

12 AUG 1976

Mr. Anthony Thomas Mercurio  
8701 Turrentine Drive  
El Paso, Texas 79925

Re: MUR 192 (76)

Dear Mr. Mercurio:

This is in response to your letter of July 10, 1976, alleging violations of the Federal Election Campaign Act of 1971, as amended (the Act) by the Republican National Committee. I have reviewed the information in your letter and have concluded that it does not furnish reason to believe that the Act has been violated. Accordingly, upon my recommendation, the Commission has decided not to proceed further in this matter.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. Further communications may be directed to the attorney assigned to this matter, Gloria R. Sulton (telephone no. 202/382-4081).

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.  
General Counsel

GSulton:mpc:7/19/76

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

77040:1581

August 10, 1976

MEMORANDUM TO: BILL OLDAKER  
FROM: MARGE EMMONS

All of the MURS listed below were transmitted to the  
Commission on August 9, 1976 - 9:00 a.m.. As of  
August 10, 1976 - 10:00 a.m., no objections were received  
in MURS 192 (76); 199 (76) & 206 (76)

7704011581

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DATE OF TRANSMITTAL: AUG 9 1976

NO. MUR 192 (76)

TIME OF TRANSMITTAL: 9:00 a.m.

REC'D: 7-14-76

FEDERAL ELECTION COMMISSION  
Washington, D. C.

Complainant's Name: Anthony Thomas Mercurio (unnotarized)

Respondent's Name: Republican National Committee

Relevant Statute: 26 U.S.C. §9008(c)

Internal Reports Checked: None

Federal Agencies Checked: None

SUMMARY OF ALLEGATION

Respondent has favored President Ford over Governor Reagan by:

- (1) appointing individuals to committees who are Ford delegates or supporters;
- (2) allocating more hotel room to the Ford staff than that of Reagan;
- (3) allocating more gallery passes to Ford than to Reagan

PRELIMINARY LEGAL ANALYSIS

The facts are insufficient to give reason to believe that public funds have been used in contravention of 26 U.S.C. §9008(c). These allegations appear to be internal decisions of the Republican National Committee having no relation to the expenditure of public funds.

RECOMMENDATION

Close file. Send attached letter.

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Date of Next Commission Review: \_\_\_\_\_



FEDERAL ELECTION COMMISSION

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

Mr. Anthony Thomas Mercurio  
8701 Turrentine Drive  
El Paso, Texas 79925

Re: MUR 192 (76)

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Sincerely yours,

John G. Murphy, Jr.  
General Counsel

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OFFICE OF GENERAL COUNSEL



CC # 302

RECEIVED  
FEDERAL ELECTION  
COMMISSION

MJR 192

FEC CORRESPONDENCE  
CONTROL # 76-1025

Chairman  
Federal Election Commission

76 JUL 14 AIO: 28 July 10th, 76

Subject: Possible Illegal Expenditure of Federal Campaign Funds

Dear Sir,

I am writing this letter because I feel that the Republican National Committee, under the Chairmanship of Mary Louise Smith, is misusing Taxpayers Funds allocated to the RNC by the Federal Election Commission.

As I understand, the FEC is authorized to allocate Funds to each of the two Political Parties for the purpose of Financing their National Convention. Obviously this money is not allocated without any stipulation as to how it will be dispersed. I would assume that a requirement would be, that this money would be allocated equitably among the two Republican Candidates. Certainly not in such a manner as to place one candidate at a distinct disadvantage.

In the not completed 30 State Republican Primaries Ronald Reagan recieved a more. 500,000 more popular votes than did Gerald Ford. In the Delegate count they are practically neck to neck. Not politically astute observers agree both Candidates will go right down to the wire at the Convention.

The RNC of course, is supposed to be neutral in any intra-party battle between potential Republican Contenders. So the democratically Elected Convention Delegates - not the Committee - will have the real say as to who is nominated. This rule should be adhered to even more scrupulously this year, since the Taxpayers are paying for the Convention, and since Ford has never been nominated by his own Party. Plus the fact that Ronald Reagan won close to half a million more votes, than did the President, in the Contested Primaries.

Now lets look at the facts as to how equitable the Taxpayers money is going to be spent at the Republican Nat'l Convention:

The RNC's arrangements Committee, which nominates the Convention Officials is headed by RNC Chairman Mary Louise Smith, a Ford Delegate.

Coy Fish, the Convention Manager, a Ford Delegate.

Sen. Robert Dole (R-Kan) temporary Convention Chairman, a Ford Delegate.

Rep. John Rhodes (R-Aris) permanent Convention Chairman, a Ford Delegate.

H. Allen Smith, Convention Representative, ardent Ford Supporter.

Sen. Howard Baker (R-Tenn) Keynote Address, headed up the Ford Campaign in Tenn.

Jack Hanson, Kansas Republican State Chairman, Sergeant at Arms, an avowed Ford Supporter.

The RNC has allocated 388 hotelrooms to the Ford Staff

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OFFICE OF GENERAL COUNSEL

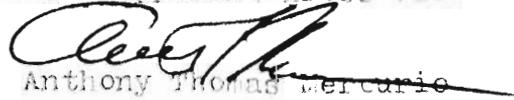
while only 100 Rooms have been allocated to the Reagan Staff.

The Ford people have also received 650 Gallery passes more than twice as many as the Reagan people.

This, Sir, is what I call "stacking the Deck" at Tax-payers expense. I believe that the actions mentioned above, on the part of the RNC is in direct Violation of the Spirit, Intent, and Purpose of the Federal Election Committee.

Please, Sir, advise me as to what action, if any, the FEC and or myself may take, to rectify these apparant gross Violations.

Thank you

  
Anthony Thomas Mercurio

Anthony Thomas Mercurio  
8701 Turrentine Drive  
El Paso, Texas 79925

770400:1591

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

ANTHONY T MERCURIO  
H 704 TORRENTINE D  
EL PASO, TEX.  
79825



REC  
-DEPT/  
COM

76 JUL 14 10:18

**DELIVER TO  
ADDRESSEE ONLY**

**REGISTERED  
NO. 505910**

CHAIRMAN  
FEDERAL ELECTION COMMISSION  
1325 K STREET N.W.  
WASHINGTON, D.C. 20463

