



FEDERAL ELECTION COMMISSION

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

84040481288

THIS IS THE END OF MUR # 1672

Date Filmed 10/18/84 Camera No. --- 1

Cameraman JRL

1672

FEDERAL ELECTION COMMISSION

routing slips

objection/comment sheets

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):

84040481289

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

Signed SE Barr
date 10/12/84

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of Phil Gramm) MUR 1672
John Baxter, Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 5, 1984, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1672:

1. Take no further action.
2. Send the letters attached to the General Counsel's August 21, 1984 report.
2. CLOSE THE FILE.

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

Attest:

9-10-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1984

James J. Schoener, Esquire
Miller, Canfield, Paddock and Stone
1015 15th Street, N.W., Suite 1200
Washington, D.C. 20037

RE: MUR 1672
Friends of Phil Gramm
John Baxter, Treasurer

Dear Mr. Schoener:

On June 19, 1984, the Commission found reason to believe that your clients, the Friends of Phil Gramm committee and its treasurer, John Baxter, had violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended, 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 the file. The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

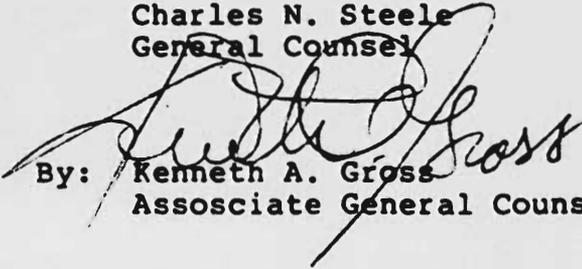
A copy of the final General Counsel's Report in this matter is enclosed for your information.

The Commission reminds you that the use of information copied from reports filed with the Commission for the purpose of soliciting contributions nevertheless appears to be a violation of 2 U.S.C. § 438(a)(4) and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Shelley Garr, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

84040431291



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1984

Ralph J. Galliano, Chairman
Congressional Majority Committee
2030 North 16th Street, Suite 305
Arlington, Virginia 22201

Re: MUR 1672
Friends of Phil Gramm and
John Baxter, as treasurer

Dear Mr. Galliano:

The Federal Election Commission has reviewed the allegations of the complaint filed by you, dated April 11, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there was reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

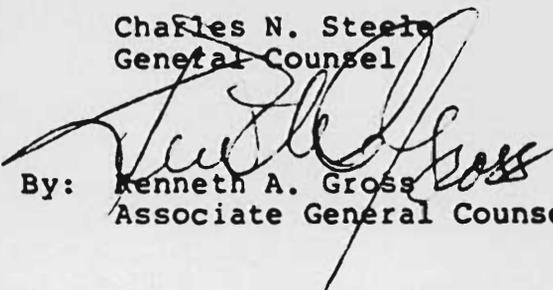
A copy of the final General Counsel's Report in this matter is enclosed for your information.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
)
Friends of Phil Gramm)
John Baxter, Treasurer)

MUR 1672

84 AUG 22 A 9: 34

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

On April 11, 1984, Ralph Galliano, National Chairman of the Congressional Majority Committee ("CMC") filed a complaint against the Friends of Phil Gramm committee ("Friends") and its treasurer, John Baxter, alleging that Friends violated 2 U.S.C. § 438(a)(4) by using information filed with the Commission by CMC, for the purpose of soliciting contributions.

CMC contends that Friends had been writing letters to contributors to CMC including, but not limited to, its project, Americans for Phil Gramm in '84 and had enclosed with each letter a postage-prepaid, self-addressed envelope designed to solicit and encourage contributions to Friends.

On June 19, 1984, the Commission found reason to believe that Friends and its treasurer, John Baxter, violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. Notification of the Commission's finding was mailed to respondents on June 25, 1984. Included with the notification was a set of interrogatories designed to obtain additional information in connection with the Commission's investigation.

On July 10, 1984, the Commission received a reply from James Schoener, attorney for Friends, in which he enclosed Friend's response to the Commission's interrogatories and

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supporting documentation.

In its response, Friends disclosed that only sixteen names and addresses of CMC contributors were copied from FEC disclosure reports. Each contributor was then sent an informational letter about Friends and an enclosed self-addressed, postage-prepaid envelope. When questioned about the purpose of the envelope, Friends replied that "a business reply envelope was included in almost all mail sent by the campaign in the normal course of its operations." Friends further responded that although sixteen letters were sent to CMC contributors, it was unable to ascertain the number of contributions or the total dollar amount generated by the inclusion of the envelope to this group.

Friends also received and responded to correspondence from supporters who wrote to inquire about CMC's project, Americans for Phil Gramm in '84 and to advise Friends that they had inadvertently contributed to the wrong Gramm committee. These "misled" contributors were also sent a response from Friends thanking them for their views, setting the record straight, and advising them to ask for contribution refunds. Along with its response, Friends also included a "contribution envelope" for the contributors' "convenience."

II. LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 438(a)(4) any information copied from reports or statements filed with the Commission may not be used by any person for the purpose of soliciting contributions for such committee.

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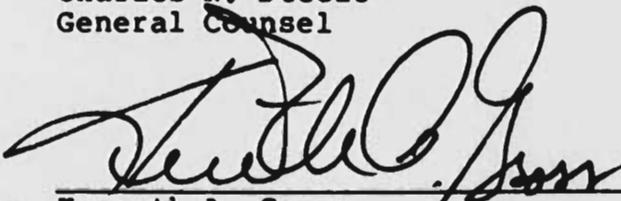
The Commission has found reason to believe that the inclusion of a self-addressed, postage-prepaid envelope by Friends, with the informational letter mailed out to contributors to CMC and its project, Americans for Phil Gramm in '84, may constitute a solicitation. Although the letter itself did not contain specific language asking for a contribution, inclusion of an envelope could be for the purpose of facilitating the making of a contribution. However, because Friends contacted only sixteen CMC contributors it is the recommendation of the General Counsel that the Commission take no further action and close the file.

III. GENERAL COUNSEL'S RECOMMENDATION

1. Take no further action.
2. Approve the attached letters.
3. Close the file.

Charles N. Steele
General Counsel

August 21, 1984
Date


By: Kenneth A. Gross
Associate General Counsel

Attachments

- 1) Reponse from Respondent
- 2) Letter to Respondent

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LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SIDNEY T. MILLER (1884-1940)
GEORGE L. CANFIELD (1886-1928)
LEWIS H. PADDOCK (1886-1938)
FERRIS S. STONE (1888-1948)

SUITE 508 1206

1015 15th St. N.W.
WASHINGTON, D.C. 20005

TELEPHONE (202) 692-2222 789-8640
TELECOPIER (202) 488-0077

DETROIT, MICHIGAN
ANN ARBOR, MICHIGAN
ORLANDO, FLORIDA
GRAND RAPIDS, MICHIGAN
LANSING, MICHIGAN
WARREN, MICHIGAN
TRAVERSE CITY, MICHIGAN

JAMES F. SCHOENER

GCC # 3999

July 10, 1984

HAND DELIVERED

Ms. Shelly Garr
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

Re: MUR 1672

Dear Ms. Garr:

Enclosed please find the answers to the questions posed in your letter of June 25, 1984. As I indicated in an earlier telephone conversation, I believe the complaint in this matter to be totally unwarranted and a check of the F.E.C. filings by Congressional Majority Committee would disclose that only a very few of the CMC contributors have been listed on their reports. A review of the Advisory Opinion 1984-2 would also disclose that letters sent by the Friends of Phil Gramm are a legitimate interpretation of the authority given by that opinion.

As the enclosed documents disclose the letter complained of was sent to 16 contributors; the other letters from the Friends of Phil Gramm to misled contributors were solicited by the contributors themselves and the names and addresses were not obtained from FEC filings.

As I requested in our recent telephone conversation, I am concerned about the failure of the Commission to act on our complaint against Congressional Majority Committee for the inappropriate use of the name of Congressman Gramm. I hope you will point this out to your colleagues since our complaint has been pending for a considerably longer period of time.

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Attachment 1 - Page 1

MILLER, CANFIELD, PADDOCK AND STONE

Ms. Shelly Garr

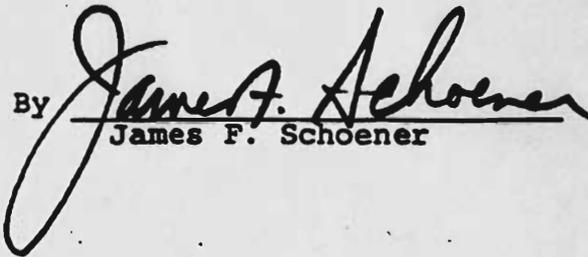
Page Two

July 10, 1984

In connection with your suggestion of conciliation, our committee would be willing to omit business reply envelopes from future correspondence, but we can find nothing in the letter as sent to even justify your action in this matter.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE

By 
James F. Schoener

JFS/cb
Enclosures
cc Mr. John Baxter

84040481297

Attachment 1 - Page 2

Questions for the Friends of Phil Gramm committee

GC 3999

1. A) Did the Friends of Phil Gramm committee mail out the attached letter marked as Exhibit A?

Yes.

If so, how many letters were mailed?

16.

B) Did the Friends of Phil Gramm committee mail out any other type of letter notifying contributors to the Congressional Majority Committee or its project, Americans for Phil Gramm in '84, that the Congressional Majority Committee and its project, Americans for Phil Gramm in '84 is not an authorized committee of Phil Gramm? If so, please produce a copy of each type of letter. Please indicate for each type of letter how many were mailed.

Yes, but only when an inquiry was made by the contributor.

2. Did the Friends of Phil Gramm include a self-addressed, postage-prepaid envelope with any of the letters referred to in question 1.

Only one letter was sent to the 16 names extracted from CMC reports.

If so, for each type of letter:

i) Indicate the number of letters which included an envelope; and
16.

ii) Produce the envelope and indicate which letter it was included with.

Only letters and envelopes were same as Exhibit A and B.

3. Is Exhibit B a photo copy of an envelope which was included with any of the letters referred to in question 1? If so, for each type of letter indicate the number of letters which included the envelope marked as Exhibit B. Please produce the envelope marked as Exhibit B.

Yes. 16.

4. Did the Friends of Phil Gramm send out the letter referred to in question 1 to individuals whose names were copied from disclosure reports filed with the Federal Election Commission?

Yes, as the the 16 as shown in no. 1 above.

07:30 01700 P

Attachment 1 - page 3

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Questions for the Friends of Phil Gramm committee

5. Why did the Friends of Phil Gramm committee include self-addressed, postage-prepaid envelopes with the letters referred to in question 1?

A business reply envelope was included in almost all mail sent by the campaign in the normal course of its operations.

6. Did the Friends of Phil Gramm committee receive any contributions as a result of mailing out the letters referred to in question 1? If so, indicate the number of contributions and the total dollar amount of the contributions.

Not known, will continue inquiry.

7. Did the Friends of Phil Gramm committee receive any contributions which were mailed in the postage-prepaid self-addressed envelopes referred to in questions 2 or 3? If so, indicate the number of contributions and the total dollar amount of the contributions.

Cannot be ascertained/only envelope not coded.

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Sample - F-B-

PHIL
GRAMM
U.S. SENATE **TEXAS**

all sent

February 29, 1984

Dear :

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment 1 - Page 5

ITEMIZED RECEIPTS

Page 1 of 1 for
 LINE NUMBER 11a
 (Use separate schedules for each
 category of the Detailed
 Summary Page)

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

Name of Committee (in Full)

CMC

A. Full Name, Mailing Address and ZIP Code Marcus Feubion 7907 Rockhill Houston, TX 77061 Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer Self - Employed	Date (month, day, year) 10/17/83	Amount of Each Receipt This Period \$ 300.00
	Occupation Attorney Aggregate Year-to-Date - \$ 300		

B. Full Name, Mailing Address and ZIP Code T.L. Williams Box 157 Thomas GA 31700 Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer Self - Employed	Date (month, day, year) 10/19/83	Amount of Each Receipt This Period \$ 5000.00
	Occupation Investor Aggregate Year-to-Date - \$ 5000		

C. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Aggregate Year-to-Date - \$		

D. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Aggregate Year-to-Date - \$		

E. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Aggregate Year-to-Date - \$		

F. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Aggregate Year-to-Date - \$		

G. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General (Other (specify):	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Aggregate Year-to-Date - \$		

SUBTOTAL of Receipts This Page (optional)

TOTAL This Period (list under this line number only)

5300.0

Attachment 1 - Page 6

8424310-0-0
 0703290-0-0
 0703290-0-0

SECTION A

ITEMIZED RECEIPTS

Page 1 of 1
 LINE NUMBER 117
 Use separate sheets for each category of the Listed Summary Page

Also indicate the source from each form or Statement and the date of the receipt or the date of the contribution or the date of the receipt, other than using the name and address of any holder of a contribution for each of the categories listed in the instructions to the Form 1040.

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. James Sweeney 123 North 7th St Dallas, TX 75201 Received for: 12/15/83 76,000	Sweeney Appropriate Year-to-Date: \$ 76,000	12/15/83	500.00
B. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Received for: 12/15/83 10,000	Name of Employer Appropriate Year-to-Date: \$	Date (month, day, year)	Amount of Each Receipt This Period

0 3 8 3 2 8 4 3 7 B 4 2

Attachment 1 Page 7

DUPLICATE A

ITEMIZED RECEIPTS

Page 2 of 2 for
LINE NUMBER _____
 (The amount indicated for each
 category of the Detailed
 Summary Page)

Information copied from such Reports or 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)

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. Louis H. Bennett 4040 Ft. Worth Fort Worth, TX 76100		11-28-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	

SUBTOTAL of Receipts This Page (optional) 250.00

Attachment 1 Page 9

8,250.00

U 4 8 34 21 3 14 3 31 63

ITEMIZED RECEIPTS

These receipts are to be used for the purpose of the Internal Revenue Code and are not to be used for any other purpose.

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

Name of Committee (in Full)
Congressional Majority Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Dr. T.H. Obenchain 2424 Armstrong Pkwy. Dallas, TX. 72203		11-28-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-28-83	250.00
Aggregate Year-to-Date-\$			
B. Full Name, Mailing Address and ZIP Code Mr. T.H. Etheridge 4150 Rio Bravo El Paso, TX 79902		11-19-83	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-19-83	1,000.00
Aggregate Year-to-Date-\$			
C. Full Name, Mailing Address and ZIP Code Mr. B. Foster Rt 6 San Antonio, TX 78200		11-14-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-14-83	250.00
Aggregate Year-to-Date-\$			
D. Full Name, Mailing Address and ZIP Code Mrs. W.C. Hubbard Lazywood Midland, TX 79100		11-14-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-14-83	250.00
Aggregate Year-to-Date-\$			
E. Full Name, Mailing Address and ZIP Code Mr. Ralph Mayer 2400 Academy Rio, TX 78910		11-25-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-25-83	250.00
Aggregate Year-to-Date-\$			
F. Full Name, Mailing Address and ZIP Code Mr. Bennie Williams P.O.Box 378 Thomas, GA 31790		11-2-83	5,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-2-83	5,000.00
Aggregate Year-to-Date-\$			
G. Full Name, Mailing Address and ZIP Code Mr. George Tuslel Frist Floor 5635 Yale Blvd Dallas, TX 75206		11-25-83	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	11-25-83	1,000.00
Aggregate Year-to-Date-\$			
SUBTOTAL of Receipts This Page (optional)			8,000.00
TOTAL This Period (last page this line number only)			

840404814305

March 6, 1984

Mr. Edgar Uihlein
30 N. Michigan Avenue
Chicago, Illinois 60602

Dear Mr. Uihlein:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment 1 - Page 11

34040481306

June 27, 1984

Mr. George Tusel
First Floor
5635 Yale Blvd.
Dallas, TX 75206

Dear Mr. Tusel:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Post Office Box 10108, Dallas, Texas 75207, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
P. O. Box 10108
Dallas, TX 75207

Attachment 1-Page 12

34040481307

Am. for Phil Gramm/O'Sullivan

June 25, 1984

Mr. Bill O'Sullivan
Dearfield Apt.
Heightstown, NJ 08520

Dear Mr. O'Sullivan:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Post Office Box 10108, Dallas, Texas 75207, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
P. O. Box 10108
Dallas, TX 75207

Attachment 1-Page 13

SCHEDULE A

ITEMIZED RECEIPTS

Form 1041-1
 Use separate schedule for each
 category of the following
 Summary Page

Any information copied from such Returns or Statements may not be sold or used by any person for the purpose of obtaining contributions or for
 any other purpose, and any person who uses the name and address of any political committee to solicit contributions from such committee.

Name of Candidate (Print)
Gregory J. Kelly Priority Committee

A. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation	4/18/84	250.00
B. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		
C. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation <i>Partner</i> <i>letter as of</i>		
D. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		
E. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		
F. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		
G. Full Name, Mailing Address and ZIP Code		Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):		Occupation		
TOTAL of Receipts This Page (amount)				
TOTAL This Period (add page the top number only)				250.00

84040481300
 R1033151548

Campaign/legal/Peete

Americans for Phil Gramm

FIRST SATURDAY
12:30 PM

John (Buddy) Horn, Program Director
Charles S. Peete, Jr. Secretary-Treasurer

Robert's C. ...
Vance at East Street

February 23, 1984

Mr. Charles S. Peete, Jr.
162 Palisade St.
Memphis, TN 38111

Dear Mr. Peete:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A O, College Station, Texas 77840 and I have enclosed a contribution envelope for your convenience.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

34040481510

Attachment 1 - Page 15

FEB 22 1984

HENRY LOEB'S DUTCH TREAT LUNCHEON

FIRST SATURDAY OF EACH MONTH
12:30 P.M. - 2:00 P.M.

Charles (Buddy) Ison, Program Director
Charles S. Peete, Jr., Secretary-Treasurer

Robillo's Cafeteria
Vance at East Street

Feb 18, 1984

Hon Phil Gramm
U. S. House of Reps
Washington, D. C. 20515

Dear Cong Gramm:

Did you authorize the Congressional Majority Comm operating out of Arlington Va to raise money for your campaign, Americans for Phil Gramm in '84? I think I remember reading in Wash Times where you said they had nothing to do with your campaign.

Would like to know the whole story on Cong Majority Committee, are they bogus?

Sincerely,
Charles S. Peete Jr
Charles S. Peete Jr
162 Palisade St.
Memphis, Tn 38111
member National
Taxpayers Union

cp/cp
cc
Encl.

84040481511

February 16, 1984

Mr. and Mrs. Rayburn L. Smith, Jr.
Route 3, Box 67B
Los Fresnos, Texas 78566

Dear Mr. and Mrs. Smith:

Thank you very much for contacting Congressman Gramm to advise him that you were under the impression that by donating to the committee which calls itself "Americans for Phil Gramm" you were contributing to Congressman Gramm's authorized reelection committee. We sincerely appreciate your attempted donation and regret any inconvenience you might have incurred.

Naturally, we hope that when you receive your refund from the unauthorized committee that you will forward a new check on to Congressman Gramm's only authorized committee, The Friends of Phil Gramm, Drawer A O, College Station, Texas 77840. I have enclosed a contribution envelope for that purpose.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

84040481312

FEB 16 1984

Route 3, Box 67-B
Los Fresnos, TX 78566
12 February 1984

The Honorable Phil Graham
Member of Congress
Washington, D. C.

Dear Congressman Graham:

8 4 0 4 0 4 3 1 3 1 1
Our thanks to the member of your staff who telephoned to inform that the "Americans for Phil Graham" group have not, in fact, passed any money to your election campaign committee. Since I no longer have a complete name and mailing address for the group, request that your staff forward the inclosed request for refund.

Inclosed also is my cancelled check which you may use, if desired, in you suit against the group. The cancelled check need not be returned.

Respectfully yours,

Rayburn L. Smith
RAYBURN L. SMITH, JR.
US Army, Retired

Attachment 1 - Page 18

Rt. 3, Box 67-B
Los Fresnos, TX 78566
12 February 1984

Americans for Phil Graham

Dear Mr. Galiano:

My wife and I donated \$50. to your group on 17 November 1983 believing you were to promote the election of Phil Graham to the United States Senate. We have since learned that you are not contributing to the election campaign of Mr. Graham.

Request that our donation be returned.

Sincerely,

Rayburn L. Smith, Jr.
RAYBURN L. SMITH, JR.

ATOMIC
COREASABLE
BOND
USA

Attachment 1 - Page 19

1 3 1 8 1 3 4 0 4 0 1 8 1 3

May 31, 1984

Mr. Paul K. Lafforge
Box 443
Saint Jo, Texas 76265

Dear Mr. Lafforge:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A O, College Station, Texas 77840. You can request a refund if you had intended to contribute directly to the Congressman's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

I am enclosing the material you sent us as you may need this to substantiate your claim for a refund.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed
Regional Director
Friends of Phil Gramm

Enclosure

Attachment 1-page 20

84040481315

FROM THE DIRECTOR OF THE BUREAU OF THE ARMY AND AIR FORCE
FOR THE CONSTRUCTION OF THE ARMY AND AIR FORCE

DATE RECEIVED:

DATE OF ISSUE 12302

MAY 31 1964

RECEIVED

84040481316

Enclosed is receipt & got for sending
in contribution to Va. - Voluntarily
Do not have your address. Hope
You get this.

37861

March 12, 1984

The Stone Family
2602 Button Willow Ave.
Abilene, Texas 79606

Dear Allyn, Myrtle and Cherry:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A O, College Station, Texas 77840 and I have enclosed a contribution envelope for your convenience.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

84040481317

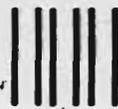
Feb. 17, 1984

Hon. Phil Gramm,
College Sta, Texas 77840

Dear Congressman,
We want to support
your campaign, and we are
certainly voting for you this
Fall, but we heard that an
unauthorized group was
soliciting funds in your
name. I'm sure many ^{of us} ~~of us~~
are afraid to contribute until
we are sure the money
is going to the right place.
Can you clear up this
confusion?

Sincerely,
The Stone Family
2602 Button Willow Ave

8 4 0 4 0 4 8 1 3 1 9



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 19 COLLEGE STATION TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer AO
College Station, Texas 77840



Attachment 1 - Page 24



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James J. Schoener, Esquire
Miller, Canfield, Paddock and Stone
1015 15th Street, N.W., Suite 1200
Washington, D.C. 20037

RE: MUR 1672
Friends of Phil Gramm
John Baxter, Treasurer

Dear Mr. Schoener:

On June 19, 1984, the Commission found reason to believe that your clients, the Friends of Phil Gramm committee and its treasurer, John Baxter, had violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended, 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 the file. The file in this matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

A copy of the final General Counsel's Report in this matter is enclosed for your information.

The Commission reminds you that the use of information copied from reports filed with the Commission for the purpose of soliciting contributions nevertheless appears to be a violation of 2 U.S.C. § 438(a)(4) and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Shelley Garr, the staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

Attachment II - Page 1

8 4 0 4 0 4 8 1 3 2 0



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ralph J. Galliano, Chairman
Congressional Majority Committee
2030 North 16th Street, Suite 305
Arlington, Virginia 22201

Re: MUR 1672
Friends of Phil Gramm and
John Baxter, as treasurer

Dear Mr. Galliano:

The Federal Election Commission has reviewed the allegations of the complaint filed by you, dated April 11, 1984, and determined that on the basis of the information provided in your complaint and information provided by the Respondent, there was reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. However, after considering the circumstances of this matter, the Commission has determined to take no further action.

A copy of the final General Counsel's Report in this matter is enclosed for your information.

The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

Attachment III Page 1

34040481321

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

In the Matter of)
)
Friends of Phil Gramm)
John Baxter, Treasurer)

MUR 1672

84 JUL 18 AIO: 42

COMPREHENSIVE INVESTIGATIVE REPORT #1

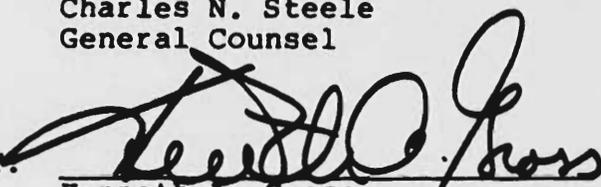
On June 19, 1984, the Commission found reason to believe that the Friends of Phil Gramm committee ("Friends") and its treasurer, John Baxter, violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15 by using information copied from reports or statements filed with the Commission for the purpose of soliciting contributions for Friends. Notifications of the Commission's findings was mailed to respondents on June 25, 1984. Included with the notification was a set of questions designed to obtain additional information in connection with the Commission's investigation.

On July 10, 1984, the Commission received a response from James Schoener, attorney for Friends. Answers to the questions were enclosed with the response. A report will be submitted to the Commission for its review once the material is analyzed.

84040481322

Charles N. Steele
General Counsel

July 18, 1984
Date

BY: 
Kenneth A. Gross
Associate General Counsel

LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

SIDNEY T. MILLER (1884-1940)
GEORGE L. CANFIELD (1888-1988)
LEWIS H. PADDOCK (1888-1938)
FERRIS D. STONE (1888-1948)

SUITE 200 1200

~~2000 M Street, N.W.~~ 1015 15th St. N.W.
WASHINGTON, D.C. 20005

DETROIT, MICHIGAN
BIRMINGHAM, MICHIGAN
BOCA RATON, FLORIDA
GRAND RAPIDS, MICHIGAN
LANSING, MICHIGAN
MONROE, MICHIGAN
TRAVERSE CITY, MICHIGAN

TELEPHONE (202) ~~555-2222~~ 789-8640
TELECOPIER (202) ~~444-4444~~

JAMES F. SCHOENER

GCC # 3999

July 10, 1984

HAND DELIVERED

Ms. Shelly Garr
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463

Re: MUR 1672

Dear Ms. Garr:

Enclosed please find the answers to the questions posed in your letter of June 25, 1984. As I indicated in an earlier telephone conversation, I believe the complaint in this matter to be totally unwarranted and a check of the F.E.C. filings by Congressional Majority Committee would disclose that only a very few of the CMC contributors have been listed on their reports. A review of the Advisory Opinion 1984-2 would also disclose that letters sent by the Friends of Phil Gramm are a legitimate interpretation of the authority given by that opinion.

As the enclosed documents disclose the letter complained of was sent to 16 contributors; the other letters from the Friends of Phil Gramm to misled contributors were solicited by the contributors themselves and the names and addresses were not obtained from FEC filings.

As I requested in our recent telephone conversation, I am concerned about the failure of the Commission to act on our complaint against Congressional Majority Committee for the inappropriate use of the name of Congressman Gramm. I hope you will point this out to your colleagues since our complaint has been pending for a considerably longer period of time.

34040481323

JUL 10 10:33:40

MILLER, CANFIELD, PADDOCK AND STONE

Ms. Shelly Garr

Page Two

July 10, 1984

In connection with your suggestion of conciliation, our committee would be willing to omit business reply envelopes from future correspondence, but we can find nothing in the letter as sent to even justify your action in this matter.

Very truly yours,

MILLER, CANFIELD, PADDOCK AND STONE

By 
James F. Schoener

JFS/cb
Enclosures
cc Mr. John Baxter

84040481324

Questions for the Friends of Phil Gramm committee

GCCT#
3999

1. A) Did the Friends of Phil Gramm committee mail out the attached letter marked as Exhibit A?

Yes.

If so, how many letters were mailed?

16.

B) Did the Friends of Phil Gramm committee mail out any other type of letter notifying contributors to the Congressional Majority Committee or its project, Americans for Phil Gramm in '84, that the Congressional Majority Committee and its project, Americans for Phil Gramm in '84 is not an authorized committee of Phil Gramm? If so, please produce a copy of each type of letter. Please indicate for each type of letter how many were mailed.

Yes, but only when an inquiry was made by the contributor.

2. Did the Friends of Phil Gramm include a self-addressed, postage-prepaid envelope with any of the letters referred to in question 1.

Only one letter was sent to the 16 names extracted from CMC reports.

If so, for each type of letter:

- i) Indicate the number of letters which included an envelope; and
16.
- ii) Produce the envelope and indicate which letter it was included with.

Only letters and envelopes were same as Exhibit A and B.

3. Is Exhibit B a photo copy of an envelope which was included with any of the letters referred to in question 1? If so, for each type of letter indicate the number of letters which included the envelope marked as Exhibit B. Please produce the envelope marked as Exhibit B.

Yes. 16.

4. Did the Friends of Phil Gramm send out the letter referred to in question 1 to individuals whose names were copied from disclosure reports filed with the Federal Election Commission?

Yes, as the the 16 as shown in no. 1 above.

84040481325

05:00 01700

Questions for the Friends of Phil Gramm committee

5. Why did the Friends of Phil Gramm committee include self-addressed, postage-prepaid envelopes with the letters referred to in question 1?

A business reply envelope was included in almost all mail sent by the campaign in the normal course of its operations.

6. Did the Friends of Phil Gramm committee receive any contributions as a result of mailing out the letters referred to in question 1? If so, indicate the number of contributions and the total dollar amount of the contributions.

Not known, will continue inquiry.

7. Did the Friends of Phil Gramm committee receive any contributions which were mailed in the postage-prepaid self-addressed envelopes referred to in questions 2 or 3? If so, indicate the number of contributions and the total dollar amount of the contributions.

Cannot be ascertained/only envelope not coded.

840404813226

PHIL
GRAMM
U.S. SENATE **TEXAS**

Sample - 4-B-

all sent

February 29, 1984

Dear :

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer AO, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
Drawer AO
College Station, Texas 77840

84040431327

ITEMIZED RECEIPTS

Page 1 of 1 for
 LINE NUMBER 11a
 (Use separate schedule(s) for each
 category of the Detailed
 Summary Page)

All information covered from such Reports or 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)	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
CMC A. Full Name, Mailing Address and ZIP Code Marcus Fabian 7907 Rockhill Houston, TX 77061 Receipt For: <input type="checkbox"/> Other (specify): <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Self - Employed Occupation: <u>Attorney</u> Aggregate Year-to-Date - \$ <u>300</u>	10/17/83	\$ 300.00
B. Full Name, Mailing Address and ZIP Code T.L. Williams Box 157 Thomas, GA 31700 Receipt For: <input type="checkbox"/> Other (specify): <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Self - Employed Occupation: <u>Investor</u> Aggregate Year-to-Date - \$ <u>5000</u>	10/19/83	\$ 5000.00
C. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Other (specify): <input type="checkbox"/> Primary <input type="checkbox"/> General	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Other (specify): <input type="checkbox"/> Primary <input type="checkbox"/> General	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Other (specify): <input type="checkbox"/> Primary <input type="checkbox"/> General	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Other (specify): <input type="checkbox"/> Primary <input type="checkbox"/> General	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: <input type="checkbox"/> Other (specify): <input type="checkbox"/> Primary <input type="checkbox"/> General	Name of Employer Occupation Aggregate Year-to-Date - \$	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (initials)			\$ 5300.00
TOTAL This Period (last date this line number only)			

84040491328
 0303200057

SECTION A

ITEMIZED RECEIPTS

Page 1 of 1
 LINE NUMBER 111
 (Use separate schedule for each category of the Limited Summary Form)

All information shown from such persons in Statements may not be held in confidence by any person for the purpose of making contribution or for the most of persons, other than using the name and address of any holder of customer for both of such persons. Information is not to be disclosed to the Director of Consumer Affairs.

Congressional Minority Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. James Sweeney 1000 1000 Worth, TX 76100 Receipt for Primary General 76100 (General)	Name of Employer Occupation Approximate Year-to-Date \$ 500,000	12/8/83	500.00
B. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period
C. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period
D. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt for Primary General (Other (specify))	Name of Employer Occupation Approximate Year-to-Date \$	Date (month, day, year)	Amount of Each Receipt This Period

8 3 2 4 3 2 4 0 6 4 8 2 1 3 4 2 9

ITEMIZED RECEIPTS

Any information copied from such Reports or 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)

CMC

A. Full Name, Mailing Address and ZIP Code Receipt For <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-\$	Date (month, day, year)	Amount of Each Receipt This Period
Reymon Finch P.O. Box 4 Isle of Palms, SC 29451	Will Dunes Beach & Racquet Club Real Estate	9/1/83 2000	\$1000
Jack Wheatley 755 Page Mill Rd Palo Alto, CA 94304	Retired	9/6/83 500	\$500
_____ _____ _____	_____ _____	_____ _____	_____
_____ _____ _____	_____ _____	_____ _____	_____
_____ _____ _____	_____ _____	_____ _____	_____
_____ _____ _____	_____ _____	_____ _____	_____
_____ _____ _____	_____ _____	_____ _____	_____
SUBTOTAL (Carry to Page _____)			\$ 1500
TOTAL (Carry to Page _____)			\$ 1500

113
33
1
8
40
4
40
64

SCHEDULE A

ITEMIZED RECEIPTS

Page 2 of 2 for
LINE NUMBER _____
 (Use separate schedules for each
 category of the Detailed
 Summary Page)

Information copied from such Reports or 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)

U 4 8B 34 20 24 30 45 83 16 3 3 1

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. Louis H. Bennett 4040 Ft. Worth Fort Worth, TX 76100		11-28-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation		Aggregate Year-to-Date-\$
SUBTOTAL of Receipts This Page (optional)			250.00
Total Paid (last page this line number only)			8,250.00

ITEMIZED RECEIPTS

Form 1042-83
 This schedule is to be attached to Form 1042
 and filed with the return of the donor.

Any information copied from such Reports or 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 organizations.

Name of Committee (in Full) Congressional Majority Committee			
A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Dr. T.H. Obenchain 2424 Armstrong Pkwy. Dallas, TX. 75205		11-28-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. T.H. Etheridge 4150 Rio Bravo El Paso, TX 79902		11-19-83	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. B. Foster Rt 6 San Antonio, TX 78200		11-14-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mrs. W.C. Hubbard Lazywood Midland, TX 79100		11-14-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. Ralph Mayer 2400 Academy Rio, TX 78910		11-25-83	250.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. Bennie Williams P.O.Box 378 Thomas, GA 31790		11-2-83	5,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Mr. George Tuslel Frist Floor 5635 Yale Blvd Dallas, TX 75206		11-25-83	1,000.00
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify):	Occupation	Aggregate Year-to-Date-\$	
SUBTOTAL of Receipts This Page (optional)			8,000.00
TOTAL This Period (last page this line number only)			

84040481333
 84032031633

March 6, 1984

Mr. Edgar Uihlein
30 N. Michigan Avenue
Chicago, Illinois 60602

Dear Mr. Uihlein:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer AO, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
Drawer AO
College Station, Texas 77840

34040481333

June 27, 1984

Mr. George Tusel
First Floor
5635 Yale Blvd.
Dallas, TX 75206

Dear Mr. Tusel:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Post Office Box 10108, Dallas, Texas 75207, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
P. O. Box 10108
Dallas, TX 75207

34040481334

Am. for Phil Gramm/O'Sullivan

June 25, 1984

Mr. Bill O'Sullivan
Dearfield Apt.
Heightstown, NJ 08520

Dear Mr. O'Sullivan:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Post Office Box 10108, Dallas, Texas 75207, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

John Baxter, Treasurer
Friends of Phil Gramm
P. O. Box 10108
Dallas, TX 75207

84040431335

FORMS A

ITEMIZED RECEIPTS

For the State of New Jersey
 The General Assembly (for each
 category of the Detailed
 Summary Page)

Any information coming from such Records or Statements may not be sold or used by any person for the purpose of soliciting contributions or for
 any other purpose, and the name and address of any political committee to which contributions from such categories.

Name of Contributor: **General Assembly Majority Committee**

84040481336
R1033151548

A. Full Name, Mailing Address and ZIP Code
Bill O'Sullivan
Bearfield Apt.
Hightstown, NJ 08520

Name of Employer: _____ Date (month, day, year): **4/18/84**
 Occupation: _____ Amount of Each Receipt This Period: **250.00**

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

B. Full Name, Mailing Address and ZIP Code

Name of Employer: _____ Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: _____

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

C. Full Name, Mailing Address and ZIP Code

Name of Employer: *Butter* Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: *letter as of*

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

D. Full Name, Mailing Address and ZIP Code

Name of Employer: _____ Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: _____

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

E. Full Name, Mailing Address and ZIP Code

Name of Employer: _____ Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: _____

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

F. Full Name, Mailing Address and ZIP Code

Name of Employer: _____ Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: _____

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

G. Full Name, Mailing Address and ZIP Code

Name of Employer: _____ Date (month, day, year): _____ Amount of Each Receipt This Period: _____

Occupation: _____

Receipt For: Primary General
 Other (specify): _____ Aggregate Year-to-Date—\$: _____

TOTAL of Receipts This Page (attach)

TOTAL This Period (fill page the two number only) **250.00**

Campaign/legal/Peete

Americans for Phil Gramm

POST OFFICE BOX 1000
MEMPHIS, TENNESSEE 38101
Mr. Charles S. Peete, Jr., Secretary-Treasurer
February 23, 1984

February 23, 1984

Mr. Charles S. Peete, Jr.
162 Palisade St.
Memphis, TN 38111

Dear Mr. Peete:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A O, College Station, Texas 77840 and I have enclosed a contribution envelope for your convenience.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

84040481337

FEB 22 1984

HENRY LOEB'S DUTCH TREAT LUNCHEON

**FIRST SATURDAY OF EACH MONTH
12:30 P.M. - 2:00 P.M.**

**Charles (Buddy) Ison, Program Director
Charles S. Peete, Jr., Secretary-Treasurer**

**Robillo's Cafeteria
Vance at East Street**

Feb 18, 1984

Hon Phil Gramm
U. S. House of Reps
Washington, D. C. 20515

Dear Cong Gramm:

Did you authorize the Congressional Majority Comm operating out of Arlington Va to raise money for your campaign, Americans for Phil Gramm in '84? I think I remember reading in Wash Times where you said they had nothing to do with your campaign.

Would like to know the whole story on Cong Majority Committee, are they bogus?

Sincerely,

Charles S. Peete Jr.

Charles S. Peete Jr.
162 Palisade St.
Memphis, Tn 38111
member National
Taxpayers Union

cp/cp
cc
Encl.

84040481338

February 16, 1984

Mr. and Mrs. Rayburn L. Smith, Jr.
Route 3, Box 67B
Los Fresnos, Texas 78566

Dear Mr. and Mrs. Smith:

Thank you very much for contacting Congressman Gramm to advise him that you were under the impression that by donating to the committee which calls itself "Americans for Phil Gramm" you were contributing to Congressman Gramm's authorized reelection committee. We sincerely appreciate your attempted donation and regret any inconvenience you might have incurred.

Naturally, we hope that when you receive your refund from the unauthorized committee that you will forward a new check on to Congressman Gramm's only authorized committee, The Friends of Phil Gramm, Drawer A O, College Station, Texas 77840. I have enclosed a contribution envelope for that purpose.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

84040481337

FEB 18 1984

Route 3, Box 67-B
Los Fresnos, TX 78566
12 February 1984

The Honorable Phil Graham
Member of Congress
Washington, D. C.

Dear Congressman Graham:

Our thanks to the member of your staff who telephoned to inform that the "Americans for Phil Graham" group have not, in fact, passed any money to your election campaign committee. Since I no longer have a complete name and mailing address for the group, request that your staff forward the inclosed request for refund.

Inclosed also is my cancelled check which you may use, if desired, in you suit against the group. The cancelled check need not be returned.

Respectfully yours,

Rayburn L. Smith
RAYBURN L. SMITH, JR.
US Army, Retired

84040401340

RT. 3, Box 67-B
Los Fresnos, TX 78566
12 February 1984

Americans for Phil Graham

Dear Mr. Galiano:

My wife and I donated \$50. to your group on 17 November 1983 believing you were to promote the election of Phil Graham to the United States Senate. We have since learned that you are not contributing to the election campaign of Mr. Graham.

Request that our donation be returned.

Sincerely,

Rayburn L. Smith, Jr.
RAYBURN L. SMITH, JR.

84040431341

STATON
CORREASABLE
BOND
USA
NEW YORK

May 31, 1984

Mr. Paul K. Lefforge
Box 443
Saint Jo, Texas 76265

Dear Mr. Lefforge:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A O, College Station, Texas 77840. You can request a refund if you had intended to contribute directly to the Congressman's campaign for the U. S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

I am enclosing the material you sent us as you may need this to substantiate your claim for a refund.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed
Regional Director
Friends of Phil Gramm

Enclosure

34040481342

UNITED STATES GOVERNMENT
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

UNITED STATES GOVERNMENT

UNITED STATES GOVERNMENT

NOV 31 1930

34040481343

Enclosed is receipt & job for sending
in contribution to Va. - Voluntarily
Do not have your address. Hope
You get this.

37861

March 12, 1984

The Stone Family
2602 Button Willow Ave.
Abilene, Texas 79606

Dear Allyn, Myrtle and Cherry:

Thank you very much for contacting Congressman Gramm to inquire about the group which calls itself "Americans for Phil Gramm." This committee is not authorized by Congressman Gramm, nor have we received a single contribution from the organization which purports to help us.

The only authorized committee is: Friends of Phil Gramm, Drawer A 0, College Station, Texas 77840 and I have enclosed a contribution envelope for your convenience.

Please accept our thanks for your help and support. We are grateful.

Yours respectfully,

Carol Reed

34040481344

Feb. 17, 1984

Hon. Phil Swann,
College Sta, Texas 77840

Dear Congressman,
We want to support
your campaign, and we are
certainly voting for you this
Fall, but we heard that an
unauthorized group was
soliciting funds in your
name. I'm sure many ^{of us} ~~of us~~
are afraid to contribute until
we are sure the money
is going to the right place.
Can you clear up this
confusion?

Sincerely
The Stone Family
2602 Button Willow Ave
Abilene, Texas

84040481345

84040481346

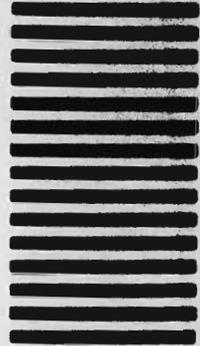


BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 19 COLLEGE STATION TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer AO
College Station, Texas 77840

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



3 4 0 4 0 4 8 1 3 4 7

LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE
SUITE 1200
1015 FIFTEENTH STREET, N. W.
WASHINGTON, D. C. 20005

FIRST CLASS MAIL

TO:

Ms. Shelly Garr
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

FIRST CLASS MAIL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Friends of Phil Gramm, and) MUR 1672
John Baxter as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 19, 1984, do hereby certify that the Commission took the following actions in MUR 1672:

1. Failed in a vote of 2-4 to pass a motion to find reason to believe that the Friends of Phil Gramm committee and its treasurer, John Baxter, violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15, but take no further action and close the file in this matter.

Commissioners Harris and McGarry voted affirmatively for the motion; Commissioners Aikens, Elliott, McDonald, and Reiche dissented.

2. Decided by a vote of 4-2 to
 - a) Find reason to believe that the Friends of Phil Gramm committee and its treasurer, John Baxter, violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15; and

(Continued)

84040481348

- b) Approve and authorize the sending of the letter and questions as recommended in the General Counsel's report dated June 7, 1984.

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

Attest:

6-19-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

84040481349



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 25, 1984

James J. Schoener, Esquire
Miller, Canfield, Paddock and Stone
2555 M Street, N.W., Suite 300
Washington, D.C. 20037

RE: MUR 1672
Friends of Phil Gramm
committee,
John Baxter, Treasurer

Dear Mr. Schoener:

8 4 0 4 8 1 3 5 0
The Federal Election Commission notified your client on April 18, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time. We acknowledge receipt of your explanation of this matter which was dated May 8, 1984.

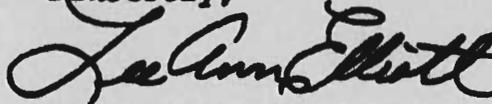
Upon further review of the allegations contained in the complaint, the Commission, on June 19, 1984, determined that there is reason to believe that Friends of Phil Gramm committee and John Baxter, as treasurer violated 2 U.S.C. § 438(a)(4), a provision of the Act. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Further, in connection with its investigation in this matter, the Commission requests that the Friends of Phil Gramm committee respond to the enclosed set of questions. Please submit the Committee's response within ten days of your receipt of this notification. 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.

James F. Schoener, Esquire
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,



Lee Ann Elliott
Chairman

84040481351

Enclosures
Procedures
Questions

Questions for the Friends of Phil Gramm committee

1. A) Did the Friends of Phil Gramm committee mail out the attached letter marked as Exhibit A?

If so, how many letters were mailed?

B) Did the Friends of Phil Gramm committee mail out any other type of letter notifying contributors to the Congressional Majority Committee or its project, Americans for Phil Gramm in '84, that the Congressional Majority Committee and its project, Americans for Phil Gramm in '84 is not an authorized committee of Phil Gramm? If so, please produce a copy of each type of letter. Please indicate for each type of letter how many were mailed.

2. Did the Friends of Phil Gramm include a self-addressed, postage-prepaid envelope with any of the letters referred to in question 1.

If so, for each type of letter:

- i) Indicate the number of letters which included an envelope; and
- ii) Produce the envelope and indicate which letter it was included with.

3. Is Exhibit B a photo copy of an envelope which was included with any of the letters referred to in question 1? If so, for each type of letter indicate the number of letters which included the envelope marked as Exhibit B. Please produce the envelope marked as Exhibit B.

4. Did the Friends of Phil Gramm send out the letter referred to in question 1 to individuals whose names were copied from disclosure reports filed with the Federal Election Commission?

84040481352

Questions for the Friends of Phil Gramm committee

5. Why did the Friends of Phil Gramm committee include self-addressed, postage-prepaid envelopes with the letters referred to in question 1?
6. Did the Friends of Phil Gramm committee receive any contributions as a result of mailing out the letters referred to in question 1? If so, indicate the number of contributions and the total dollar amount of the contributions.
7. Did the Friends of Phil Gramm committee receive any contributions which were mailed in the postage-prepaid self-addressed envelopes referred to in questions 2 or 3? If so, indicate the number of contributions and the total dollar amount of the contributions.

34040481353

GRAMM
U.S. SENATE **TEXAS**

February 29, 1984

Mr. Marcus Faubion
7907 Rockhill
Houston, TX 77061

Dear Mr. Faubion:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,

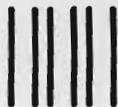


John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment A

8 4 0 4 0 4 8 1 3 5 5

Attachment B



BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 19 COLLEGE STATION TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer AO
College Station, Texas 77840

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James J. Schoener, Esquire
Miller, Canfield, Paddock and Stone
2555 M Street, N.W., Suite 300
Washington, D.C. 20037

RE: MUR 1672
Friends of Phil Gramm
committee,
John Baxter, Treasurer

Dear Mr. Schoener:

8 4 0 4 0 4 8 1 3 5 6
The Federal Election Commission notified your client on April 18, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time. We acknowledge receipt of your explanation of this matter which was dated May 8, 1984.

Upon further review of the allegations contained in the complaint, the Commission, on 1984, determined that there is reason to believe that Friends of Phil Gramm committee and John Baxter, as treasurer violated 2 U.S.C. § 438(a)(4), a provision of the Act. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Further, in connection with its investigation in this matter, the Commission requests that the Friends of Phil Gramm committee respond to the enclosed set of questions. Please submit the Committee's response within ten days of your receipt of this notification. 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.

James F. Schoener, Esquire
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

84040481357

Enclosures
Procedures
Questions

REC 6/21/81

Questions for the Friends of Phil Gramm committee

1. A) Did the Friends of Phil Gramm committee mail out the attached letter marked as Exhibit A?

If so, how many letters were mailed?

B) Did the Friends of Phil Gramm committee mail out any other type of letter notifying contributors to the Congressional Majority Committee or its project, Americans for Phil Gramm in '84, that the Congressional Majority Committee and its project, Americans for Phil Gramm in '84 is not an authorized committee of Phil Gramm? If so, please produce a copy of each type of letter. Please indicate for each type of letter how many were mailed.

2. Did the Friends of Phil Gramm include a self-addressed, postage-prepaid envelope with any of the letters referred to in question 1.

If so, for each type of letter:

i) Indicate the number of letters which included an envelope; and

ii) Produce the envelope and indicate which letter it was included with.

3. Is Exhibit B a photo copy of an envelope which was included with any of the letters referred to in question 1? If so, for each type of letter indicate the number of letters which included the envelope marked as Exhibit B. Please produce the envelope marked as Exhibit B.

4. Did the Friends of Phil Gramm send out the letter referred to in question 1 to individuals whose names were copied from disclosure reports filed with the Federal Election Commission?

84040481358

Questions for the Friends of Phil Gramm committee

5. Why did the Friends of Phil Gramm committee include self-addressed, postage-prepaid envelopes with the letters referred to in question 1?
6. Did the Friends of Phil Gramm committee receive any contributions as a result of mailing out the letters referred to in question 1? If so, indicate the number of contributions and the total dollar amount of the contributions.
7. Did the Friends of Phil Gramm committee receive any contributions which were mailed in the postage-prepaid self-addressed envelopes referred to in questions 2 or 3? If so, indicate the number of contributions and the total dollar amount of the contributions.

84040481359

4/10/84

GRAMM

U.S. SENATE TEXAS

February 29, 1984

Mr. Marcus Faubion
7907 Rockhill
Houston, TX 77061

Dear Mr. Faubion:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

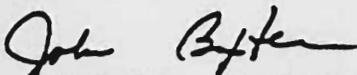
The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,



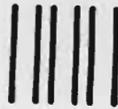
John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment A

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Attachment B



BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 19 COLLEGE STATION TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



SENSITIVE

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 JUN 8 10:06

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

MUR 1672
DATE COMPLAINT RECEIVED
BY OGC 4/11/84
DATE OF NOTIFICATION TO
RESPONDENT 4/18/84
STAFF MEMBER Garr

COMPLAINANT NAME: Congressional Majority Committee,
Ralph J. Galliano, Chairman

RESPONDENT'S NAME: John Baxter as treasurer, and
Friends of Phil Gramm

RELEVANT STATUTE: 2 U.S.C. § 438(a)(4)

INTERNAL REPORTS CHECKED: AO 1984-2

FEDERAL AGENCIES CHECKED: N/A

STATEMENT OF THE CASE

On April 11, 1984, Ralph Galliano, National Chairman of the Congressional Majority Committee ("CMC") filed a complaint against the Friends of Phil Gramm committee ("Friends") and its treasurer, John Baxter, alleging that Friends violated 2 U.S.C. § 438(a)(4) and AO 1982-2 by using information filed with the Commission by CMC, for the purpose of soliciting contributions.

According to CMC, Friends has been writing letters to contributors to CMC including, but not limited to, its project, Americans for Phil Gramm in '84 ("Americans"). CMC claims that Friends enclosed with the letter a postage-prepaid envelope addressed to Friends. CMC contends that inclusion of the envelope with the letter is clearly designed to solicit and encourage contributions to Friends. CMC alleges that this

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violates AO 1984-2 and 2 U.S.C. § 438(a)(4) which prohibits Friends from using information contained in CMC's reports for soliciting its own contributions.

FACTUAL AND LEGAL ANALYSIS

1. The facts.

On January 9, 1984, Phil Gramm requested an advisory opinion regarding a letter which Friends proposed sending to individuals who had made contributions to Americans. According to Gramm's request, Americans had been soliciting contributions without his authorization. Believing that persons might be misled into contributing to that organization because the contributor assumed Americans was his authorized committee, Gramm requested the Commission's approval to write a letter to contributors informing them: (1) that Americans was not an authorized committee; (2) that Friends was his only authorized campaign committee; (3) that they may ask for a refund of their contributions to Americans; and (4) that they may instead make a contribution to Friends.

The Commission responded in AO 1984-2 that the Act does not prohibit (1) informing contributors to Americans that it is not an authorized committee; (2) identifying Friends as the authorized committee for purposes of setting the record straight; and (3) including a suggestion that the contributor ask for a refund. The Commission stated, however, that the Act does prohibit requesting or suggesting that contributions be made to Friends, because it would involve the use of contributor information in a manner prohibited by 2 U.S.C. § 438(a)(4) and 11

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C.F.R. § 104.15.

Complainant alleges that Friends then began contacting contributors to CMC including contributors to CMC's project, Americans. Included with each letter which Friends sent out was a self-addressed, postage-prepaid envelope.

On May 8, 1984, James F. Schoener, attorney for Friends, responded to the Commission's notification of complaint and explained that because Friends complied completely with the terms of AO 1984-2, he believed there was no violation of 2 U.S.C. § 438(a)(4).

2. The law applicable.

Pursuant to 2 U.S.C. § 438(a)(4) any information copied from reports or statements filed with the Commission may not be used by any person for the purpose of soliciting contributions for such committee.

3. Application of the law to the facts.

The question before the Commission is whether inclusion of a self-addressed, postage-prepaid envelope by Friends, with the informational letter mailed out to contributors to CMC and its project Americans, constitutes a solicitation. The letter itself does not contain specific language asking for a contribution. However, inclusion of an envelope appears to be for the purpose

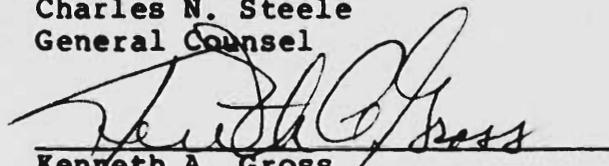
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of facilitating the making of a contribution to Friends.*/
 Accordingly, the Office of General Counsel is recommending that
 the Commission find reason to believe that Friends violated 2
 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. The reason to believe
 finding will allow the Commission to ascertain for certain
 whether Friends included a self-addressed postage-prepaid
 envelope and to ask Friends why such an envelope was included.
 Accordingly, the Office of General Counsel has also proposed
 questions for the Commission's approval.

RECOMMENDATION

1. Find reason to believe that the Friends of Phil Gramm
 committee and its treasurer, John Baxter, violated 2 U.S.C.
 § 438(a)(4) and 11 C.F.R. § 104.15;
2. Approve and authorized the sending of the attached letter
 and questions.

Charles N. Steele
 General Counsel



By: Kenneth A. Gross
 Associate General Counsel

June 7, 1984
 Date

Attachments
 Proposed letter
 Referral material

*/ Commission regulations pertaining to corporate and labor union
 activity at 11 C.F.R. § 114.2 have defined the method of
 facilitating the making of contribution as the "manner in which
 contributions are received or collected, such as... return
 envelopes enclosed in a solicitation request." The 1977
 Explanation and Justification of Regulations discussing 11 C.F.R.
 § 114.3, states that a corporation or labor organization making
 partisan communications may not "facilitate the making of
 contributions to a particular candidate or political committee,
 other than its separate segregated fund, as by providing
 envelopes addressed to the candidate or committee...."

34040481355



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James J. Schoener, Esquire
Miller, Canfield, Paddock and Stone
2555 M Street, N.W., Suite 300
Washington, D.C. 20037

RE: MUR 1672
Friends of Phil Gramm
committee,
John Baxter, Treasurer

Dear Mr. Schoener:

8 4 0 4 0 4 8 1 3 6 6
The Federal Election Commission notified your client on April 18, 1984, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to your client at that time. We acknowledge receipt of your explanation of this matter which was dated May 8, 1984.

Upon further review of the allegations contained in the complaint, the Commission, on 1984, determined that there is reason to believe that Friends of Phil Gramm committee and John Baxter, as treasurer violated 2 U.S.C. § 438(a)(4), a provision of the Act. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Further, in connection with its investigation in this matter, the Commission requests that the Friends of Phil Gramm committee respond to the enclosed set of questions. Please submit the Committee's response within ten days of your receipt of this notification. 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.

Attachment 1 page 1

James F. Schoener, Esquire
Page 2

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 your client wishes the matter to be made public. If you have any questions, please contact Shelley Garr, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

84040481367

Enclosures
Procedures
Questions

Attachment 1 - page 2

Questions for the Friends of Phil Gramm committee

1. A) Did the Friends of Phil Gramm committee mail out the attached letter marked as Exhibit A?

If so, how many letters were mailed?

B) Did the Friends of Phil Gramm committee mail out any other type of letter notifying contributors to the Congressional Majority Committee or its project, Americans for Phil Gramm in '84, that the Congressional Majority Committee and its project, Americans for Phil Gramm in '84 is not an authorized committee of Phil Gramm? If so, please produce a copy of each type of letter. Please indicate for each type of letter how many were mailed.

2. Did the Friends of Phil Gramm include a self-addressed, postage-prepaid envelope with any of the letters referred to in question 1.

If so, for each type of letter:

- i) Indicate the number of letters which included an envelope; and
- ii) Produce the envelope and indicate which letter it was included with.

3. Is Exhibit B a photo copy of an envelope which was included with any of the letters referred to in question 1? If so, for each type of letter indicate the number of letters which included the envelope marked as Exhibit B. Please produce the envelope marked as Exhibit B.

4. Did the Friends of Phil Gramm send out the letter referred to in question 1 to individuals whose names were copied from disclosure reports filed with the Federal Election Commission?

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Questions for the Friends of Phil Gramm committee

5. Why did the Friends of Phil Gramm committee include self-addressed, postage-prepaid envelopes with the letters referred to in question 1?
6. Did the Friends of Phil Gramm committee receive any contributions as a result of mailing out the letters referred to in question 1? If so, indicate the number of contributions and the total dollar amount of the contributions.
7. Did the Friends of Phil Gramm committee receive any contributions which were mailed in the postage-prepaid self-addressed envelopes referred to in questions 2 or 3? If so, indicate the number of contributions and the total dollar amount of the contributions.

84040481367

Attachment 1 - page 4

GRAMM

U.S. SENATE TEXAS

February 29, 1984

Mr. Marcus Faubion
7907 Rockhill
Houston, TX 77061

Dear Mr. Faubion:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,



John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment 1 - page 5

84040481370

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NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 19 COLLEGE STATION, TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

Attachment ~~to~~ I - page 6

000003083

LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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GEORGE L. CANFIELD (1906-1989)
LEWIS M. PADDOCK (1926-1983)
FERRIS D. STONE (1922-1949)

ROBERT P. GRAYN
CLEVELAND THURBER
JAMES F. SCHNEIDER
WILLIAM B. BUTLER
WYOM R. WILLIAMS
MICHAEL J. WODGE
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JEROME R. WATSON
FRANK L. ANDREWS
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DONALD W. KEW

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BIRMINGHAM, MICHIGAN
BOCA RATON, FLORIDA
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LANSING, MICHIGAN
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SERALD E. ROSEN
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STEVEN D. WEYHING
BRANT A. FREER
JOHN D. STOUT

RICHARD A. GAFFIN
AMANDA VAN DUSEN
BRIAN A. KASER
GARY A. BRUDER
SALLY L. GEBB
KAY I. JOHNSON
E. ELIZABETH PERLMAN
J. SCOTT THIMMER
CHARLES L. BREKERS
BEVERLY HALL BURNS
JOHN D. HAYES
STEPHEN J. OTT
LINDA G. GOLDBERG
THOMAS S. APPLEMAN
KAREN A. PULLMAN
MARLETTE PUTNAM
HAROLD W. BULBER, JR.
GREGORY V. DICENSO
NANCY KEPPELMAN
CYNTHIA S. FAULHABER

ROCK A. PACYNSKI
NGAN YANIC
LESA B. ARCHER
MICHAEL P. COAKLEY
STEFAN B. PEDDEL
MICHAEL L. LENCIONE
KIM D. MESSNER
PATRICIA T. CLINE
KEVIN L. SMITH
TUDOTHY S. KNOWLTON
JEFFREY M. MCHUGH
DANE M. BOUBLY
KAREN A. MCCOY
THOMAS F. CAVALIER
GERARD MCGUIRE
JOHN J. AYAUSS
JAMES D. ROSS
CLAUDIA J. ROBERTS
LINDA G. SKLABEN

* A.D. ADMITTED IN DISTRICT OF COLUMBIA
* A.D. ADMITTED IN FLORIDA

May 8, 1984

84040481372

HAND DELIVERED

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1672

Dear Ms. Garr:

As counsel for Friends of Phil Gramm, the principal campaign committee of Congressman Phil Gramm, I wish to respond to the complaint of Ralph Galliano and the Congressional Majority Committee designated MUR 1672. We apologize for the delay in this response, but the complaint did not arrive back in Washington (U.S. Mail) until May 3.

Obviously your file should include the original request for advisory opinion of January 6 (A.O. 1984-2) and the opinion issued by the Commission on February 13th in response thereto.

Relying on that opinion, the contributors to Congressional Majority Committee were notified of the fact that the so-called project, "Americans for Phil Gramm in '84" was not an authorized committee. Unfortunately, the Congressional Majority Committee does not indicate in its reports those funds it received in response to the solicitation to be used "solely" (in the words of

Attachment II - page 7

MILLER, CANFIELD, PADDOCK AND STONE

Ms. Shelley Garr

Page -2-

May 8, 1984

the solicitation letter) for the election of Phil Gramm. For this reason the letter to the few listed contributors to whom the letter was sent used the words "may have responded" to complainant's requests for funds.

The letter dated February 29th also explains the limitations provision embodied in the Commission's opinion.

The complaint ignores the fact that the advisory opinion request by Congressman Gramm was on the Friends of Phil Gramm letterhead as was the letter from the treasurer, Mr. Baxter.

The continued attempt of the complainants to hide behind the subterfuge of the "project" concept, ignores the blatant use of the Congressman's name in letterheads, envelopes and business reply envelopes used by complainants (See attached solicitation letterhead and envelopes).

Under the facts and circumstances of this case, we urge the Commission to reject the complaint filed in this cause.

Respectfully submitted,

MILLER, CANFIELD, PADDOCK AND STONE

By


James F. Schoener, Esq.

JFS/cb
Enclosures

84040481373

Attachment II - page 8

PHIL
GRAMM
U.S. SENATE **TEXAS**

84 JAN 9 8:40
19 AIO: 57

January 6, 1984

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

AOR 1984-2

Re: Advisory Opinion

Dear Mr. Steele:

An organization calling itself "Americans for Phil Gramm in '84" has been soliciting funds by direct mail without my authorization. Many contributors have been misled into believing these solicitations were made by my officially designated committee and were shocked when we advised them to the contrary. A report by that unauthorized organization presumably will be filed this month disclosing the contributors to that fund.

In light of the fact that many of my supporters are contributing to this organization with the understanding their money is being spent by my committee, I would propose to write to all such listed contributors advising the following:

1. Americans for Phil Gramm in '84 is not my official committee.
2. Friends of Phil Gramm is the only campaign committee authorized by me.
3. Contributors may ask for a refund of contributions made to this unauthorized group if they contributed under the misconception that they were donating to my committee, and if they care to, they can make a contribution to my campaign through the authorized committee.

While I am not unmindful of the provisions of 2 U.S.C. §438 (a) (4), I believe the rationale of your advisory opinion A.O. 1981-5 and the spirit of the Federal Election Campaign Act would allow such a letter.

Please advise if such a letter can be sent in whole or in part as outlined above.

Yours respectfully,

Phil Gramm
PHIL GRAMM

Attachment II - page 9

84040481374



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RECEIVED
OFFICE OF THE
COMMISSION CLERK

84 FEB 13 P 1: 04

February 13, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1984-2

The Honorable Phil Gramm
Drawer AO
College Station, TX 77840

Dear Representative Gramm:

This responds to your letter of January 6, 1984, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission regulations to a letter you propose to send to individual contributors listed on reports filed with the Commission by "Americans for Phil Gramm in '84" (hereinafter referred to as "Americans").

According to your request, "Americans" has been soliciting contributions without your authorization. You believe that persons have been misled into contributing to that organization because the contributors assumed that "Americans" was your authorized campaign committee. You anticipate that the organization will file reports with the Commission disclosing the identities of contributors. You propose to write a letter to these contributors in which you will inform them (1) that "Americans for Phil Gramm in '84" is not authorized by you as your campaign committee and (2) that "Friends of Phil Gramm (hereinafter "Friends") is your only authorized campaign committee and will advise contributors (3) that they may ask for a refund of their contributions to "Americans", and (4) that they may instead make a contribution to "Friends."

Although the Act generally allows for inspection and copying of reports and statements filed with the Commission, it prohibits the use or sale of such information for the "purpose of soliciting contributions or for commercial purposes" 2 U.S.C. §438(a)(4); 11 CFR 104.15(a). "Soliciting contributions" includes soliciting any type of contribution or

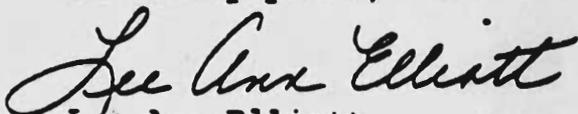
Attachment II - page 10

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Of course, this response does not express any opinion on the specific language of any letter actually sent to contributors to "Americans for Phil Gramm in '84." Furthermore, any disbursements made by your campaign committee in preparing and sending such a letter would be subject to the reporting requirements of the Act and regulations. 2 U.S.C. §434(b) and 11 CFR 104.3(b).

This response constitutes an advisory opinion concerning application of the Act, or regulations prescribed by the Commission, to the specific transaction or activities set forth in your request. See 2 U.S.C. §437f.

Sincerely yours,



Lee Ann Elliott
Chairman for the
Federal Election Commission

34040481376

Enclosures (AOs 1983-44, 1981-38, 1981-5 and 1980-78).

Attachment II - page 4

GCC #3083
MUR 1672
San

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: James F. Schoener, Esquire
Miller, Canfield, Paddock and Stone

ADDRESS: 2555 M Street, N.W., Suite 300
Washington, D.C. 20037

TELEPHONE: 202/822-9333

8
P 2: 28

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

MAY 8, 1984
Date

John Coyt
Signature

NAME: Ruth Cymber, Secretary
Friends of Phil Gramm

ADDRESS: 4406 Chesapeake Street, N.W.
Washington, D.C. 20016

HOME PHONE: 202/966-6958

BUSINESS PHONE: 202/225-2002

34040481377

GCCA#3083

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MILLER, CANFIELD, PADDOCK AND STONE

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WASHINGTON, D. C. 20037

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GEORGE L. CANFIELD (202-416-0226)
LEWIS H. PADDOCK (202-416-0235)
FERRIS D. STONE (202-416-0448)

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CLEVELAND THURBER *
JAMES F. SCHNEIDER *
WILLIAM S. BUTLER
FITCH R. WILLIAMS
MICHAEL J. HODGE
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GEORGE F. DECLAIRE *
ROBERT S. KETCHUM, P.C.
SAMUEL J. MCKIM III, P.C.
ROCQUE E. LIPPORD, P.C.

JOEL L. PIELL
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GEORGE T. STEVENSON
JOHN A. THURBER, P.C.
ORIN D. BRUSTAD, P.C.
CARL H. VON ENDE
GORDON A. BECKER
DAVID D. JOSEWICK, P.C. *
CHARLES L. BURLINGH, JR.
JOHN A. HARRER, P.C.
GREGORY L. CURTNER, P.C.
DENNIS R. NEUMAN
KENNETH E. KONOP
LEONARD D. GIVENS
W. MACK FANSON
THOMAS J. HEIDEN

MICHAEL D. MULCAHY
JAMES W. WILLIAMS
THOMAS P. MUSTOLES
JOHN D. FRISCH
WILLIAM J. BARNOF
CLARENCE L. POZZA, JR.
JERRY T. RUPLEY
MICHAEL W. HARTMANN
KENT E. SHAFER
JOHN J. COLLINS, JR.
LAWRENCE D. OWEN
DENNIS K. LOY
THOMAS W. LWIN
STEPHEN G. PALMS
GILLIAN STERNHAUER
JEROME R. WATSON
FRANK L. ANDREWS
DONNA J. DONATI
DONALD W. KEM

DETROIT, MICHIGAN
BIRMINGHAM, MICHIGAN
SOCA RATON, FLORIDA
GRAND RAPIDS, MICHIGAN
LANSING, MICHIGAN
MONROE, MICHIGAN
TRAVERSE CITY, MICHIGAN

LARRY J. SAYLOR *
CHARLES E. SCHOLL
RICHARD J. SERYAK
MICHAEL R. ATKINS *
MAUREN P. AUSTON
LELAND D. BARRISBER *
TIMOTHY D. SOCHOCKI
THOMAS C. PHILLIPS
MUSH M. SMITH
MARJORY G. BABBLE
TERRENCE H. CRANFORD
RYAN H. MAYWOOD
GEORGE S. MARTIN
CHARLES H. MCCUEN *
GERALD E. ROSEN
J. KEVIN TRIMMER
STEVEN D. WEYHING
BRANT A. FRIED
JOHN D. STOUT

RICHARD A. GAFFH
AMANDA VAN DUSEN
BRIAN A. KASER
GARY A. BRUDER
BARRY L. GEDS
KAY I. JOHNSON
E. ELIZABETH PERLMAN
J. SCOTT TRIMMER
CHARLES L. BREWERS
SEVERLY HALL BURNS
JOHN D. RAVIS
STEPHEN J. OTT
LINDA O. GOLDBERG
THOMAS G. APPELHAN
KAREN A. PULLIAM
MARLETTE RUTKA
HAROLD W. BULSER, JR.
GREGORY V. DICENSO
NANCY KEPPELMAN
CYNTHIA S. FAULMABER

RICK A. PACYNSKI
NOAH YANICH
LISA B. ARCHER
MICHAEL P. COAKLEY
STEPHAN B. HERPEL
MICHAEL L. LENCIONE
KURK D. MESSMER
PATRICIA T. QUINN
KEVIN L. SMITH
TIMOTHY S. KNOWLTON
JEFFREY M. MCHUGH
DIANE M. SOUBLY
KAREN A. MCCOY
THOMAS F. CAVALIER
GERARD MCGUIRE
JOHN J. AYALUS
JAMES D. ROSS
CLAUDIA J. ROBERTS
LINDA G. SKLAREN

* ALSO ADMITTED IN DISTRICT OF COLUMBIA
* ALSO ADMITTED IN FLORIDA

May 8, 1984

HAND DELIVERED

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1672

Dear Ms. Garr:

As counsel for Friends of Phil Gramm, the principal campaign committee of Congressman Phil Gramm, I wish to respond to the complaint of Ralph Galliano and the Congressional Majority Committee designated MUR 1672. We apologize for the delay in this response, but the complaint did not arrive back in Washington (U.S. Mail) until May 3.

Obviously your file should include the original request for advisory opinion of January 6 (A.O. 1984-2) and the opinion issued by the Commission on February 13th in response thereto.

Relying on that opinion, the contributors to Congressional Majority Committee were notified of the fact that the so-called project, "Americans for Phil Gramm in '84" was not an authorized committee. Unfortunately, the Congressional Majority Committee does not indicate in its reports those funds it received in response to the solicitation to be used "solely" (in the words of

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MAY 9 1984 P 2:28

MILLER, CANFIELD, PADDOCK AND STONE

Ms. Shelley Garr

Page -2-

May 8, 1984

the solicitation letter) for the election of Phil Gramm. For this reason the letter to the few listed contributors to whom the letter was sent used the words "may have responded" to complainant's requests for funds.

The letter dated February 29th also explains the limitations provision embodied in the Commission's opinion.

The complaint ignores the fact that the advisory opinion request by Congressman Gramm was on the Friends of Phil Gramm letterhead as was the letter from the treasurer, Mr. Baxter.

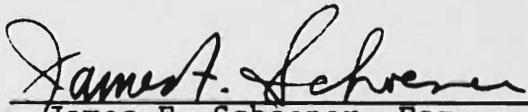
The continued attempt of the complainants to hide behind the subterfuge of the "project" concept, ignores the blatant use of the Congressman's name in letterheads, envelopes and business reply envelopes used by complainants (See attached solicitation letterhead and envelopes).

Under the facts and circumstances of this case, we urge the Commission to reject the complaint filed in this cause.

Respectfully submitted,

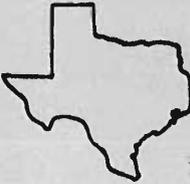
MILLER, CANFIELD, PADDOCK AND STONE

By


James F. Schoener, Esq.

JFS/cb
Enclosures

34040481379



APR 24 1984

AMERICANS for PHIL GRAMM in '84

an independent project of the Congressional Majority Committee
2030 N. 16th St., Suite 305, Arlington, VA 22201 • (703) 522-2104

Ralph J. Gallano
Chairman

"... A tireless supporter of our efforts to restore economic sanity."

"Coauthor of ... the greatest reduction in government spending that has ever been attempted."

"... A man who had the courage ..."

Wednesday

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Dear Conservative Texan,

These are just a few of the ways President Ronald Reagan has recently described Congressman Phil Gramm.

It is no exaggeration to say that Phil Gramm has been "the hero of the Reagan Revolution".

Not only did he have the courage to vote his convictions and, as a Democrat, support President Reagan in the battle of the budget -- he actually led the fight in the House of Representatives.

Phil Gramm went farther out on a political limb in the 97th Congress than most politicians would ever go in their entire career. As a second term Congressman from the Sixth District, he challenged the Liberal National Democrat establishment in the House head on.

Ignoring advice and warnings to "always go with the leadership on the close votes", he galvanized the support of the Southern Conservative Democrats -- the boll weevils -- and delivered to President Reagan and the Republicans the margin of victory in the House of Representatives that made the Reagan Revolution possible.

Without Phil Gramm's courage and dedication, it is highly unlikely that any of the major tax and budget cuts that put America on the road to economic recovery would have been passed. He has also played a major role in the President's program to rebuild our national defenses and restore America's position of security in the world.

In return for his work and his leadership, Phil Gramm received two "rewards".

First, he won the respect of his Texas constituents and the admiration of dedicated Americans everywhere for standing up for his conservative principles instead of going along with the Liberal

National Democrat Leadership in Washington.

Second, he incurred the wrath of Tip O'Neill and the rest of his liberal gang on Capitol Hill. The coalition of liberals, Big Labor Unions, and narrow special interests that presently controls the House of Representatives was furious. In a supreme act of political arrogance, they decided to teach Phil Gramm a lesson and make an example of him for all to see.

In an unprecedented move, Phil Gramm was stripped of his seat on the all-important House Budget Committee. The National Democrat leadership put him on their "Black List", robbing him of his legislative effectiveness in the Congress. There were even threats of kicking him out of the Democrat Party altogether.

Phil Gramm however, beat them to it. Once again demonstrating his courage and his conviction, he announced his resignation from the National Democrat Party, his resignation from his Sixth District Congressional Seat, and his intention to run as a Republican.

Despite the fact that his district had never elected a Republican Congressman in its history, Gramm felt that his constituents should have the opportunity to vote on him again as a Republican, rather than just switching parties and keeping his seat.

Again, the liberals saw an opportunity to punish Phil Gramm for listening to his constituents and following his principles, instead of simply towing their line.

Ten opponents jumped into the special election against him, and National Liberal Democrat politicians from all over the country came into Texas to campaign against him. In spite of this formidable opposition, Phil Gramm won with an incredible 55.3% of the vote. He was immediately reinstated in a Republican seat on the House Budget Committee.

As one account of his tremendous victory put it, Phil Gramm "has proven that a Southerner can be elected to Congress without leaving his principles back home."

The story of Phil Gramm's courage however, does not end there; and that's the reason I'm writing you this letter today.

As you know, John Tower, Texas' senior United States Senator, announced last summer that he would not run for re-election this year. His decision stunned conservative Republicans throughout Texas and across the country. It also overjoyed the liberals and the Big Labor Unions.

Big Labor had already been organizing in Texas for over a year with Senator Tower at the top of their "1984 Hit List". Bankrolled by outside compulsory union dues money, their "Houston Organizing Project" has made some frightening early gains.

Since Senator Tower's announcement that he would not run again, the liberal National Democrat Party and the Big Labor Unions have combined forces to make Texas their number one target for 1984. They

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AMERICANS FOR PHIL GRAMM IN '84

The sole purpose of "Americans for Phil Gramm in '84" is to do everything possible to insure the election of Phil Gramm to the United States Senate. An independent project of the Congressional Majority Committee (CMC), "Americans for Phil Gramm in '84" is the cornerstone of CMC's nationwide campaign to retain conservative Republican control of the Senate in 1984.

In the last campaign, every Union-backed statewide candidate in Texas won election. As a result, conservatives throughout the 'Lone Star State' suffered severe setbacks. Now, following their 1982 victories and the retirement of Senator John Tower, the National Liberal Democrat Party together with the Big Labor Unions have targeted Texas' Senate seat in an all-out effort to seize control of the United States Senate.

With Republican control of the Senate hanging in the balance, "Americans for Phil Gramm in '84" can make the difference for Phil Gramm's election to the U.S. Senate.

"The 1982 election results signaled a recovery for organized labor's enormous political machinery. We were out-organized, out-spent and the opposition was more committed than we were."

Senator John Tower

★ ★ ★

"The Harris County AFL-CIO... conducted highly successful registration and get-out-the-vote campaigns prior to last November's elections..."

AFL-CIO News
January 8, 1983

★ ★ ★

"I'm more optimistic about the Democrats getting back control of the Senate..."

John Perkins, Director AFL-CIO
Committee on Political Education

A MESSAGE FROM THE CHAIRMAN

"Americans for Phil Gramm in '84" has already begun to lay the necessary groundwork for a major effort on Phil Gramm's behalf. We are recruiting volunteers, gathering information for campaign literature and mailings, and carefully analyzing past statewide election results to determine how and where to best allocate our resources and direct our efforts. We will also produce and air a series of radio and television commercials advocating Phil Gramm's election. I'm convinced that with your help "Americans for Phil Gramm in '84" can make a major contribution to a successful campaign to elect Phil Gramm to the U.S. Senate.



CONGRESSMAN PHIL GRAMM

Phil Gramm has been described by President Ronald Reagan as the "coauthor of...the greatest reduction in government spending that has ever been attempted, (and)...a tireless supporter of our efforts to restore economic sanity."

In the 97th Congress, Phil Gramm challenged the Liberal National Democrat leadership head on. He had the courage not only to vote with his conservative principles and his constituents, but to actually lead the fight for President Reagan's historic Economic Recovery Program of tax and budget cuts in the U.S. House of Representatives.

In an unprecedented move, the National Democrat Party attempted to punish Congressman Gramm by stripping him of his seat on the critical House Budget Committee. Gramm immediately resigned from the Democrat Party and from his Sixth District Congressional seat, and ran again as a Republican. He won a lopsided victory with an incredible 55.3% of the vote, proving "that a Southerner can be elected to Congress without leaving his principles back home."

Now, Phil Gramm is running for the U.S. Senate seat being vacated by Senator John Tower's retirement. With the Liberal National Democrat Party and the Big Labor Unions mounting a massive campaign to defeat him in 1984, this promises to be his toughest political battle ever.

CONGRESSIONAL MAJORITY COMMITTEE

Ralph Galliano, Chairman of the Congressional Majority Committee (CMC), founded CMC in 1980 in the wake of Ronald Reagan's historic landslide election. As an independent political organization, CMC is dedicated to electing and maintaining a conservative Republican majority in the United States Congress. In 1982 CMC raised and contributed well over one-half million dollars to candidates nationwide. Now with Republicans in real danger of losing control of the United States Senate, CMC prepares to support conservative candidates with direct financial contributions, valuable in-kind assistance and targeted independent expenditures in key states across the country. CMC periodically publishes the CMC-Washington Letter and the Congressional Report Card.

AMERICANS

for

PHIL GRAMM in '84

"I consider the work of the Congressional Majority Committee a key part of organized conservatism today. CMC will play an important part in maintaining a Republican United States Senate."

Senator Orrin Hatch (R-UT)

★ ★ ★

"CMC is rapidly proving itself in political organization circles. It's a take-charge outfit, skillfully managed by versatile veterans and has been a great help to me."

Senator Paul Trible (R-VA)

★ ★ ★

"CMC has provided invaluable assistance to my re-election effort at critical times. CMC is a major addition to those forces which are working to increase conservative strength in Congress."

Congressman Bill Emerson (R-MO)



"Phil Gramm has been a tireless supporter of our efforts to restore economic sanity. Controlling spending and restoring economic sanity is not just a Republican issue or a Democratic issue; it's an American issue."

President Ronald Reagan
San Antonio, Texas

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*Your 20¢ stamp will save
us much needed funds* →



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS

PERMIT NO. 3120

ARLINGTON, VA

POSTAGE WILL BE PAID BY ADDRESSEE

RUSH

AMERICANS FOR PHIL GRAMM IN '84
Attention: Ralph J. Galliano, Chairman
c/o Congressional Majority Committee
Post Office Box 597
Arlington, VA 22216



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AMERICANS FOR PHIL GRAMM IN '84

2030 N. 16th St., Suite 305, Arlington, VA 22201

Rec'd
4/24/84

91¢ PT.



OFFICIAL
MEMBERSHIP CARD
ENCLOSED

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LAW OFFICES OF
MILLER, CANFIELD, PADDOCK AND STONE
SUITE 300
2555 M STREET, N.W.
WASHINGTON, D. C. 20037

HAND DELIVERED

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, DC 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 18, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Baxter, Treasurer
Friends of Phil Gramm
Drawer AO
College Station, Texas 77840

Re: MUR 1672

Dear Mr. Baxter:

This letter is to notify you that on April 11, 1984 the Federal Election Commission received a complaint which alleges that the committee and you, individually and as treasurer, 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 1672. 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 the committee and you, individually and as treasurer, 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.

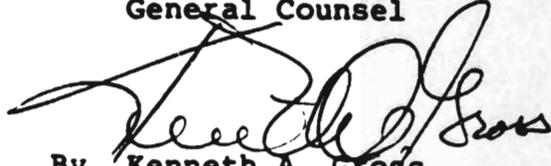
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

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If you have any questions, please contact Shelley Garr, the staff member assigned to this matter at (202) 523-4000. 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

84040481338

Enclosures

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

GARR INTR 11/72

2025 APR 11 10:00 AM '84

• **SHIPPING:** Complete items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100.

GENERAL POSTMASTER PREPARE

1. The following service is requested (check one):

None to whom and date delivered _____

None to whom, date, and address of delivery _____

2. RESTRICTED DELIVERY (The restricted delivery fee is charged in addition to the stated amount fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:
John Barty, Jr.
Father of Phil Gramm
Drawer 90
College Station TX 77840

4. TYPE OF SERVICE:

REGISTERED REGISTERED MAIL

CERTIFIED CERTIFIED MAIL

EXPRESS MAIL

ARTICLE NUMBER: 943423

(Always obtain signature of addressee or agent)

I have checked the article described above.

SIGNATURE: Addressee Agent

Michael J. [Signature]

5. DATE OF DELIVERY: 4-24-84

6. ADDRESSEE'S ADDRESS (only if restricted)

7. UNABLE TO DELIVER BECAUSE:

8. DELIVERER'S INITIALS: [Signature]

4/18/84

U.S. POSTAL SERVICE

84040481387

Garc MUR 1672

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO"
(space on reverse).

(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**

(Any restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**
Phil Gramm
Friends of Phil Gramm
Drawer 40
College Station, TX 77840

4. **TYPE OF SERVICE:**

REGISTERED REGISTERED MAIL
 CERTIFIED COD
 EXPRESS MAIL

ARTICLE NUMBER
943422

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent
Michael J. ...

5. **DATE OF DELIVERY**
4-24-84

6. **ADDRESSEE'S ADDRESS** (only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

8. **EMPLOYEE'S INITIALS**
...



4/18/84

RETURN RECEIPT

PSN 482-010-000



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 12, 1984

Ralph J. Galliano, Chairman
Congressional Majority Committee
2030 North 16th Street, Suite 305
Arlington, VA 22201

Dear Mr. Galliano:

This letter is to acknowledge receipt of the committee's complaint, which we received on April 11, 1984, against John Baxter and Friends of Phil Gramm, 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 client's 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 Cheryl Thomas at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure

84040481390

84040481391

MUR 1172 - Garr

PS Form 3811, July 1982

SENDER: Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(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
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:
 Ralph Baltimore Charman
 Congressional Mag. Cmte
 2035 N. 16th St. Suite 305
 ARLINGTON, VA 22201

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

(Always obtain signature of addressee or agent)

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

5. DATE OF DELIVERY: POSTMARK
only to be cancelled with
 Julie Deskinen
 4/16/84

6. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER BECAUSE: 7b. EMPLOYEE'S INITIALS

RETURN RECEIPT

4/12/84



RECEIVED AT THE FEC
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Goff 2100

Congressional Majority Committee 2030 North 16th St., Suite 305, Arlington, Va. 22201 (703) 522-2104

April 11, 1984

Ralph J. Gallano
National Chairman

Federal Election Commission
1325 K Street, Northwest
Washington, D.C. 20463

RE: Complaint against John Baxter and Friends of Phil Gramm.

Dear Sirs:

Pursuant to 2 U.S.C. Section 437g, this complaint is being filed against John Baxter and Friends of Phil Gramm Committee ("respondents") for violating 2 U.S.C. Section 438(a)(4) for using information filed by the Congressional Majority Committee for the purpose of soliciting contributions.

Respondents have been writing letters such as that attached hereto as Exhibit A to contributors to the Congressional Majority Committee including not only those contributed specifically to our "Americans for Phil Gramm in '84" independent expenditure campaign, but to those who contributed to CMC for our general activities rather than in response to any solicitation for "Americans for Phil Gramm in '84" project. Further evidence supporting the respondents violations of 2 U.S.C. Section 438(a)(4) is the fact that enclosed with each such communications was a postage pre-paid business reply envelope addressed to Friends of Phil Gramm clearly designed to solicit and encourage contributions from such persons to the Friends of Phil Gramm Committee.

That respondents' real purpose in communicating to CMC's contributors was to solicit contributions is further evidenced by a letter dated January 6, 1984 from Phil Gramm attached hereto as Exhibit B wherein he expressly states that one of his desires and his purposes is to solicit contributions to his campaign.

Section 438(a)(4) expressly prohibits respondents from using "information" in CMC's report "for the purpose of" soliciting contributions. Thus, the letter sent by respondents attempting to cast doubt on the legality of contributions made to CMC's "Americans for Phil Gramm in '84" project and then enclosing a pre-paid business reply envelope to Friends of Phil Gramm leaves one with the unmistakable conclusion that "information" in CMC's report is being used "for the purpose of" soliciting contributors. What other "purpose" did respondents have for including such contribution return envelope with the letter? Complainant has reason to believe that respondents are continuing to violate the law and request that the Commission order these communications cease immediately. They should not be able to use the FEC's questionable Advisory Opinion 1984-2 to disguise their true purpose.

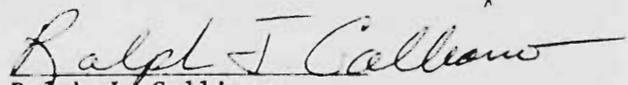
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In the first place, AO 1984-2 was not issued to John Baxter but to Phil Gramm who stated in his letter that "I would propose to write to all such listed contributors...." AOR 1984-2. Secondly, in AOR 1984-2, Phil Gramm referred to a "group" calling itself "Americans for Phil Gramm in '84" and that he would propose to write to the contributors of that "unauthorized organization", when and if they reported to the FEC, AOR 1984-2. However, there is no such separate entity or organization as falsely represented by Phil Gramm to the FEC. As the Commission and Phil Gramm well know, "Americans for Phil Gramm in '84" in an independent expenditure project of CMC. Thus, the request was based on a hypothetical and should not have been acted on by the Commission. In any event, the AO only authorized certain communications to the contributors to that separate organization and not to CMC. Indeed, as already noted, such unlawful use of CMC's contributors include contacting those who are general supporters of CMC which is indisputably outside the scope of AO 1984-2. Further, the AOR 1984-2 was also premised in the representation by Phil Gramm to the FEC that "many contributors have been misled" by the solicitation although Mr. Gramm did not specify how many if any were allegedly misled. Finally, we note that the Commission's reference in the AO concerning contribution limits was completely improper since it was not requested to so rule in the AOR on that issue and since the FEC did not have the specific facts before it to so rule.

Respectfully submitted,



Ralph J. Galliano
On behalf of himself and
Chairman, Congressional
Majority Committee

STATE OF VIRGINIA
COUNTY OF ARLINGTON
Notary

Subscribed and sworn before me this
11th day of April 1984.



My commission expires Feb. 7, 1988

PHIL
GRAMM
U.S. SENATE TEXAS

EXHIBIT A

February 29, 1984

Mr. Marcus Faubion
7907 Rockhill
Houston, TX 77061

Dear Mr. Faubion:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

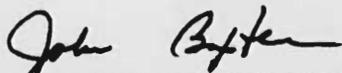
The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

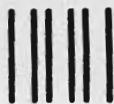
Very truly yours,



John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

84040481394

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BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 1000 COLLEGE STATION, TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer AQ
College Station, Texas 77810

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



PHIL

EXHIBIT B

RECEIVED AT THE FEC 1376

GRAMM

84 JAN 9 8:40

U.S. SENATE

TEXAS

19 AIO: 57

January 6, 1984

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

AOR 1984-2

Re: Advisory Opinion

Dear Mr. Steele:

An organization calling itself "Americans for Phil Gramm in '84" has been soliciting funds by direct mail without my authorization. Many contributors have been misled into believing these solicitations were made by my officially designated committee and were shocked when we advised them to the contrary. A report by that unauthorized organization presumably will be filed this month disclosing the contributors to that fund.

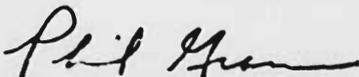
In light of the fact that many of my supporters are contributing to this organization with the understanding their money is being spent by my committee, I would propose to write to all such listed contributors advising the following:

1. Americans for Phil Gramm in '84 is not my official committee.
2. Friends of Phil Gramm is the only campaign committee authorized by me.
3. Contributors may ask for a refund of contributions made to this unauthorized group if they contributed under the misconception that they were donating to my committee, and if they care to, they can make a contribution to my campaign through the authorized committee.

While I am not unmindful of the provisions of 2 U.S.C. §438 (a) (4), I believe the rationale of your advisory opinion A.O. 1981-5 and the spirit of the Federal Election Campaign Act would allow such a letter.

Please advise if such a letter can be sent in whole or in part as outlined above.

Yours respectfully,


PHIL GRAMM

84040481396

Mr. Ralph J. Galliano
Congressional Majority Committee
2030 N. 16th Street, Suite 305
Arlington, Virginia 22201

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RECEIVED

84 APR 11 P 4: 03

Federal Election Commission
1325 K Street, Northwest
Washington, D.C. 20463



RECEIVED AT THE FEC

84 APR 11 P 4:03
CCTA 2100

Congressional Majority Committee 2030 North 16th St., Suite 305, Ari., Va. 22201 (703) 822-2104

MUR 1672

April 11, 1984

Ralph J. Galliano
National Chairman

Federal Election Commission
1325 K Street, Northwest
Washington, D.C. 20463

RE: Complaint against John Baxter and Friends of Phil Gramm.

Dear Sirs:

Pursuant to 2 U.S.C. Section 437g, this complaint is being filed against John Baxter and Friends of Phil Gramm Committee ("respondents") for violating 2 U.S.C. Section 438(a)(4) for using information filed by the Congressional Majority Committee for the purpose of soliciting contributions.

Respondents have been writing letters such as that attached hereto as Exhibit A to contributors to the Congressional Majority Committee including not only those contributed specifically to our "Americans for Phil Gramm in '84" independent expenditure campaign, but to those who contributed to CMC for our general activities rather than in response to any solicitation for "Americans for Phil Gramm in '84" project. Further evidence supporting the respondents violations of 2 U.S.C. Section 438(a)(4) is the fact that enclosed with each such communications was a postage pre-paid business reply envelope addressed to Friends of Phil Gramm clearly designed to solicit and encourage contributions from such persons to the Friends of Phil Gramm Committee.

That respondents' real purpose in communicating to CMC's contributors was to solicit contributions is further evidenced by a letter dated January 6, 1984 from Phil Gramm attached hereto as Exhibit B wherein he expressly states that one of his desires and his purposes is to solicit contributions to his campaign.

Section 438(a)(4) expressly prohibits respondents from using "information" in CMC's report "for the purpose of" soliciting contributions. Thus, the letter sent by respondents attempting to cast doubt on the legality of contributions made to CMC's "Americans for Phil Gramm in '84" project and then enclosing a pre-paid business reply envelope to Friends of Phil Gramm leaves one with the unmistakable conclusion that "information" in CMC's report is being used "for the purpose of" soliciting contributors. What other "purpose" did respondents have for including such contribution return envelope with the letter? Complainant has reason to believe that respondents are continuing to violate the law and request that the Commission order these communications cease immediately. They should not be able to use the FEC's questionable Advisory Opinion 1984-2 to disguise their true purpose.

84040481393

11 APR 11

4:05:56

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In the first place, AO 1984-2 was not issued to John Baxter but to Phil Gramm who stated in his letter that "I would propose to write to all such listed contributors...." AOR 1984-2. Secondly, in AOR 1984-2, Phil Gramm referred to a "group" calling itself "Americans for Phil Gramm in '84" and that he would propose to write to the contributors of that "unauthorized organization", when and if they reported to the FEC, AOR 1984-2. However, there is no such separate entity or organization as falsely represented by Phil Gramm to the FEC. As the Commission and Phil Gramm well know, "Americans for Phil Gramm in '84" in an independent expenditure project of CMC. Thus, the request was based on a hypothetical and should not have been acted on by the Commission. In any event, the AO only authorized certain communications to the contributors to that separate organization and not to CMC. Indeed, as already noted, such unlawful use of CMC's contributors include contacting those who are general supporters of CMC which is indisputably outside the scope of AO 1984-2. Further, the AOR 1984-2 was also premised in the representation by Phil Gramm to the FEC that "many contributors have been misled" by the solicitation although Mr. Gramm did not specify how many if any were allegedly misled. Finally, we note that the Commission's reference in the AO concerning contribution limits was completely improper since it was not requested to so rule in the AOR on that issue and since the FEC did not have the specific facts before it to so rule.

Respectfully submitted,

Ralph J. Galliano

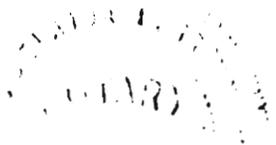
Ralph J. Galliano
On behalf of himself and
Chairman, Congressional
Majority Committee

STATE OF VIRGINIA
COUNTY OF ARLINGTON
Notary

Subscribed and sworn before me this
11th day of April 1984.

William L. Brown

My commission expires Feb. 7, 1988



PHIL
GRAMM
U.S. SENATE TEXAS

EXHIBIT A

February 29, 1984

Mr. Marcus Faubion
7907 Rockhill
Houston, TX 77061

Dear Mr. Faubion:

I am John Baxter, treasurer of Congressman Phil Gramm's campaign committee, "Friends of Phil Gramm." I'm writing today because we are concerned that you may have responded to a recent mass mailing by contributing to a group calling itself "Americans for Phil Gramm in '84."

The Federal Election Commission recently decided to allow us to write and advise you that "Americans for Phil Gramm in '84" is not an authorized committee for Phil. In fact, "Friends of Phil Gramm" of Drawer A0, College Station, Texas 77840, is the only committee authorized by Congressman Gramm to raise and spend funds on his behalf.

In reaching its decision, the Federal Election Commission also addressed another point. As you know, election law sets a ceiling on the amount any individual may contribute to Phil's campaign for the Senate. The commission, however, has voted to count any contribution to the unauthorized group as part of your contribution to Phil.

If you have contributed to the unauthorized group, you can request a refund if you had intended to contribute to Phil's campaign for the U.S. Senate. If you wish to ask for a refund, please write to:

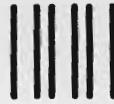
Americans for Phil Gramm in '84
c/o Congressional Majority Committee
P. O. Box 597
Arlington, VA 22216

Very truly yours,


John Baxter, Treasurer
Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

84040481400

8 4 0 4 0 4 8 1 4 0 1



BUSINESS REPLY MAIL
FIRST CLASS PERMIT NO. 190 COLLEGE STATION TEXAS

POSTAGE WILL BE PAID BY ADDRESSEE

Friends of Phil Gramm
Drawer A0
College Station, Texas 77840

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



PHIL
GRAMM
U.S. SENATE TEXAS

EXHIBIT B

RECEIVED AT THE FEC

84 JAN 9 8:40

19 AIO:57

January 6, 1984

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

AOR 1984-2

Re: Advisory Opinion

Dear Mr. Steele:

An organization calling itself "Americans for Phil Gramm in '84" has been soliciting funds by direct mail without my authorization. Many contributors have been misled into believing these solicitations were made by my officially designated committee and were shocked when we advised them to the contrary. A report by that unauthorized organization presumably will be filed this month disclosing the contributors to that fund.

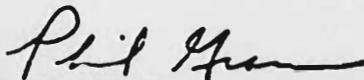
In light of the fact that many of my supporters are contributing to this organization with the understanding their money is being spent by my committee, I would propose to write to all such listed contributors advising the following:

1. Americans for Phil Gramm in '84 is not my official committee.
2. Friends of Phil Gramm is the only campaign committee authorized by me.
3. Contributors may ask for a refund of contributions made to this unauthorized group if they contributed under the misconception that they were donating to my committee, and if they care to, they can make a contribution to my campaign through the authorized committee.

While I am not unmindful of the provisions of 2 U.S.C. §438 (a) (4), I believe the rationale of your advisory opinion A.O. 1981-5 and the spirit of the Federal Election Campaign Act would allow such a letter.

Please advise if such a letter can be sent in whole or in part as outlined above.

Yours respectfully,



PHIL GRAMM

84040431402



FEDERAL ELECTION COMMISSION

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

84040481403

THIS IS THE BEGINNING OF MUR # 11672

Date Filmed 10/18/84 Camera No. --- 2

Cameraman JRL