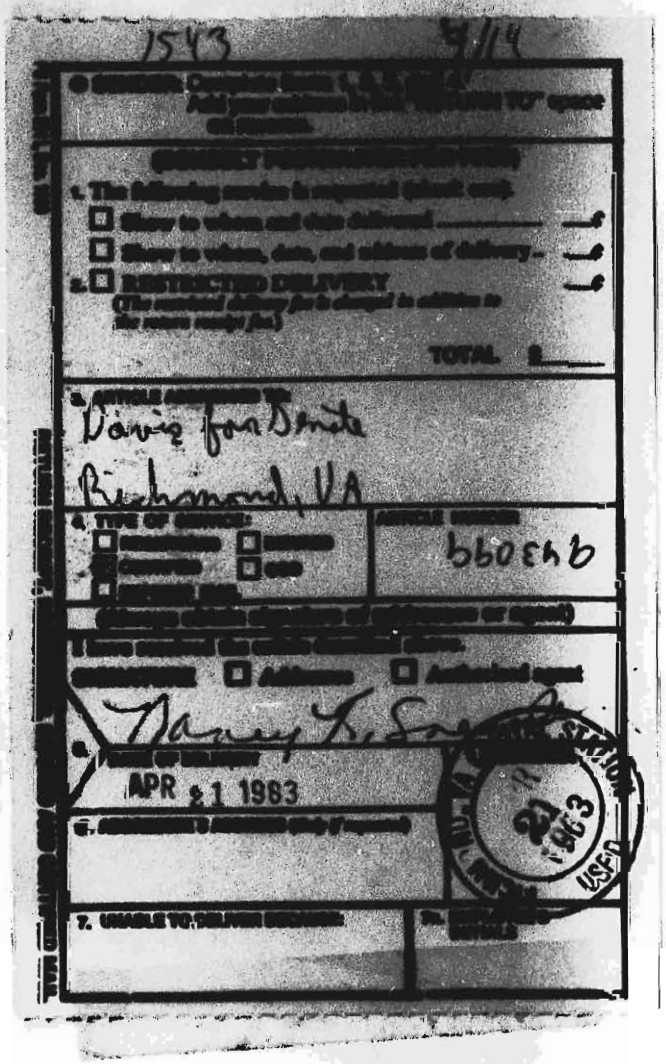
Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 8 3

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Crusade for Voters
206 East Clay Street
Richmond, VA 23219

Re: MUR 1543

Dear Sir/Madam:

This letter is to notify you that on April 11, 1983, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1543. 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 completing the enclosed form 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.

8 4 0 4 0 4 7 4 5 8 4

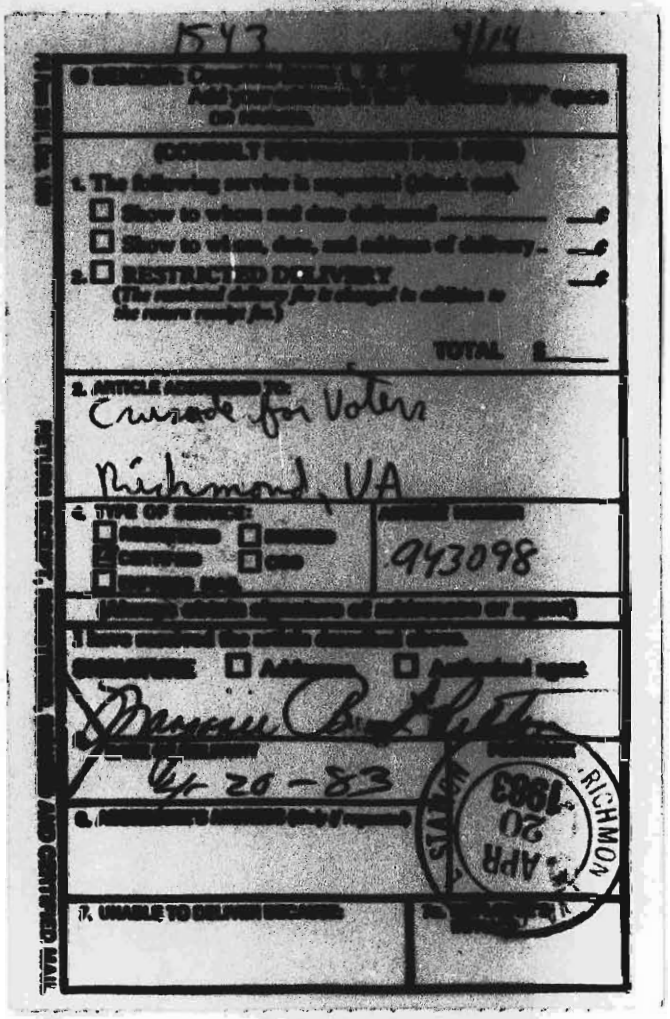
If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 8 5


1543 9/14
TOTAL $
Crusade for Voters
Richmond, VA
943098
4-20-83
APR 20 1983
RICHMOND

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 1983

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Herman F. Blake Jr., Treasurer
John Waldrop for Congress Committee
P.O. Box 9125
Richmond, VA 23227

Re: MUR 1543

Dear Mr. Blake:

This letter is to notify you that on April 11, 1983, the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1543. 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 completing the enclosed form 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.

8 4 0 4 0 4 7 4 5 8 6

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4529. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8 4 0 4 0 4 7 4 5 8 7

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 14, 1983

J. Curtis Herge, Esquire
Sedam & Herge
8300 Greensboro Drive
Suite 1100
McLean, VA 22102

Dear Mr. Herge:

This letter is to acknowledge receipt of your complaint which we received on April 11, 1983, against Crusade for Voters, Davis for U.S. Senate Committee, Democratic Party of Virginia - Federal Campaign Committee, and John Waldrop for Congress Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

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. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

8404047458 8

RECEIVED
FEC
Cat# 9825
83 APR 11 AM 11:32

SEDAM & HERGE
A PROFESSIONAL CORPORATION
ATTORNEYS AT LAW
SUITE 100
8300 GREENSBORO DRIVE
McLEAN, VIRGINIA 22102
(703) 821-1000

GLENN J. SEDAM, JR.
J. CURTIS HERGE
ROBERT R. SPARKS, JR.
A. MARK CHRISTOPHER

JANIS A. CHERRY
JOHN ROBERT CLARK III
B. ERIC SIVERTSEN
SHARON L. POWERS
CLAIRE M. BOCCELLA

SUITE 630
1700 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006
(703) 821-1000
TELEX 710-831-0326
CABLE SEDAMHERGE

April 7, 1983

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

Dear Sir:

This letter constitutes a complaint filed on behalf of our client, Republican Party of Virginia, 115 East Grace Street, Richmond, Virginia 23219, pursuant to the provisions of 2 U.S.C. §437g(a)(1), in the belief that the Crusade for Voters, 206 East Clay Street, Richmond, Virginia 23219, (apparently sometimes also known as the Richmond Crusade for Voters and the Virginia Crusade for Voters); the Davis for U.S. Senate Committee ("Davis Committee"), P. O. Box 522, Richmond, Virginia 23204; and, the Democratic Party of Virginia - Federal Campaign Committee ("Democratic Committee"), Suite 801, 7th & Franklin Building, Richmond, Virginia 23219, have violated several provisions of the Federal Election Campaign Act of 1971 ("the Act"), as amended.

Attached hereto and made a part hereof is a copy of a letter from Mrs. Ellen Pearson, President of the Crusade for Voters, which, upon information and belief, was either mailed or distributed to Virginia voters in connection with the general election of November 2, 1982. The subject letter advocates the election of Richard J. Davis, a candidate for election to the United States Senate, and John Waldrop, a candidate for election to the United States House of Representatives. The letter clearly was published for the purpose of influencing federal elections; and, it solicits contributions as that term is defined in 2 U.S.C. §431(8)(A)(i). The letter was published upon Crusade for Voters' letterhead. Contributions are solicited in the letter for the Richmond Crusade for Voters, and the letter requests that all contributions be sent to the same address listed for Crusade for Voters. Upon information and belief, Crusade for Voters issued additional communications and made additional expenditures in connection with Federal elections in Virginia in 1982.

8 4 0 4 0 1 7 4 5 8 9

Also attached hereto and made a part hereof, are copies of portions of the Davis Committee's twelve day pre-election report and thirty day post-election report, and the Democratic Committee's thirty day post-election report, all filed in connection with the Virginia general election on November 2, 1982.

Page 8 of 8 for line 17, Schedule B, of the Davis Committee's twelve day pre-election report shows a $3,000.00 payment by the Davis Committee to Virginia Crusade for Voters on October 11, 1982. Page 15 of 19 for line 17, Schedule B, of the Davis Committee's thirty day post-election report shows another $2,667.00 payment to Virginia Crusade for Voters on October 26, 1982, for a total of $5,667.00 paid to the Virginia Crusade for Voters by the Davis Committee during calendar year 1982.

Page 5 of 47 for line 23, Schedule F, of the Democratic Committee's thirty day post-election report shows a payment by the Democratic Committee to the Richmond Crusade for Voters of $5,667.00 on October 25, 1982.

The payments made by the Davis and Democratic Committees appear to constitute contributions, within the meaning of 2 U.S.C. §431(8)(A)(i). As the exact use made of the funds paid by the Davis and Democratic Committees to the Virginia and Richmond Crusade for Voters, respectively, is unknown, both the Davis and Democratic committees may have violated 2 U.S.C. §441a by contributing more than $5,000.00 to a political committee in calendar year 1982. The Davis Committee lists "voter contact" and "voter education and transportation" as the purposes of its expenditures to Virginia Crusade for Voters. The Democratic Committee lists "GOTV" or "get out the vote" as the purpose of its expenditures to Richmond Crusade for Voters. The attached letter clearly does not qualify under the Act's exemption provisions for contributions and expenditures by state and local party committees for "sample ballots," even though a listing of candidates appears on the back. This publication "clearly campaigns for the candidates" and is not intended "to educate the general public as to the identity of the candidates." See 2 U.S.C. §431(8)(B)(v); A.O. 1978-9. The letter does not qualify under the Act's exemption provisions for expenditures incurred for encouraging voters to register to vote, as this is clearly a partisan activity, designed to encourage voters to vote for specific candidates. See 11 C.F.R. §100.8(b)(3).

8 4 0 4 0 1 7 4 5 9 0

The activities engaged in by the Crusade for Voters and the Richmond and Virginia Crusade for Voters appear to bring them within the 2 U.S.C. §431(4) definition of "political committee." The three groups appear to be affiliated, as that term is defined in 11 C.F.R. §100.5(g)(2). It also appears likely from the attached letter and committee reports that the groups either received contributions or made expenditures in excess of $1,000 during calendar year 1982.

We are advised by the staff of the Federal Election Commission that neither the Crusade for Voters, the Richmond Crusade for Voters, nor the Virginia Crusade for Voters has registered as a political committee pursuant to 2 U.S.C. §433.

Accordingly, it appears that the Crusade for Voters, a/k/a the Richmond or Virginia Crusade for Voters, the Davis Committee and the Democratic Committee have violated the following provisions of the Federal Election Campaign Act of 1971, as amended:

1. Crusade for Voters, and the Richmond and Virginia Crusade for Voters, have apparently violated 2 U.S.C. §433, which makes it unlawful for a committee to fail to file a statement of organization within 10 days after becoming a political committee within the meaning of 2 U.S.C. §431(4); have apparently violated 2 U.S.C. §434 by failing to file reports of receipts and disbursements; and, have apparently violated 2 U.S.C. §441d by failing to state the identity of the persons, committees or candidates responsible for the attached communication.

2. The Davis and Democratic Committees have apparently violated 2 U.S.C. §441a in that they have contributed, within the meaning of 2

8 4 0 4 0 4 7 4 5 9 1

U.S.C. §431(8)(A)(i), more than $5,000.00 to a political committee in calendar year 1982.

Very truly yours,

J. Curtis Herge

J. CURTIS HERGE
Counsel to the Republican
Party of Virginia

COMMONWEALTH OF VIRGINIA)
COUNTY OF FAIRFAX) to-wit:

Sworn to before me by J. CURTIS HERGE, Counsel to the Republican Party of Virginia, this 7th day of April, 1983.

Donna S. O'Donnell
Notary Public
Commissioned:
Donna S. Sick

My Commission Expires: 5/15/84

Attachments

8 4 0 4 0 4 7 4 5 9 2

8 4 0 4 0 4 7 4 5 3

CRUSADE FOR VOTERS

SAMPLE BALLOT

CITY OF RICHMOND

GENERAL ELECTION

Tuesday, November 2, 1982

Member
United States Senate
(Vote for not more than one)

☒ Richard J. "Dick" Davis

Member
House of Representatives
Third District
(Vote for not more than one)

☒ John A. Waldrop, Jr.

Member
House of Delegates
68th District
(Vote for not more than one)

☒ Walter H. Emroch

Member
House of Delegates
69th District
(Vote for not more than one)

☒ Franklin P. Hall

Member
House of Delegates
70th District
(Vote for not more than one)

☒ James S. Christian, Jr.

Member
House of Delegates
71st District
(Vote for not more than one)

☒ Benjamin J. Lambert III

CRUSADE FOR VOTERS
206 E. Clay St., Richmond, VA 23219

CRUSADE FOR VOTERS

SAMPLE BALLOT

CITY OF RICHMOND

SPECIAL ELECTION

Tuesday, November 2, 1982

PROPOSED
CONSTITUTIONAL AMENDMENTS

QUESTION 1

Shall the Constitution of Virginia be amended to change the information required to register to vote by deleting marital status and occupation and by including any prior legal name?

☒ YES

☐ NO

QUESTION 2

Shall Section 1 of Article II of the Constitution of Virginia be amended to authorize restoration of civil rights to felons as may be provided by general law?

☒ YES

☐ NO

QUESTION 3

Shall the Constitution of Virginia be amended to authorize the General Assembly to limit the introduction of legislation in the odd-year short session?

☐ YES

☒ NO

HOUSE DISTRICTS/VOTING PRECINCTS

EMROCH -	101,	102,	103,	104,	105,	106,	201
	202,	204,	205,	207,	208,	209,	401,
	501,	502,	503,	504,	505,	804	
HALL -	107,	108,	109,	110,	402,	403,	404,
	405,	406,	407,	803,	901,	902,	903,
	905,	906					
CHRISTIAN -		602,	603,	604,	608,	701,	702,
	703,	704,	706,	801,	802,	805,	806,
	807,	904,	907				
LAMBERT -	203,	206,	301,	302,	303,	304,	305,
	306,	307,	308,	309,	506,	507,	601,
	605,	606,	607,	707,	708		

A VOTE IS A TERRIBLE THING TO WASTE

VOTE TUESDAY, NOVEMBER 2, 1982

BY AUTHORITY OF ARTHUR BROWN, TREASURER

RECEIVED BY THE FEC
83 APR 11 AM 11:32

CRUSADE FOR VOTERS

SINCE 1956
206 EAST CLAY STREET
RICHMOND, VIRGINIA 23219
648-2102

Dear Crusader:

YOUR VOTE IS A TERRIBLE THING TO WASTE!

Unlike money, you don't get dividends or interest by saving your vote.
YOU CAN ONLY GET DIVIDENDS OR INTEREST ON YOUR VOTE WHEN YOU USE IT!

Your Crusade for Voters (Research Committee) has for the past 26 years made endorsements for candidates who would do the most for black people. We have never given you the wrong decision and don't intend to start now. We do not accept money or political favors for our endorsements.

If we, as black people, would stick together, we could control our own destiny in Richmond.

We have an opportunity to show President Reagan and the Republicans that we resent their cutting of employment programs, Medicare and Medicaid, Social Security, and that we will not tolerate 20.2% black unemployment. WE MUST VOTE THE RASCALS OUT!

We believe that the following slate of Democratic candidates recommended to you by the Crusade for Voters is the best for the coming election.

- ☒ RICHARD DAVIS, U.S. SENATE
- ☒ JOHN WALDROP, Congress, Third Congressional District

For the House of Delegates to the Virginia General Assembly, we must re-elect the team of democratic Candidates who have fought for the interest of the City of Richmond. Because of the new single member redistricting plan, you can only vote for one delegate. Be sure to check your precinct on the reverse side of this letter.

HOUSE OF DELEGATES
(YOU CAN ONLY VOTE FOR ONE)

- ☒ JAMES CHRISTIAN, 70th House District
- ☒ BENJAMIN LAMBERT, 71st House District
- ☒ WALTER EMROCH, 68th House District
- ☒ FRANKLIN HALL, 69th House District

IT IS MOST IMPORTANT THAT YOU VOTE ON TUESDAY, NOVEMBER 2ND, 1982

VOTE EARLY - POLLS OPEN 6 a.m. CLOSE 7 p.m.

For transportation or other voting information call 648-3241, 648-3242, 648-3249.

Crusadingly yours,

Ellen Pearson

John L. Howlette
Chairman, Research

(Mrs.) Ellen Pearson
President

Philmore Howlette
Chairman, Get out the vote

Arthur Brown
Treasurer

William S. Thornton
Chief Consultant

Henry L. Marsh, III
Legal Counsel

L. Douglas Wilder
Consultant

Mailing is expensive. Please send any contributions you can, $5.00, $10.00, $25.00 or more to Arthur Brown, Treasurer, Richmond Crusade for Voters, 206 East Clay Street, Richmond, Virginia 23219

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 8 of 8 for LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (In Full)

DAVIS FOR U.S. SENATE

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
A. Richard Taylor 2909 Myrtle Avenue Norfolk, VA 23504	Net Salary	10-1-82	541.95
B. Richard Taylor 2909 Myrtle Avenue Norfolk, VA 23504	Travel expense reimbursement	10-12-82	31.99
C. Virginia Crusade for Voters 206 E. Clay Street Richmond, VA	Voter contact	10-11-82	3000.00
D. Virginia State Conference NAACP 112 E. Clay Street, Suite 208 Richmond, VA 23219	Public relations events	10-11-82	200.00
E. Liz Walker 506 Cameron Street, Sep. 31 Alexandria, VA 22314	Net Salary	10-1-82	304.80
F. Liz Walker 506 Cameron Street, Apt. 31 Alexandria, VA 22314	Office expense	10-6-82	8.00
G. Robert Watson 224 Anvil Road Mechanicsville, VA 23111	Net Salary	10-1-82	829.74
H. Robert Watson 224 Anvil Road Mechanicsville, VA 23111	Travel expense reimbursement	10-1-82	275.26
I. Unitemized Operating Expenditures $200 per Person Limit			908.47
SUBTOTAL of Disbursements This Page (optional)			6100.21
TOTAL This Period (last page this line number only)			434,937.74

8 4 0 4 0 1 7 4

SCHEDULE B

ITEMIZED DISBURSEMENTS

Page 15 of 19 for
LINE NUMBER 17
(Use separate schedule(s) for each category of the Detailed Summary Page)

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

Name of Committee (in Full): Dick Davis for U.S. Senate

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement / Disbursement for: ☐ Primary ☒ General ☐ Other (specify):	Date (month, day, year)	Amount of Each Disbursement This Period
A. Sym-Tel W. Broad Street Richmond, Va.	electric-production	11-1-82	$156.00
B. Eva S. Teig W. Franklin Street Richmond, Va.	travel expenses (staff)	11-19-82	$367.87
C. Tidewater Metro Tranist P.O. Box 660 Norfolk, Va. 23501	fundraising event	11-10-82	$375.60
D. Tidewater Printers, Inc. 821 W. 21st Street Norfolk, Va.	printed materials prtg. costs	10-22-82	$2366.00
E. Tidewater Printers, Inc. P.O. Box 660 Norfolk, Va.	printed materials-production	11-17-82	$156.00
F. Trant Novelties, Inc. 913 W. 21st Street Norfolk, Va.	printed materials-production	11-17-82	$67.60
G. Virginia Crusade for Voters *	voter education and transportation	10-26-82	$2667.00
H. Virginia Education Assn. Richmond, Va.	printed materials-prtg. cost	11-16-82	$348.68
I. Virginia Employment Comm. Richmond, Va.	payroll taxes	10-28-82	$1486.91
SUBTOTAL of Disbursements This Page (optional)			
TOTAL This Period (last page this line number only)			

8 4 0 4 7 4 5 9

SCHEDULE F

AUTHORIZED COORDINATED EXPENDITURES MADE BY POLITICAL PARTY COMMITTEES OR DESIGNATED AGENT(S) ON BEHALF OF CANDIDATES FOR FEDERAL OFFICE (2 U.S.C. §441a(d))

(To be used only by Political Committees in the General Election)

Name of Political Committee (in Full)
Democratic Party of Virginia - Federal Campaign Committee C00155952

Has your Committee been designated to make coordinated expenditures by a political party committee? ☐ YES ☐ NO
If YES, name the designating committee:

Full Name, Mailing Address and ZIP Code of Subordinate Committee

Full Name, Mailing Address and ZIP Code of Each Payee	Name of Federal Candidate Supported, State, District & Office Sought	Purpose of Expenditure	Date (month, day, year)	Amount
Post Master Richmond, VA 23232	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate-$ 58,312.64	Postage	10/25/82	1,215.21
Post Master Roanoke, VA 24002	James Olin, VA 6th District U. S. House Aggregate General Election Expenditure for this Candidate-$ 3,047.15	Postage	10/25/82	230.34
Richmond Crusade for Voters William Thornton 206 E. Clay St. Richmond, VA 23219	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate-$ 63,979.64	GOTV	10/25/82	5,667.00
National Voter Contact 316 Penn Ave., S.E. Washington, D.C. 20003	Richard J. Davis, VA U. S. Senate Aggregate General Election Expenditure for this Candidate-$ 73,979.64	Phone bank operations	10/26/82	10,000.00

SUBTOTAL of Expenditures This Page (optional) . . . . . .

TOTAL This Period (last page this line number only) . . . . . .

4040474597

8 4 0 4 0 4 7 4 5 9 8

83 APR 11 AM 8:32

SEDAM & HERGE
ATTORNEYS AT LAW
SUITE 1100
8300 GREENSBORO DRIVE
McLEAN, VIRGINIA 22102

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

FIRST CLASS MAIL

8404047459 9

FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1543

Date Filmed 8/31/84 Camera No. --- 1

Cameraman JRL

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1543

8 4 0 4 0 4 8 2 4 4 7

SCC #4713
RECEIVED AT THE FE
84 SEP 17 A8:4

LAW OFFICES
HILL, TUCKER & MARSH
509 NORTH THIRD STREET
P. O. Box 27363
RICHMOND, VIRGINIA 23261-7363
Telephone (804) 648-9073

OLIVER W. HILL
S. W. TUCKER
HENRY L. MARSH, III
HAROLD M. MARSH
JAMES W. BENTON, JR.
JOHN W. SCOTT, JR.
RANDALL G. JOHNSON
WILLIAM H. BASS, III
GARY A. HICKS

FREDERICKSBURG, VA. OFFICE
JOHN W. SCOTT, JR.
GARY A. HICKS
510 Princess Anne Street Suite 200 (22401)
Telephone (703) 371-3700

13 September 1984

84 SEP 18 A9:44

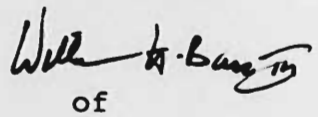
Kenneth A. Gross, Esquire
Associate General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1543
Richmond Crusade For Voters
Virginia Crusade For Voters

Dear Mr. Gross:

Enclosed are two checks, each in the amount of $250 for payment of fines on behalf of each of the two above-captioned organizations.

Very truly yours,



of

HILL, TUCKER & MARSH

WHB,III:msc
Enclosures: Checks

8404048248

DR. WILLIAM S. THORNTON
206 EAST CLAY STREET
RICHMOND, VA 23219

7005

7-25- 19 84 68-12/510

PAY TO THE ORDER OF [illegible] $ 250.00

[illegible] DOLLARS

Consolidated bank&trust co.

VIRGINIA CRUSADE FOR VOTERS

[redacted]

ALVIN W. DYSON
2216 LAKEVIEW AVENUE
RICHMOND, VA. 23220

203

Sept. 10, 1984 68-12/510

PAY TO THE ORDER OF Federal Election Commission $ 250.00

Two Hundred Fifty ——— no/100 DOLLARS

Consolidated bank&trust co.

MEMO RICHMOND CRUSADE FOR VOTERS

[redacted]

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
84 SEP 18 A 9:44

8404048244 9

FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1543

Date Filmed 10/18/84 Camera No. --- 1

Cameraman JBL

8 4 0 4 0 4 8 2 4 5 0