

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Non-Filer/Committee to ) MUR 315 (76)  
Elect Jim Madrid )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 22, 1976, the Commission determined by a vote of 5-0, that there was probable cause to believe that a violation of the Federal Election Campaign Act of 1971, as amended, had been committed. Commissioner Thomson was absent.

Betty S. Mac  
for - Marjorie W. Emmons  
Secretary to the Commission

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

770410:1521

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Non-Filer/Committee to Elect ) MUR 315 (76)  
Jim Madrid )

GENERAL COUNSEL'S REPORT

I. Allegation

The Committee to Elect Jim Madrid has failed to file the ten day pre-election report required by 2 U.S.C. §434(a)(1).

II. Evidence

Mr. Madrid's name appeared on the California general election ballot as the republican candidate for the U.S. House of Representatives in the 25th district. The candidate and his principal campaign committee, Committee to Elect Jim Madrid, are both listed in the index from the Clerk of the House of Representatives. The candidate has filed all reports required by 2 U.S.C. §434(a)(1) stating the filing fee of \$446.25 as his only expenditures and his committee receiving all receipts.

On October 7, 1976, the candidate received a prior notice from the Commission informing him of his filing requirements as a federal candidate. The committee failed to file the ten day pre-election report for the general election due October 23, 1976, therefore, the Commission sent a reason to believe letter for non-filers to the committee which it received November 4, 1976.

FEDERAL ELECTION COMMISSION  
OFFICIAL FILE COPY  
OFFICE OF GENERAL COUNSEL

77040013520

A reasonable cause to believe letter for non-filers was sent to the committee October 27, 1976 when the ten day pre-election report was not filed. The reasonable cause to believe letter was received by the committee November 4, 1976.

No response was received from either the candidate or the committee in regard to any letter previously sent. The candidate's name was published by the Commission on a non-filers list October 30, 1976. The committee's latest report, the October 10 quarterly report, reveals \$7,559.23 in total expenditures year to date. Mr. Madrid lost the general election, receiving 17, 368 votes in comparison to the winner receiving 57,257.

A follow up letter has been sent to the candidate and committee from the General Counsel informing them of the candidate's name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought. No reply has been received.

### III. Analysis

The Committee to Elect Jim Madrid has failed to file the ten day pre-election report. The Commission has repeatedly contacted the committee in regard to its filing obligation. The committee has not responded to these efforts to correct or prevent a violation.

FEDERAL ELECTION COMMISSION  
GENERAL FILE COPY  
DATE: 11/10/76

77040013331

The reasonable cause to believe letter advised the committee that the Commission was ready to conciliate the case; but the committee has ignored its statutory right to utilize the informal methods of conference, conciliation and persuasion.

IV. Recommendation

It is recommended that the Commission find probable cause to believe a violation has been committed of 2 U.S.C. §434(a)(1).

  
John G. Murphy, Jr.  
General Counsel

Date: December 16, 1976

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FEDERAL ELECTION COMMISSION  
 2025 RELEASE UNDER E.O. 14176

7704171333

PS Form 3811, Jan. 1975

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

1. The following service is requested (check one).  
 Show to whom and date delivered..... 15¢  
 Show to whom, date, & address of delivery.. 35¢  
 RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MARRID

3. ARTICLE DESCRIPTION:  
 REGISTERED-NO. WA 12915-00226  
 CERTIFIED NO. 00226  
 INSURED-NO. 00226  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE *K. Madary*  Address  Authorized agent

4. DATE OF DELIVERY NOV -4 1976  
 POSTMARK LINCOLN, CALIF.

5. ADDRESS (Complete only if requested)  
 NOV -4 1976  
 LINCOLN, CALIF.

6. UNABLE TO DELIVER BECAUSE:  
 NO P/C COM 11 R 210  
 CLERK'S INITIALS

U.S. GOV. 1975-O-568-047

PS Form 3811, Jan. 1975

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

1. The following service is requested (check one).  
 Show to whom and date delivered..... 15¢  
 Show to whom, date, & address of delivery.. 35¢  
 RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MADRY

3. ARTICLE DESCRIPTION:  
 REGISTERED-NO. AH 302  
 CERTIFIED NO. 00065  
 INSURED-NO. 00065  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE *K. Madary*  Address  Authorized agent

4. DATE OF DELIVERY NOV -4 1976  
 POSTMARK LINCOLN, CALIF.

5. ADDRESS (Complete only if requested)  
 NOV -4 1976  
 LINCOLN, CALIF.

6. UNABLE TO DELIVER BECAUSE:  
 REC'D 10/16 CONM  
 CLERK'S INITIALS

U.S. GOV. 1975-O-568-047

PS Form 3811, Jan. 1975

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

1. The following service is requested (check one).  
 Show to whom and date delivered..... 15¢  
 Show to whom, date, & address of delivery.. 35¢  
 RESTRICTED DELIVERY.  
 Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MADRY  
 647 LISABEL ST  
 W.A. ACCESS

3. ARTICLE DESCRIPTION:  
 REGISTERED-NO. WA 12915-00226  
 CERTIFIED NO. 00226  
 INSURED-NO. 00226  
 (Always obtain signature of addressee or agent)

I have received the article described above.  
 SIGNATURE *K. Madary*  Address  Authorized agent

4. DATE OF DELIVERY NOV -4 1976  
 POSTMARK LINCOLN, CALIF.

5. ADDRESS (Complete only if requested)  
 NOV -4 1976  
 LINCOLN, CALIF.

6. UNABLE TO DELIVER BECAUSE:  
 CLERK'S INITIALS

U.S. GOV. 1975-O-568-047

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

SHORT FORM  
 Report of Receipts and Expenditures  
 for a Candidate or  
 Principal Campaign Committee

FILE OF FE  
 1976 OCT 25 PM 3:56

CERTIFIED  
 OCT 21 1976

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election; the candidate has authorized only the principal campaign committee; and no independent expenditures are made on behalf of other candidates)

1. Name of Candidate or Committee (in full) JIM MADRID 2. I.D.# 659731 CA2509  
 Address (Number and street) 2122 N. BROADWAY ST. 3. CONGRESS CALIF. 25th.  
 Office Sought State/District  
LOS ANGELES, CALIFORNIA 90031  
 City, State, and ZIP Code  Check if address is different than previously reported

4. Type of Report  
 April 10 Report  October 10 Report  Tenth Day Pre-Election Report  
 July 10 Report  January 31 Report  Thirtieth Day Post-Election Report  
 Check if appropriate  Amended filing  Termination Report

SUMMARY OF RECEIPTS AND EXPENDITURES  
 (Figures may be rounded to nearest dollar)

5. Covering Period OCTOBER 1, 1976 through OCTOBER 18, 1976

	<u>This period</u>	<u>Calendar year to date</u>
6. Cash on Hand January 1, 1976		<u>NONE</u>
7. Cash on Hand at beginning of reporting period	<u>NONE</u>	
8. Receipts		
Itemized (use Schedule 6A)		
Unitemized		
Total Receipts <u>COMMITTEE RECEIVES ALL RECEIPTS</u>		<u>1976 To Date.</u>
9. Expenditures		
Itemized (use Schedule 6B)		
Unitemized		
Total Expenditures <u>Candidate filing fee</u>	<u>446.25</u>	<u>\$446.25</u>
10. Cash on Hand at close of reporting period		
11. Debts and obligations owed to the committee (use Schedule 6C)		
12. Debts and obligations owed by the committee (use Schedule 6C)		

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

OCTOBER 20, 1976 (Date) JIM MADRID (Typed Name of Treasurer or Candidate) James Madrid (Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g, or § 441j (See reverse side of form)  
 Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

FILE COPY  
 FEDERAL ELECTION COMMISSION  
 FEDERAL COUNSEL

1976  
 Election Commission  
 515 First, N.W.  
 Washington, D.C. 20463

## Detailed Summary Schedule of Receipts and Expenditures (Page 2)

Name of Candidate or Committee	Report Covering the Period	From	To
<b>Committee to Elect Jim Madrid U.S. Congress 25th Dist., Cal</b>	6-29-76	10-5-1975	
<b>Part I - Receipts</b>			
15. Contributions and other income			
(a) Itemized (see Schedule A) <b>Candidates use of personal funds</b>	\$ 2,029.22		
(b) Unitemized	\$ 430.50		
(c) Sales and Collections Included Above List by event on memo Schedule D (S)			
(d) Subtotal of contributions and other income	\$ 2,459.72	\$ 5,354.72	
16. Loans and Loan Repayments Received			
(a) Itemized (see Schedule A)	\$		
(b) Unitemized	\$		
(c) Subtotal of loans and loan repayments received	\$	\$	
17. Refunds, Rebates, etc.			
(a) Itemized (see Schedule A)	\$		
(b) Unitemized	\$		
(c) Subtotal of refunds, rebates, etc.	\$	\$	
18. Transfers In			
(a) From Affiliated Committee (Itemize all on Schedule A)	\$ 3,437.42		
(b) From Other Committees (Itemize all on Schedule A)	\$		
(c) Subtotal of transfers in	\$ 3,437.42	\$ 3,437.42	
19. Total Receipts	\$ 5,897.14	\$ 8,792.14	
<b>Part II - Expenditures</b>			
20. Operating Expenditures			
(a) Itemized (see Schedule B)	\$ 3,437.42		
(b) Unitemized	\$ 1,472.57		
(c) Subtotal of operating expenditures	\$ 4,910.39	\$ 7,559.23	
21. Loans, Loan Repayments, and Contribution Refunds			
(a) Itemized (see Schedule B)	\$		
(b) Unitemized	\$		
(c) Subtotal of loans and loan repayments made and contribution refunds	\$	\$	
22. Fundraising Expenditures (Apply to 20% Exemption - Presidential Campaigns Receiving Federal Funds)			
(a) Itemized (see Schedule B)	\$		
(b) Unitemized	\$		
(c) Subtotal of fundraising expenditures	\$	\$	
23. Transfers Out			
(a) To Affiliated Committee (Itemize all on Schedule B)	\$		
(b) To Other Committees (Itemize all on Schedule B)	\$		
(c) Subtotal of transfers out	\$	\$	
24. Total Expenditures	\$ 4,910.39	\$ 7,559.23	
<b>Part III - Debts and Obligations</b>			
25. Debts and Obligations owed to the Committee (Itemize all on Schedule C)	\$ 3,437.42		
List of obligations owed by the Committee (Itemize all on Schedule C)	\$		
<b>Part IV - Receipts and Expenditures, Net of Transfers to and from Affiliated Committees</b>			
27. Total Receipts (from line 19)	\$ 5,897.14		
28. Less: Transfers In (from line 18(a))	\$ 3,437.42		
29. Net Receipts	\$ 2,459.72		
30. Total Expenditures (from line 24)	\$ 4,910.39		
31. Less: Transfers Out (from line 23(a))	\$ None		
32. Net Expenditures	\$ 4,910.39		

7 7 9 9 4 4 3 3 2 2

October 30, 1976

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jim Madrid  
Committee to Elect  
Jim Madrid  
647 Isabel Street  
Los Angeles, California 90065

Dear Mr. Madrid:

On October 30, 1976, your name was released for publication in a list of persons who had failed to meet the filing requirements of the Federal Election Campaign Act of 1971, as amended. I have enclosed a copy of the publication.

As of this date, we have not received your report. If we do not hear from you within five (5) days, we are prepared to recommend to the Commission that we be allowed to seek appropriate civil penalties.

Please direct any response to 202/382-6462.

Sincerely,

John G. Murphy, Jr.  
General Counsel

Enclosure

FEDERAL ELECTION COMMISSION  
COPY  
OCT 31 1976

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7704001531



FEDERAL ELECTION COMMISSION

1200 STREET N.W.  
WASHINGTON, D.C. 20543

THIS IS THE BEGINNING OF MUR # 315





FEDERAL ELECTION COMMISSION

1125 K STREET NW  
WASHINGTON, D.C. 20463

February 2, 1978

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Jim Madrid  
Committee To Elect  
Jim Madrid  
647 Isabel Street  
Los Angeles, CA 90065

RE: MUR 315(76)

Dear Mr. Madrid:

On January 31, 1978, the Commission voted to accept the conciliation agreement which you signed and dated January 16, 1978. A copy of the Agreement signed by you and the Commission's General Counsel is enclosed.

Accordingly, upon my recommendation, the Commission has closed the file in this matter.

If you have any questions, please call Randy Johnson, the attorney assigned to this matter at 202-523-4061.

Sincerely,

A handwritten signature in cursive script, appearing to read "William C. Oldaker".

William C. Oldaker  
General Counsel

Enclosure



MUR 315 JOHNSON

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER (Complete item) Add your address in the RETURN TO space on reverse								
The following services are listed for your use: <input type="checkbox"/> Show to whom and date of article <input checked="" type="checkbox"/> Show to whom and date of article <input checked="" type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom and date of article <input type="checkbox"/> RESTRICTED DELIVERY <input type="checkbox"/> Show to whom, date and address of article \$ (CONSULT POSTMASTER FOR FEES)								
2 ARTICLE ADDRESSED TO MR. JIM MADRID 647 ISABEL ST. LOS ANGELES, CA 90065								
3 ARTICLE DESCRIPTION <table border="1"> <tr> <td>REGISTERED NO</td> <td>CERTIFIED NO</td> <td>INSURED NO</td> </tr> <tr> <td></td> <td>943104</td> <td></td> </tr> </table> (Always obtain signature of addressee or agent)			REGISTERED NO	CERTIFIED NO	INSURED NO		943104	
REGISTERED NO	CERTIFIED NO	INSURED NO						
	943104							
I have received the article described above SIGNATURE _____ Address _____ Authorized agent _____								
4	DATE OF DELIVERY	POSTMARK						
5 ADDRESS (Complete only if required)								
6 UNABLE TO DELIVER BEC		CLERK'S INITIALS						



CLERK'S INITIALS  
 [Handwritten initials]



3. The pertinent facts and law in this matter are as follows:

(a) Respondent is the principal campaign committee of Jim Madrid, a candidate for the United States House of Representatives in the 25th Congressional District of California, whose name appeared as such on the November 2, 1976, general election ballot;

(b) Despite having received notices from the Commission informing Respondent of the requirement of a ten day pre-election report due on October 23, 1976, Respondent failed to file the ten day pre-election report within the statutory deadline;

(c) Respondent filed the ten day pre-election report with the Commission on or about January 24, 1977;

(d) By failing to submit the ten day pre-election report by October 23, 1976, Respondent violated 2 U.S.C. §434(a)(1)(A)(i).

4. Respondent agrees to maintain, for a period of three years subsequent to the date of the execution of this agreement, all books and records relating to contributions and expenditures to and on behalf of Jim Madrid's candidacy for the United States House of Representatives in 1976, and to permit inspection and copying of these

books and records by the Commission upon request.

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

ATTEST:

COMMITTEE TO ELECT JIM MADRID

By                       
Its                       
Date                     

ATTEST:

FEDERAL ELECTION COMMISSION

                      
William C. Oldaker  
General Counsel  
Date



FEDERAL ELECTION COMMISSION

11, 00 STREET, N.W.  
WASHINGTON, D.C. 20463

January 31, 1978

MEMORANDUM TO: CHARLES STEELE  
FROM: MARJORIE W. EMMONS  
SUBJECT: MUR 315 (76) - Conciliation Agreements

The above-mentioned documents were circulated to the Commissioners on January 30, 1978 at 9:00 a.m.

As of 10:00 a.m., this date, no objections have been received to the conciliation agreement and proposed letter to the respondent.

ATTACHMENT:  
Certification

pc





January 27, 1978

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 315

Please have the attached Memo and Conciliation Agreement  
circulated to the Commission on a 24 hour no-objection  
basis.

Thank you.

7904005707



## FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO: The Commission  
FROM: William C. Oldaker *Bill*  
SUBJECT: MUR 315(76) - Conciliation  
Agreements

Attached is the conciliation agreement signed by the respondent and a proposed letter to the respondent notifying him of the Commission's determination in this matter. This agreement reflects the Commission's December 21, 1977 determination that no civil penalties should be sought.

Mr. Madrid also submitted the attached letter to the Commission with the signed agreement stating his intention to retain records in accordance with the Agreement.





FEDERAL ELECTION COMMISSION

1325 K STREET NW  
WASHINGTON, DC 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Jim Madrid  
Committee to Elect  
Jim Madrid  
439 North Main Street  
Los Angeles, California 70012

RE: MUR 315 (76)

Dear Mr. Madrid:

On February , 1978, the Commission voted to accept the conciliation agreement which you signed and dated January 16, 1978. A copy of the Agreement signed by you and the Commission's General Counsel is enclosed.

Accordingly, upon my recommendation, the Commission has closed the file in this matter.

If you have any questions, please call Randy Johnson, the attorney assigned to this matter at 202-523-4061.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure





BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 315 (76)  
Non-Filer/Committee )  
to Elect Jim Madrid )

CONCILIATION AGREEMENT

This matter having been initiated by the Federal Election Commission (hereinafter the "Commission") on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, and probable cause to believe having been found that the respondent, Committee to Elect Jim Madrid (hereinafter "Respondent") may have violated the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. §431 et seq:

NOW, THEREFORE, the Commission and Respondent having entered into conciliation, do hereby agree as follows:

1. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding.
2. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter, pursuant to 2 U.S.C. §437g(a)(4).

3. The pertinent facts and law in this matter are as follows:

(a) Respondent is the principal campaign committee of Jim Madrid, a candidate for the United States House of Representatives in the 25th Congressional District of California, whose name appeared as such on the November 2, 1976, general election ballot;

(b) Despite having received notices from the Commission informing Respondent of the requirement of a ten day pre-election report due on October 23, 1976, Respondent failed to file the ten day pre-election report within the statutory deadline;

(c) Respondent filed the ten day pre-election report with the Commission on or about January 24, 1977;

(d) By failing to submit the ten day pre-election report by October 23, 1976, Respondent violated 2 U.S.C. §434(a)(1)(A)(i).

4. Respondent agrees to maintain, for a period of three years subsequent to the date of the execution of this agreement, all books and records relating to contributions and expenditures to and on behalf of Jim Madrid's candidacy for the United States House of Representatives in 1976, and to permit inspection and copying of those



See 2505

JANUARY 16, 1978

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

RE: M U R - 315 (76)

GENTLEMEN:

ENCLOSED IS CONCILIATION AGREEMENT AS REQUESTED. I WILL COMPLY TO THE EXTENT OF THE RECORDS I HAVE IN MY POSSESSION. I HAVE MADE REPEATED EFFORTS TO MEET WITH THE RAMOS - GRAFF ASSOCIATES, WHO WERE THE P. R. FIRM THAT ASSUMED RESPONSIBILITY OF THE 1976 CAMPAIGN. THEY HAVE WITHDRAWN AND AVOIDED ANY CONTACT OR COMMUNICATION WITH ME DATING BACK TO EARLY OCTOBER 1976.

RECENTLY, DECEMBER 1977, I WAS GIVEN RECORDS THAT WERE AUDITED BY REPRESENTATIVES FROM THE ELECTION COMMISSION, WHO WERE HERE IN LOS ANGELES, CALIFORNIA FOR THAT PURPOSE. THEY DID MEET WITH MS. GRAFF, AND SEPARATELY WITH ME.

I WILL RETAIN WHATEVER RECORDS I HAVE TO CONFORM TO YOUR AGREEMENT. ANY FURTHER REQUIREMENT MUST BE REQUESTED FROM RAMOS AND GRAFF ASSOCIATES.

RESPECTFULLY,

*James Madrid*  
JAMES MADRID

7319110171

J. MADRID  
47 SADEL  
L.A. 90065



RETURN RECEIPT  
REQUESTED

FEDERAL ELECTION COMMISSION  
1325 N. STREET N.W.  
WASHINGTON D.C. 20543

**CERTIFIED**  
No. [redacted]  
**MAIL**

*D. Stein*

PS Form 3811, Apr 1977

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

The following service is requested (check one):  
 Show to whom and date delivered  
 Show to whom, date, and address of delivery  
 **RESTRICTED DELIVERY**  
 Show to whom and date delivered  
 **RESTRICTED DELIVERY**  
 Show to whom, date, and address of delivery  
 (CONSULT POSTMASTER FOR FEES)

2. **ARTICLE ADDRESSED TO:**  
 [Handwritten address]

3. **ARTICLE DESCRIPTION:**  
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.  
 | 944071 | |

(Always obtain signature of addressee or agent)

I have received the article described above  
 SIGNATURE  Addressee  Authorized agent  
 [Handwritten signature]

4. **DATE OF DELIVERY**  
 1-2-78

5. **ADDRESS (Complete only if requested)**

6. **UNABLE TO DELIVER BECAUSE:**

POSTMARK  
 JAN 15 1978  
 TELETYPE UNIT

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

FEDERAL ELECTION COMMISSION

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



NOT DELIVERABLE  
AS ADDRESSED  
UNABLE TO FORWARD

POSTAGE AND FEES PAID



Committee to Elect Jim Madrid  
c/o Jim Madrid  
739 N. Main Street  
Los Angeles, CA 90012



CERTIFIED

943889



FEDERAL ELECTION COMMISSION

1225 K STREET, N.W.  
WASHINGTON, D.C. 20543

December 22, 1977

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Committee to Elect Jim Madrid  
c/o Jim Madrid  
739 N. Main Street  
Los Angeles, CA 90012

Re: MUR 315(76)

Dear Mr. Madrid:

Enclosed please find a copy of our proposed conciliation agreement which we hope will dispose of the above numbered matter under review.

We suggest that you or your committee's representative review the enclosed document and let us know within ten days of your receipt of this letter if the proposed agreement is satisfactory.

If you have any questions, please contact David Stein, the attorney assigned to this matter, at 202-523-4073.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Committee to Elect Jim Madrid  
c/o Jim Madrid  
739 N. Main Street  
Los Angeles, CA 90012

Re: MUR 315(76)

Dear Mr. Madrid:

Enclosed please find a copy of our proposed conciliation agreement which we hope will dispose of the above numbered matter under review.

We suggest that you or your committee's representative review the enclosed document and let us know within ten days of your receipt of this letter if the proposed agreement is satisfactory.

If you have any questions, please contact David Stein, the attorney assigned to this matter, at 202-523-4073.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure

78040752710

PS  
12/22

books and records by the Commission upon request.

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

ATTEST:

COMMITTEE TO ELECT JIM MADRID

\_\_\_\_\_

By \_\_\_\_\_

Its \_\_\_\_\_

Date \_\_\_\_\_

ATTEST:

FEDERAL ELECTION COMMISSION

\_\_\_\_\_

\_\_\_\_\_  
William C. Oldaker  
General Counsel

Date \_\_\_\_\_

BEFORE THE FEDERAL ELECTION COMMISSION

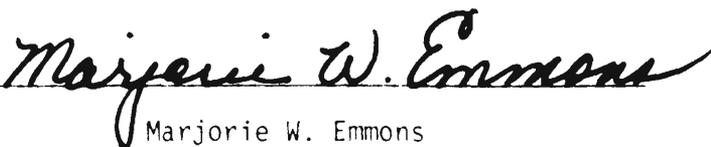
In the Matter of )  
 )  
Non-Filer/Committee to )  
Elect Jim Madrid )

MUR 315 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 21, 1977, the Commission determined by a vote of 4-0 to enter into a conciliation agreement with the respondent in the above-captioned matter, and that no civil penalty be sought in the agreement.

Voting for this determination were Commissioners Aikens, Harris, Thomson, and Tiernan. Commissioners Staebler and Springer were not present at the time of the vote.



Marjorie W. Emmons  
Secretary to the Commission

December 14, 1977

MEMORANDUM TO: Marge Emmons  
FROM: Elissa T. Garr  
SUBJECT: MUR 315 Team #3 Stein

Please have the attached General Counsel's Report on MUR 315 distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of December 21, 1977.

Thankyyou.

73040000722

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 315(76)  
Non-Filer/Committee )  
to Elect Jim Madrid )

GENERAL COUNSEL'S REPORT

I. Background

Mr. Jim Madrid was the Republican candidate for the United States House of Representatives in the 25th District of California. The candidate has filed all the required reports. The Committee to Elect Jim Madrid ("the Committee"), the candidate's principal campaign committee, failed to file the ten day pre-election report within the statutory deadline, as required by 2 U.S.C. §434(a)(1)(A)(i). All other reports were submitted in accordance with the Act.

In November 1976 the Commission found reason to believe and reasonable cause to believe that the Committee had violated 2 U.S.C. §434(a)(1)(A)(i). On December 16, 1976, the Commission found probable cause to believe that the Committee had violated 2 U.S.C. §434(a)(1)(A)(i).

On January 17, 1977, the General Counsel's Office contacted the candidate by telephone. Mr. Madrid indicated

that the Committee's filings were handled by the public relations firm of Ramon Graff & Associates, Los Angeles, California. Later that day this office telephoned Ms. Pat Graff of Ramon Graff & Associates. Ms. Graff indicated that she was not aware of the Committee's failure to file the ten day pre-election report and said that she would have the report sent out immediately. On January 24, 1977, the report was received by the General Counsel's Office. The Reports Analysis Section subsequently reviewed the Committee's reports and indicated that those reports were in order. At that time there was no established internal administrative procedure for situations where the Commission authorizes the filing of a civil suit, but the respondent voluntarily complies with the Act before the suit was filed, and, therefore, no recommendation to seek settlement by conciliation was made to the Commission.

## II. Recommendation

In view of the prompt voluntary compliance by the Committee to Elect Jim Madrid in filing the requisite report before the Commission commenced its civil suit, we recommend that the Commission enter into a conciliation agreement with the Committee and not seek a civil penalty.

Send attached letter and initiate conciliation.

12/14/77  
Date

William C. Oldaker  
William C. Oldaker  
General Counsel

12/14/77



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Committee to Elect Jim Madrid  
c/o Jim Madrid  
739 N. Main Street  
Los Angeles, CA 90012

Re: MUR 315(76)

Dear Mr. Madrid:

Enclosed please find a copy of our proposed conciliation agreement which we hope will dispose of the above numbered matter under review.

We suggest that you or your committee's representative review the enclosed document and let us know within ten days of your receipt of this letter if the proposed agreement is satisfactory.

If you have any questions, please contact David Stein, the attorney assigned to this matter, at 202-523-4073.

Sincerely,

William C. Oldaker  
General Counsel

Enclosure



BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Non-Filer/Committee to ) MUR 315 (76)  
Elect Jim Madrid )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 22, 1976, the Commission determined by a vote of 5-0, that there was probable cause to believe that a violation of the Federal Election Campaign Act of 1971, as amended, had been committed. Commissioner Thomson was absent.

  
\_\_\_\_\_  
Marjorie W. Emmons  
Secretary to the Commission

FEDERAL ELECTION COMMISSION  
GENERAL FILE COPY  
OFFICE OF THE CLERK

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Non-Filer/Committee to Elect ) MUR 315 (76)  
Jim Madrid )

GENERAL COUNSEL'S REPORT

I. Allegation

The Committee to Elect Jim Madrid has failed to file the ten day pre-election report required by 2 U.S.C. §434(a)(1).

II. Evidence

Mr. Madrid's name appeared on the California general election ballot as the republican candidate for the U.S. House of Representatives in the 25th district. The candidate and his principal campaign committee, Committee to Elect Jim Madrid, are both listed in the index from the Clerk of the House of Representatives. The candidate has filed all reports required by 2 U.S.C. §434(a)(1) stating the filing fee of \$446.25 as his only expenditures and his committee receiving all receipts.

On October 7, 1976, the candidate received a prior notice from the Commission informing him of his filing requirements as a federal candidate. The committee failed to file the ten day pre-election report for the general election due October 23, 1976, therefore, the Commission sent a reason to believe letter for non-filers to the committee which it received November 4, 1976.

A reasonable cause to believe letter for non-filers was sent to the committee October 27, 1976 when the ten day pre-election report was not filed. The reasonable cause to believe letter was received by the committee November 4, 1976.

No response was received from either the candidate or the committee in regard to any letter previously sent. The candidate's name was published by the Commission on a non-filers list October 30, 1976. The committee's latest report, the October 10 quarterly report, reveals \$7,559.23 in total expenditures year to date. Mr. Madrid lost the general election, receiving 17,368 votes in comparison to the winner receiving 57,257.

A follow up letter has been sent to the candidate and committee from the General Counsel informing them of the candidate's name publication and the General Counsel's intention to recommend to the Commission that civil penalties be sought. No reply has been received.

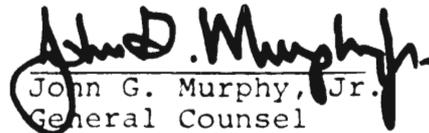
### III. Analysis

The Committee to Elect Jim Madrid has failed to file the ten day pre-election report. The Commission has repeatedly contacted the committee in regard to its filing obligation. The committee has not responded to these efforts to correct or prevent a violation.

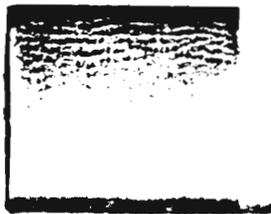
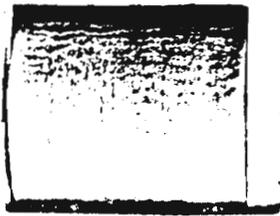
The reasonable cause to believe letter advised the committee that the Commission was ready to conciliate the case; but the committee has ignored its statutory right to utilize the informal methods of conference, conciliation and persuasion.

IV. Recommendation

It is recommended that the Commission find probable cause to believe a violation has been committed of 2 U.S.C. §434(a)(1).

  
John G. Murphy, Jr.  
General Counsel

Date: December 16, 1976



PS Form 3811, Jan. 1975

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).  
 Show to whom and date delivered..... 15¢  
 Show to whom, date, & address of delivery..... 35¢  
 RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery..... 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MADRID

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 001295 14302 00065  
 (Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE [ ] Addressee [ ] Authorized agent  
 E. Madrid

4. DATE OF DELIVERY NOV - 4 1976  
 POSTMARK  
 LOS ANGELES, CALIF. NOV 4 1976

5. ADDRESS (Complete only if requested)  
 10711 ADAM DR.

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

PS Form 3811, Jan. 1975 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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 RESTRICTED DELIVERY. Show to whom, date, and address of delivery..... 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MADRID

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
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 SIGNATURE [ ] Addressee [ ] Authorized agent  
 E. Madrid

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 LOS ANGELES, CALIF. NOV 4 1976

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6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS  
 OCT 10/11 10/11

PS Form 3811, Jan. 1975 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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 Show to whom, date, & address of delivery..... 35¢  
 RESTRICTED DELIVERY. Show to whom and date delivered..... 65¢  
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery..... 85¢

2. ARTICLE ADDRESSED TO:  
 JIM MADRID  
 647 2nd St  
 Los Angeles

3. ARTICLE DESCRIPTION:  
 REGISTERED NO. CERTIFIED NO. INSURED NO.  
 001295 14302 00065  
 (Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE [ ] Addressee [ ] Authorized agent  
 E. Madrid

4. DATE OF DELIVERY OCT 6 1976  
 POSTMARK  
 LOS ANGELES, CALIF. OCT 6 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

SHORT FORM  
Report of Receipts and Expenditures  
for a Candidate or  
Principal Campaign Committee

1976 OCT 25 PM 3:58

CERTIFIED  
OCT 21 1976

(To be used only in campaigns in which gross receipts or expenditures do not exceed \$50,000 per election, the candidate has authorized only the principal campaign committee, and no independent expenditures are made on behalf of other candidates or candidates)

1. Name of Candidate or Committee (in full) **JIM MADRID**

2. I.D.# ~~60001~~ **CA2509**

Address (number and street)  
**2122 N. BROADWAY ST.**

3. Office Symbol **CONGRESS** State District **CALIF./25th.**

City, State, and ZIP Code **LOS ANGELES, CALIFORNIA 90031**  
 Check if address is different than previously reported

4. Type of Report

- April 10 Report
- July 10 Report
- October 10 Report
- January 31 Report
- Tenth Day, Pre-Election Report
- Thirtieth Day, Post-Election Report
- Amended filing
- Termination Report

Check if appropriate

SUMMARY OF RECEIPTS AND EXPENDITURES  
(Figures may be rounded to nearest dollar)

Reporting Period: **OCTOBER 1, 1976, through OCTOBER 18, 1976.**

	This period	Calendar year to date
Assets on Hand January 1, 1976		<b>NONE</b>
Assets on Hand at beginning of reporting period	<b>NONE</b>	
Receipts		
Itemized (use Schedule 6A)		
Unitemized		
Total Receipts	<b>COMMITTEE RECEIPTS, ALL RECEIPTS</b>	<b>1976 To Date.</b>
Expenditures		
Itemized (use Schedule 6B)		
Unitemized		
Total Expenditures	<b>Candidate filing fee 446.25</b>	<b>446.25</b>
10. Cash on Hand at close of reporting period		
11. Debts and obligations owed to the committee (use Schedule 6C)		
12. Debts and obligations owed by the committee (use Schedule 6C)		

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct, and complete.

**OCTOBER 20, 1976**  
(Date)

**JIM MADRID**  
(Typed Name of Treasurer or Candidate)

*Jim Madrid*  
(Signature of Treasurer or Candidate)

Note: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g, or § 441j (Use reverse side of form). Any information reported herein may not be copied, reprinted, or used by any person for purposes of advertising, promotion, or for any commercial purpose.

3.

U.S. House of Representatives  
 Committee on Oversight and Reform  
 205 Cannon Building  
 Washington, D.C. 20543

## Detailed Summary Schedule of Receipts and Expenditures (Page 2)

Name of Committee	Date	Period
Committee to Elect Jim Madrid, U.S. Congress 25th Dist., Cal.	6-29-75	1-1-5-1975
<b>Part I - Receipts</b>		
14. Contributions and other income		
(a) Received for General A. (Candidates use of personal funds)	\$ 2,029.22	
(b) Unemployment compensation	\$ 430.50	
(c) Gifts and Contributions Included Above		
Exclusion of membership dues		
(d) Other income, interest, dividends and other income	\$ 2,459.72	\$ 5,354.22
15. Loans and Loan Repayments Received		
(a) From the General A.	\$	
(b) Government	\$	
(c) Other	\$	
16. Gifts and Donations		
(a) From the General A.	\$	
(b) Government	\$	
(c) Other	\$	
17. Total Receipts	\$ 3,437.42	
(a) From the General A.	\$ 3,437.42	\$ 3,437.42
(b) From the Government	\$	
(c) From other sources	\$ 5,897.14	\$ 8,732.14
<b>Part II - Expenditures</b>		
20. Operating Expenditures		
(a) From the General A.	\$ 3,437.42	
(b) Government	\$ 1,472.57	
(c) Other	\$ 4,910.39	\$ 7,559.23
21. Loans and Loan Repayments and Contributions Made		
(a) From the General A.	\$	
(b) Government	\$	
(c) Other	\$	
22. Miscellaneous Expenditures (Apply to 20% Exemption for Political Campaigns Receiving Federal Funds)		
(a) From the General A.	\$	
(b) Government	\$	
(c) Other	\$	
23. Total Expenditures	\$ 4,910.39	\$ 7,559.23
<b>Part III - Deposits and Collections</b>		
24. Total Deposits and Collections	\$ 3,437.42	
<b>Part IV - Receipts and Expenditures, Net of Transfers to and from Affiliated Committees</b>		
27. Total Receipts from line 14	\$ 5,897.14	
28. Less Transfers to from line 18(a)	\$ 3,437.42	
29. Net Receipts	\$ 2,459.72	
30. Total Expenditures from line 24	\$ 4,910.39	
31. Less Transfers to from line 20(a)	\$ None	
32. Net Expenditures	\$ 4,910.39	

October 30, 1976

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jim Madrid  
Committee to Elect  
Jim Madrid  
647 Isabel Street  
Los Angeles, California 90065

Dear Mr. Madrid:

On October 30, 1976, your name was released for publication in a list of persons who had failed to meet the filing requirements of the Federal Election Campaign Act of 1971, as amended. I have enclosed a copy of the publication.

As of this date, we have not received your report. If we do not hear from you within five (5) days, we are prepared to recommend to the Commission that we be allowed to seek appropriate civil penalties.

Please direct any response to 202/382-6462.

Sincerely,

John G. Murphy, Jr.  
General Counsel

Enclosure

