



FEDERAL ELECTION COMMISSION

WASHINGTON, D C 20463

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THE FOLLOWING DOCUMENTATION IS ADDED TO

THE PUBLIC RECORD IN CLOSED MUR 3313.

12/7/92

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Jones, Walker, Waechter, Poitevent, Carrère & Denègre

OGC 7729

PLACE ST. CHARLES
801 ST. CHARLES AVENUE
NEW ORLEANS, LOUISIANA 70170-5100
TELEPHONE 504-582-8000
FAX 504-582-8583

BATON ROUGE OFFICE
SUITE 1700
ONE AMERICAN PLACE
BATON ROUGE, LOUISIANA 70825
TELEPHONE 504-348-5500

WASHINGTON, D. C. OFFICE
SUITE 248
REPUBLIC PLACE
1778 EYE STREET, N. W.
WASHINGTON, D. C. 20008
TELEPHONE 202-628-8383

LAFAYETTE OFFICE
SUITE 210
201 RUE IBERVILLE
LAFAYETTE, LOUISIANA 70508
TELEPHONE 337-232-8383

R. PATRICK VANCE
582-8184

November 25, 1992

CLOSED

Ms. Joan D. Aikens, Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 3313
Jack Lawton, Jr.
Jack Lawton, Sr.

Dear Chairman Aikens:

I am in receipt of your November 18, 1992 letter concerning the above-referenced matter. I am seeking some clarification on the reference to Mr. Jack Lawton, Sr. According to your letter, the Commission has determined that Mr. Jack Lawton, Sr., as well as Mr. Jack Lawton, Jr., violated 2 U.S.C. § 441a(a)(1)(A).

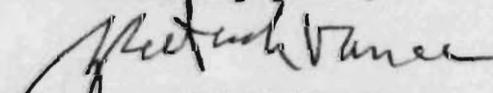
According to my records, Mr. Jack Lawton, Sr. never received notice that he was a respondent to the Complaint. I have reviewed the Complaint yet again and cannot even find his name mentioned in the Complaint. In reading the General Counsel's Report, I found the following sentence, which I have to confess, makes no sense to me since it uses a term of art or law with which I am totally unfamiliar:

Accordingly, this Office recommends that the Commission likewise find reason to believe that Mr. Jack Lawton, Sr., as an internally generated respondent, violated 2 U.S.C. § 441a(a)(1)(A).

Can you provide me with the legal authority that allows the Commission to find Mr. Jack Lawton, Sr. guilty of a violation of a statute when the Complaint fails to name him as a respondent. Furthermore, can you tell me what the words "an internally generated respondent" means, as used by the Commission.

Thank you for your consideration in this matter.

Sincerely yours,


R. Patrick Vance

RPV:dgs

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NOV 30 PM 3:26



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 3313

DATE FILMED 1-8-93 CAMERA NO. 4

CAMERAMAN A.P.H.

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06-1258

DEMOCRATIC STATE CENTRAL COMMITTEE OF LOUISIANA
Post Office Box 4385
Baton Rouge, Louisiana 70821
(504) 336-4155

MUR 3313

91 MAY 23 PM 12:50

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

May 22, 1991

VIA HAND DELIVERY

Office of the General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20004

REFERENCE:

Complainant: Democratic State Central Committee of Louisiana
By: James J. Brady, Chairman
Post Office Box 4385
Baton Rouge, Louisiana 70821

Respondents: The American Coalition for Legislative Reform
Post Office Box 701267
San Antonio, Texas 78270

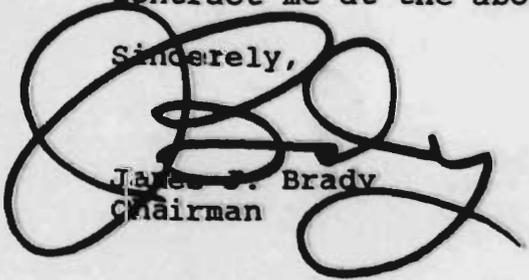
David Thibodaux for Congress - 1990
432 W. Vermilion
Lafayette, Louisiana 70508

Dear Federal Election Commission:

Attached please find three copies of a complaint by the Democratic State Central Committee of Louisiana against The American Coalition for Legislative Reform and David Thibodaux for Congress - 1990.

If any further information is necessary, please feel free to contract me at the above address or telephone number.

Sincerely,



James J. Brady
Chairman

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FEC COMPLAINT

By: Democratic State Central Committee
of Louisiana

Against: The American Coalition for
Legislative Reform
David Thibodaux for Congress - 1990

COMPLAINT TO THE
FEDERAL ELECTION COMMITTEE
AGAINST
THE AMERICAN COALITION FOR LEGISLATIVE REFORM FEC NO. C-00235812
AND
DAVID THIBODAUX FOR CONGRESS - 1990 FEC NO. 132845

The allegations contained herein are directed at two ostensibly unrelated, but in fact indistinguishable, political committees.

The principals of each committee conspired to violate FEC reporting requirements in order to: (1) disguise illegal campaign contributions from individuals in excess of legal maximum amounts and; (2) conduct the "negative" arm of a Congressional campaign without it being attributed to the candidate's own political committee.

I

This complaint is directed against the following named and described committees:

The American Coalition for Legislative Reform, FEC No. C-00235812, was organized February 24, 1989 as a multi-candidate PAC. Its address is listed as 1400 N. Flores, P. O. Box 701267, San Antonio, Texas 78270. The Treasurer and Custodian of Records is Charles R. Phillips, also P. O. Box 701267 San Antonio, Texas 78270. The Committee is hereinafter referred to as "Coalition;"

David Thibodaux for Congress - 1990, FEC No. 132845 was filed January 24, 1990 derived from the Committee to Explore the Possibility For a Congressional Race for David Thibodaux in 1990, filed December 12, 1989. Its address has been listed as 105 Cambridge, Lafayette, La. 70503; 125 Rue Beauregard, Lafayette, La. 70508; and 423 W. Vermilion, Lafayette, La. The treasurer and the Custodian of Records is Eugene N. Darnell, III, P. O. Box 2517, Lafayette, Louisiana 70502. The Committee is hereinafter referred to as "Thibodaux."

II

The "Coalition" was the alter-ego of the "Thibodaux" congressional Campaign for the Louisiana 7th District "open primary" election held October 6, 1990. The relationship and its illegal purpose is disclosed by an examination of the FEC reports filed by each:

A. The "Coalition" operated exclusively from contributions arranged by "Thibodaux;"

B. The "Coalition" expenses were devoted entirely to the "Thibodaux" campaign for the 7th district of Louisiana;

C. The "Coalition" and "Thibodaux" conspired to knowingly and intentionally file false reports with the Federal Election Commission in order to avoid discovery of the illegal relationship linking the two committees and in order to disguise illegal contributions and prohibited election activity.

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Examination of Evidence

A. The "Coalition" operated exclusively from contributions arranged by "Thibodaux."

The "Coalition" was formed February 24, 1989, and described itself as a Multi-Candidate Committee domiciled in San Antonio, Texas whose Treasurer and Custodian, Charles R. Phillips, listed both his personal address and the Committee address as P. O. Box 701267, San Antonio, Texas.

However, the "Coalition's" receipts correspond to the "Thibodaux" Louisiana 7th Congressional district election held October 6, 1990. The "Coalition" did not receive a single contribution to it from its February 24, 1989 inception until August 8, 1990. The filing date for candidates for the 7th Congressional district of Louisiana was July 27, 1990.

Between August 8, 1990 and September 19, 1990, the "Coalition" received \$10,610.00 in contributions and none thereafter through December 31, 1990. (See attached exhibit "A"). The correlation of receipts by the "Coalition" to the "Thibodaux" campaign is as follows:

"Coalition" Receipts

Receipts between inception date of 2/24/89 and 8/7/90	\$ -0-
Receipts between 8/8/90 and 9/19/90 (Louisiana filing date is 7/27/90 and Congressional election 10/6/90)	\$10,610.00
Receipts between 9/20/90 and 12/31/90	\$ -0-
Total:	<u>\$10,610.00</u>

Of the \$10,610.00 received by the "Coalition" during all of 1989 and 1990 combined, and all of which was contributed immediately preceding the Louisiana October 6th "open primary" election, \$10,160.00, or 95.7% of contributions, were attributed to individuals residing in the 7th Congressional district of Louisiana.

An additional \$300.00 was attributed to either unnamed or unknown addressed individuals. Only \$150.00 of \$10,610.00 in receipts was attributed to persons outside the Louisiana 7th district, one of which was a contribution of \$100.00 on August 8, 1990 by Charles R. Phillips, the Treasurer and Custodian of the "Coalition."

American Coalition for Legislative Reform
Source of Receipts

<u>Name & Date</u>	<u>Address</u>	<u>Cong. Dist. of Address</u>	<u>Amount</u>
Jack Lawton, Jr. 9-5-90	Rt. 5, Box 3617 Sulphur, LA 70663	LA 7	\$2,500.00
Mrs. Jack Lawton Sr. 9/5/90	P. O. Box 3615 Sulphur, LA 70663	LA 7	\$2,500.00

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Mr. John Chance 9/8/90	P. O. Box 52029 Lafayette, LA 70505	LA 7	\$2,500.00
Mrs. John Chance 9/90	130 Twin Oaks Lafayette, LA 70503	LA 7	\$2,500.00
Dr. Howard Burch 9/14/90	114 Center Blvd. Lafayette, LA 70503	LA 7	\$50.00
John Viguerie 9/14/90	231 River Dr. Youngsville, LA 70592	LA 7	\$25.00
Michael F. McKenzie 9/14/90	318 Woodbluff Lafayette, LA 70503	LA 7	\$25.00
Danie Cheneux 9/15/90	P. O. Box 380 Rayne, LA 70578	LA 7	\$10.00
Faye Akin 9/19/90	139 LaRue Vil Lafayette, LA 70508	LA 7	\$25.00
Douglas J. Brown 9/19/90	2307 5th Ave. Lake Charles, LA 70601	LA 7	\$25.00
			Sub-Total <u>\$10,160.00</u>

Unlisted or Incomplete Sources

Unnamed	Unlisted	Unknown	\$250.00
Bob Johnson 8/12/90	Unlisted	Unknown	\$50.00
			Sub-Total <u>\$10,460.00</u>

Specifically Listed Outside LA 7

Mr. John Ewing 7/8/90	123 N. Davis San Antonio, TX 78229	TX	\$50.00
Charles Phillips 8/8/90	P. O. Box 701267 San Antonio, TX 78270	TX	\$100.00
			Total <u>10,610.00</u>

Of the "Coalitions" \$10,610.00 contributions, \$10,000 comes from only four (4) Louisiana contributors, three of whom had already given the maximum legal contributions to "Thibodaux," and the fourth of whom is the wife of one of the three who had previously contributed the maximum amount. The source of the hereinbelow described contributions is the "Coalition" (Exhibit "B-5") and "Thibodaux" (Exhibit "C").

Link

<u>"Thibodaux" Contribution</u>			<u>"Coalition" Contribution</u>	
<u>Name</u>	<u>Date</u>	<u>Amount</u>	<u>Date</u>	<u>Amount</u>
Jack Lawton, Jr.	2/01/90	\$1000.00	9/5/90	\$2500.00
Mrs. Jack Lawton, Sr.	1/31/90	\$1000.00	9/5/90	\$2500.00
John Chance	3/27/90	\$1000.00	9/8/90	\$2500.00

The fourth contribution is:

Mrs. John Chance	9/8/90	\$2500.00
		Total: <u>\$10,000.00</u>

B. The "Coalition" expenses were devoted entirely to the "Thibodaux campaign for the 7th district of Louisiana.

The "Coalition" claimed \$10,257.00 in expenses during the report filed by it on September 24, 1990 and received by the FEC on September 26, 1990. The report identifies itself as being filed on the "Twelfth day preceding the primary election on October 6, 1990 in the State of Louisiana (Exhibit "B-3").

If the "Coalition" FEC report's Detailed Summary Page (Exhibit "B-4") is compared to the "Thibodaux" FEC expenses, the link between virtually the entire \$10,257.00 shown by the "Coalition" as expenses of various description are in fact expenses incurred on behalf of "Thibodaux" in the printing and distributing of a negative campaign flyer described as the "Taxpayer Alert." (Exhibit "F"). This link explains the need to file the "Coalition" FEC report for the Twelfth Day preceding the "Thibodaux" campaign. However, the expenses on behalf of "Thibodaux" in violation of law are disguised by the "Coalition" FEC report.

The "Coalition" Detailed Summary Page attributes the total \$10,257.00 as follows (Exhibit "B-4"):

<u>Detailed Summary Page Line Item</u>	<u>Description</u>	<u>Amount</u>
1. Line 22	Independent	\$3100.00
2. Line 27	Other Disbursements	\$5400.00
3. Line 21	Other Candidates	\$ 547.00
4. Line 19	Operating Expenses	\$1210.00
	Total:	\$10,257.00

The Itemized Disbursements Page of the "Coalition" FEC report (Exhibit "B-7") matches the Detailed Summary Page items to the following described expenses:

<u>Name of Recipient</u>	<u>Purpose</u>	<u>Date</u>	<u>Amount</u>
1. P. C. Piazza 213 Claudie Dr. Lafayette, LA 70507	Picture	9/16/90	\$1500.00
1a. Martin Group 615 W. Red Bird Ln. Duncanville, TX 75116	Printing	9/19/90	\$1600.00
	1. & 1a. Subtotal:	\$3100.00	
2. Liberty Printing P. O. Box 27245 Austin, TX 78755	Printing	Sept.	\$5400.00
3. Ben Bagert P. O. Box 8606 Metairie, Louisiana	polling/letter	9/14/90	\$ 208.00
3a. Jerome Gonzorlin et al	polling	7/15/90	\$ 339.00
	3. & 4. Subtotal:	\$ 547.00	
4. Unlisted and unattributed		undated	\$1210.00
	Total:		\$10,257.00

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Each of the items comprising the \$10,257.00 is linked to the "Thibodaux" campaign, particularly to the drafting, preparation, printing and/or distribution of "Thibodaux" negative campaign materials as follows:

1. The disbursement to P. C. Piazza

P. C. Piazza is a free-lance photographer and staff photographer for The Advertiser, a daily newspaper located in Lafayette, Louisiana, within the 7th Congressional district. On September 17, 1990, Piazza received the letter (Exhibit "D") and check (Exhibit "E") attached hereto, requesting that he release his copyright to a photograph contained within the "Taxpayer Alert" (Exhibit "F"). Piazza was paid the sum of \$1500.00 by the "Coalition" through the check signed by Charles R. Phillips, its Treasurer. The "Taxpayer Alert" is clearly a "Thibodaux" negative campaign tool and bears the description:

Paid for by the American Coalition for Legislative Reform.
Authorized by the David Thibodaux for Congress Campaign.

The fact that the disbursement is described by the "Coalition" as "independent" (Exhibit "B-4") despite its clear authorizations by "Thibodaux" will be discussed hereinafter (Page 7, infra).

For the purpose of establishing the "Coalition" expense as related to the "Thibodaux" campaign, it should be noted that the letter (Exhibit "D") bears the heading "Re: Taxpayer's Alert" and is signed by Charles R. Phillips, giving his address as 424 W. Vermilion, Lafayette, LA 70501. The significance of the "Coalition's" Treasurer and Custodian using this address without ever changing his "Coalition" FEC report will be detailed hereinbelow, (Page 7-8, infra) as will the "temporary" check handwritten "American Coalition for Legislative Reform" issued by NBC Bank of Austin, Texas, a depository never listed on the "Coalition" FEC report (Page 11, infra), and signed by Charles R. Phillips.

The letter is witnessed by Richie Martin, a consultant and media advisor to the "Thibodaux" campaign, as well as the recipient of the disbursement discussed in the immediately following section.

1a. The disbursement to Richie Martin (The Martin Group)

Richie Martin, or Richard Martin is a political consultant who lists his address as 615 W. Red Bird Lane, Duncanville, TX 75116. Richard Martin and Charles R. Phillips actively worked together in the Pat Robertson Texas Presidential Campaign.

The December 14, 1987, issue of U. S. News & World Report quotes Richard Martin and describes him as "Robertson's campaign chief in Texas." Charles R. Phillips was actively involved in the Robertson campaign with Martin, leading to his establishment of the "Christians for Conservative Government" PAC. David Thibodaux was elected as a Pat Robertson delegate to the Republican National Convention.

Between July, 1990, and through September, 1990, Richie Martin rented apartment 483 at Bayou Shadows apartment complex in Lafayette, Louisiana. During this period, Charles R. Phillips often shared the apartment with Martin.

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Martin is the sole operator of The Martin Group to whom the \$1600.00 payment is made by the "Coalition" on September 19, 1990, at which time both Martin and Phillips were sharing apartment 483 of Bayou Shadows in Lafayette, Louisiana. The expense for "printing" is identified by the "Coalition" as independent (Exhibit "B-4").

"Richie" or Richard Martin and/or The Martin Group acted as political consultant and media advisor to "Thibodaux," receiving a total of \$25,098.65 between 4/24/90 and 12/31/90 (Exhibit "G"). On the September 17 date of payment by the "Coalition," Martin was working exclusively for "Thibodaux" and was obviously physically located in Lafayette, Louisiana as reflected by his witnessing the letter dated September 17, 1990 hand-delivered by Martin to Piazza on September 17, 1990, at Piazza's Lafayette office. The "Coalition" disbursement is clearly attributable to Martin's activities on behalf of "Thibodaux."

2. The disbursement to Liberty Printing

The circumstances surrounding the printing and distribution of the "Taxpayer Alert" (Exhibit "F") in late August or early September, 1990, provide convincing evidence that the "Taxpayer Alert" and the "brochure" listed by the "Coalition's" schedule of disbursements are one in the same. It is equally clear that the \$5400.00 cost of printing the "brochure" was intentionally misstated in the "Coalition's" FEC report in order to avoid attribution to its conduct of the "Thibodaux" campaign.

The FEC has the ability to directly confirm the purpose of the disbursement of \$5400.00 to Liberty Printing as the "Taxpayer Alert" and "brochure." Unfortunately, a review of business listings in the Austin, Texas area as well as a review and inquiry regarding telephone listings does not disclose such a company, a similarly named company, or a telephone listing. The only reference is contained on the "Coalition" FEC report as: Liberty Printing, P. O. Box 27245, Austin, Texas, 78755.

However, the circumstantial evidence is compelling:

- a. The "Coalition" letter of September 17, 1990, written by Charles R. Phillips, includes the reference that, "... to the extent of publication, approximately 500,000 copies." Since the "Taxpayer Alert" contains the reference, "Paid for by the American Coalition for Legislative Reform," the \$5400.00 expense to Liberty Printing is the only possible source of payment for 500,000 copies since the "Coalition's" other expenses are either otherwise detailed or insufficient in amount;
- b. The date of distribution to Liberty Printing, listed by the "Coalition" as "September, 1990," corresponds to the time reference for "Taxpayer Alert" printing placed as late August or early September by the Charles R. Phillips September 17, 1990, letter dealing with the release of a photograph contained within the "Taxpayer Alert;"
- c. The source of funding through contribution to the "Coalition" as described previously in this complaint (Page 2-3, infra) places the only source for payment as contributions from "Thibodaux" supporters residing in the Louisiana 7th district wherein which the "Taxpayer Alert" was distributed. The date of their contributions, September 5th through September 8th, 1990, corresponds to the distribution to Liberty Printing for the "brochure."

3. The disbursement to Ben Bagert et al

The "Coalition" disbursement to "Ben Bagert, P. O. Box 8606, Metairie, Louisiana," is a reference to Ben Bagert, candidate for the United States Senate against J. Bennett Johnston of Louisiana, also scheduled for October 6, 1990. On October 4, 1990, Mr. Bagert withdrew from the "open primary." The disbursement to Ben Bagert made September 14, 1990, in the amount of \$208.00 appears from the "Coalition" FEC report to be a disbursement made to the Bagert Campaign and unrelated to "Thibodaux."

However, the timing of the disbursement to Ben Bagert, listed by the "Coalition" as September 14, 1990, corresponds to the distribution of a "flyer" (Exhibit "M") which is a joint campaign tool of both Bagert and "Thibodaux," in common support. The time of disbursement and circumstance would suggest that the payment by the "Coalition" is not support for the Bagert campaign but in fact "Thibodaux's" portion of a common expense.

The "flyer" (Exhibit "M") contains the reference:

Christians for Conservative Government

No such organization is registered in the State of Louisiana or as a properly filed committee with the FEC. However, a committee called "Coalition of Politically Active Christians" was organized August 24, 1989 and terminated September 30, 1990 (only six days before the Louisiana open primary election) by Charles R. Phillips, P. O. Box 701267, San Antonio, Texas, the same individual who is Treasurer of the "Coalition."

C. The "Coalition" and "Thibodaux" conspired to knowingly and intentionally file false reports with the Federal Election Commission in order to avoid discovery of the illegal relationship linking the two committees and prohibited election activity.

1. The "Taxpayer Alert" (Exhibit "F")

The "Taxpayer Alert" (Exhibit "F") reference that it was paid for by "Coalition" and the "Coalition" FEC reports clearly establish the "Coalition's" involvement with the "Taxpayer Alert."

However, the "Coalition" FEC report is intentionally misleading and false in its effort to disguise or deny the work in concert with "Thibodaux" for the drafting, printing and distribution of the "Taxpayer Alert." Thus the expenses paid to the Martin Group and P. O. Piazza or illegally described as "independent" when in fact constant proximity and consultation occurred as revealed from at least two separate sources: (a.) the "Taxpayer Alert" (Exhibit "F") itself and; (b.) the "Coalition" September 17, 1990 letter. Each is detailed as follows:

a. The "Taxpayer Alert" (Exhibit "F") contains the following reference:

Paid for by the American Coalition for Legislative Reform.
Authorized by the David Thibodaux for Congress Campaign.

An "independent" expenditure cannot be "authorized" and therefore was intentionally falsely reported in the "Coalition" FEC report.

b. The "Coalition" September 17, 1990, letter (Exhibit "D") signed by Charles R. Phillips, its Treasurer establishes the proximity and collusion with "Thibodaux."

The September 17, 1990 letter is witnessed by Richie Martin, himself a recipient of a "Coalition" disbursement of \$1600.00 on September 19, 1990. Richie, or Richard, Martin and The Martin Group's role as consultant and media advisor to "Thibodaux" was detailed previously (Page 5, infra), as was the sharing of an apartment.

That the "Thibodaux" consultant witnessed the "Coalition" letter regarding the "Taxpayer Alert" suggests further proximity and relationship confirmed by Charles R. Phillips own signature.

In signing the September 17, 1990, letter, "Coalition" Treasurer, Charles R. Phillips lists his address as:

424 West Vermilion
Lafayette, Louisiana 70501

Yet the "Coalition" FEC reports list only the San Antonio address of the "Coalition" and its Treasurer. However, the "Thibodaux" October 15 Quarterly Report to the FEC lists its changed address as:

423 W. Vermilion
Lafayette, Louisiana

An examination of the records of the Assessor for the Parish of Lafayette, Louisiana reflects that there is no such address as 424 West Vermilion in Lafayette, Louisiana. However, a receipt from The Advertiser dated September 11, 1990 (Exhibit "I") for the inclusion of the "Taxpayer Alert" lists the following information given the newspaper by Richie Martin:

David Thibodaux
The Martin Group
424 W. Vermilion
Lafayette, Louisiana 70501

It is clear that the "Thibodaux" and "Coalition" were using offices in the building located at 421-23-25 West Vermilion, owned by Antoine Boustany and reflected as an in-kind contribution of rent and utilities by "Thibodaux" (Exhibit "J") as a common location. This fact is further established by the signature of Richie Martin as the witness to the Charles R. Phillips "Coalition" letter dated September 17, 1990, and enclosing the "Coalition's" \$1500.00 check to Piazza.

Summary

"Thibodaux" and the "Coalition" attempted to disguise direct campaign consultation and immediate proximity by filing false FEC reports claiming "Coalition" disbursements as "independent." The "Thibodaux" and "Coalition" were operating from the same office location, although FEC reports were

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never changed to so indicate, in further violation of law.

Additional linkage between "Thibodaux" and "Coalition" is the establishment of a Lafayette, Louisiana, post office box by "Coalition" and "Thibodaux" jointly without either reporting such address to the FEC, as hereinafter outlined.

2. "Coalition" Louisiana P. O. Box

The "Coalition's" printed "Taxpayer Alert" asks for donations to be sent to:

American Coalition for Legislative Reform
P. O. Box 80816
Lafayette, Louisiana 70598

No FEC report filed by either "Thibodaux" or "Coalition" disclose an address as P. O. Box 80816, Lafayette, Louisiana. However, a request to the Lafayette, Louisiana Postmaster, Harry D. Green, Sr., establishes the source of the Post office box rental (Exhibit "K") as:

Jane Blackwell
Scholarship Chairman,
Louisiana Methodist Conference
118 Huntington Dr.
Lafayette, LA 70503

Jane Blackwell appears on the "Thibodaux" FEC reports on several occasions, most notably the following:

Type of Report	Schedule B Itemized Disbursement & Description	Name & Address	Date & Amount
October 15, Quarterly	supplies, stamps, name tags, expense report	Jane Blackwell 118 Huntington Dr. Lafayette, LA 70508	8/20/90 \$136.78
January 31 Year-End	reimbursed expenses for food & drinks	Jane Blackwell Lafayette, LA	no date \$100.00
January 31 Year-End	labor	Jane Blackwell Lafayette, LA	no date \$175.00

During the period between August through September, at which time the "Taxpayer Alert" was being prepared in concert by "Thibodaux" and "Coalition," a paid employee of "Thibodaux" whose expenses were being reimbursed, rented the P. O. Box 80816 in Lafayette, Louisiana and knowingly participated in allowing it to be used for receipt of donations by "Coalition," and clearly was aware that said P. O. Box 80816 was printed as "Coalition's" address in the "Taxpayer Alert."

The involvement between "Thibodaux" and "Coalition" through "Thibodaux" employee Jane Blackwell is further proof of the conspiracy to file false FEC reports, none containing this address, in order to avoid discovery of the illegal relationship linking the committees to the common goal of violating

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FEC restrictions on individual contributions and political action committee association with a candidate's committee.

3. The Undisclosed Role of "Coalition" Associated and Related Committees to the "Thibodaux" Campaign:

Charles R. Phillips, "Coalition" Treasurer was also the principal of several other entities involved in the "Thibodaux" campaign, including campaign activities occurring during Phillips' Lafayette, Louisiana occupancy of the "Thibodaux" headquarters on West Vermilion Street.

Allegation of Relationship

The following entities are all related:

- a. Charles R. Phillips
P. O. Box 701267
San Antonio, Texas
- b. American Coalition for Legislative Reform
Charles R. Phillips, Treasurer
P. O. Box 701267
San Antonio, Texas
- c. American Congress for Legislative Reform
Charles R. Phillips, Treasurer
P. O. Box 701267
San Antonio, Texas
- d. Coalition of Politically Active Christians p.a.c.
Charles R. Phillips, Treasurer
P. O. Box 701267
San Antonio, Texas
- e. Christians for Conservative Government
No Information or Address Revealed

The Relationship

a. and b. In the "Coalition's" Statement of Organization to the FEC, the "Coalition" listed its address as P. O. Box 701267, San Antonio, Texas, and the address of its Treasurer and Custodian, Charles R. Phillips as P. O. Box 701267, San Antonio, Texas. The "Coalition" was assigned FEC number C-00235812.

a., b., and c. Strangely, the correspondence from Charles R. Phillips to the FEC regarding "Coalition" activity, bears the letterhead: "American Congress for Legislative Reform, P. O. Box 701267, San Antonio, Texas (Exhibit "B-1") even though no FEC filing for such name has ever taken place.

a., b., c., and d. Charles R. Phillips did file with the FEC on August 24, 1989, as Custodian and Treasurer of the "Coalition of Politically Active Christians," given FEC number C-00238089. The committee was terminated on the effective date of September 30, 1990, only six days before the Louisiana "open-primary" election.

e. Christians for Conservative Government is not registered with either the State of Louisiana or the FEC but conducted campaign activities under the direction of Charles R. Phillips on behalf of "Thibodaux," an example of which is the "flyer" (Exhibit "M")

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previously discussed (Page 6, infra).

Undisclosed Relationships

It is difficult to isolate evidence of the activities of Charles R. Phillips in his capacity as Treasurer of "Coalition" in association with the above named entities because of the efforts of Charles R. Phillips to hide such activities.

However, examples can still be found from public records or "Thibodaux" campaign materials. For example:

i. The Coalition of Politically Active Christians, FEC no. C-00238089, has never listed a receipt of contributions or a disbursement. Yet the public records reflect letters (Exhibits "L-2", "L-4") written on such named letterhead and signed by Charles R. Phillips. Some costs must have been associated with the printing expenses and some receipts must have gone toward the payment of such expenses. The FEC reports are false;

ii. The American Coalition for Legislative Reform filed an FEC report contained in an envelope whose return address was printed as Coalition of Politically Active Christians p.a.c., P. O. Box 701267, San Antonio, Texas. The same comments regarding receipts and printing expenses as stated in the preceding paragraph apply. Further comment should be made that the envelope is postmarked Austin, Texas, a city never listed as any of the committees' address and yet is the same city in which the bank upon which the Piazza check listed immediately hereinbelow is issued. Austin, Texas, is also the city listed as the domicile of Liberty Printing, the entity to whom \$5400.00 was disbursed on September 1990 for printing of the "Taxpayer Alert;"

iii. In the Charles R. Phillips Statement of Organization for American Coalition for Legislative Reform (Exhibit "B-2"), the depository is listed as Texas Bank of Commerce. However, the Piazza check (Exhibit "E") is written by Charles R. Phillips on behalf of the "Coalition" on NBC Bank, P. O. Box 26470, Austin, Texas. Coincidentally, NBC Bank is listed by Charles R. Phillips as the depository for Coalition of Politically Active Christians. The check itself (Exhibit "B-2") does not contain a printed maker but is a "temporary" check upon which the maker could insert any entity as Charles R. Phillips did in fact insert by hand the "Coalition" (Exhibit "E").

iv. During the time that the "Coalition" letter dated September 17, 1990 was written, placing Charles R. Phillips in Lafayette, Louisiana at 424 W. Vermilion, the "flyer" (Exhibit "M") appeared, bearing the identification "Christians for Conservative Government," for which no filing can be found in Louisiana or with the FEC.

Example of Misrepresentation

On May 3, 1989, Charles R. Phillips responded to an April 19, 1989, inquiry from the Federal Election Commission concerning the activities of the American Coalition for Legislative Reform (Exhibit "B-1").

That letter contained the following representation:

We are not connected to any organization and there are no other committees or other organizations which would share in organization or financing.

9304094650

We have made arrangements to open a checking account at this bank:

Texas Commerce Bank
P. O. Box 10250
San Antonio, Texas

That May 3, 1989 letter on behalf of (a.) American Coalition for Legislative Reform was written on the stationary of (b.) American Congress for Legislative Reform, and mailed to the FEC in an envelope bearing the printed return address of (c.) Coalition of Politically Active Christians p.a.c.

The Texas Commerce Bank may or may not be a depository for the American Coalition for Legislative Reform, but clearly NBC Bank, the depository listed by Coalition of Politically Active Christians has acted as depository for the American Coalition for Legislative Reform as evidenced by the check issued to P. O. Piazza (Exhibit "E").

Conclusion

The principals of "Coalition" and "Thibodaux," Charles R. Phillips, Richard Martin, and David Thibodaux conspired to violate FEC restrictions and reporting requirements in order to: (1) disguise illegal campaign contributions from individuals in excess of legal maximum amounts and; (2) conduct the "negative" arm of a Congressional campaign without it being attributed to the candidate's own political committee.

These are the facts set out in fully documented detail. Their consequences and legal terms are broad and serious. In particular:

The so-called American Coalition for Legislative Reform was plainly established to operate in support of the Thibodaux principal campaign committee, and under its control. The mailing that it financed specifically refers to the "authorization" of the Thibodaux Committee. Accordingly, the American coalition for Legislative Reform is nothing but an "affiliated committee" of the David Thibodaux for Congress Committee and --

- It was required to identify itself as an "affiliated committee" in its Statement of Organization filed with the Commission and having failed to do so, it violated Section 433 of the FECA.
- Contributors to his affiliated committee must be treated also as contributors to the Thibodaux Committee. Since there are common contributors, and their combined contributions to the two committees exceed their lawful limit these individuals must be charged with a violation of Section 441a of the Act limiting individual contributions to federal candidates to \$1,000 per election.
- The mailing financed by the Coalition of Legislative Reform was financed through these illegal contributions. In effect, the contributors to the Coalition made an in-kind contribution to Mr. Thibodaux, in excess of their individual contribution limitations, in the form of a mailing falsely described as paid by the "American Coalition for Legislative Reform." Accordingly, these individual contributors made a "contributions in the name of another" in violation of 441f of the FECA.

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- 9 3 0 4 0 9 4 6 5 2
- The disclaimer appearing on the mailing required by Section 441d of the FECA, improperly suggested that the Coalition was somehow a free-standing committee whose activities had merely been "authorized" by Mr. Thibodaux. In fact, the mailing was a Thibodaux mailing financed through an "affiliate," and the disclosure requirements of Section 441d of the FECA were violated.
 - Other organizations of a similarly fictitious character lent their resources in one form or another to this illegal scheme. These include the Christians for Conservative Government, the American Congress for Legislative Reform and the Coalition of Politically Active Christians. All of these organizations operating under the control of Thibodaux and in support of his principal campaign committee should, if not registered with the FEC, have registered Christians for Conservative Government and the American Congress for Legislative Reform and if registered identify themselves as an affiliated committee (the Coalition of Politically Active Christians). The failure to do so has resulted in their collective violation of Section 433 of the FECA.
 - The American Coalition for Legislative Reform made use of a bank depository (NBC Bank) which was not identified on its Statement of Organization. This represents a separate and violation of Section 433 of the FECA.
 - Each of these reporting violations also apply to the David Thibodaux for Congress Committee which is compelled under the statute to identify on its own Statement of Organization all "affiliates" are operating on its behalf. Accordingly, the Thibodaux Committee violated Section 433 of the FECA.
 - The David Thibodaux for Congress Committee is also separately responsible for the acceptance of contributions in excess of the limits -- contributions made to and in the name of the Coalition for Legislative Reform -- and it is therefore independently liable for a violation of Section 441a of the FECA as it applies to its receipt of those contribution.

What the facts also demonstrate is that these are not garden-variety violations but ones plainly evidencing a "knowing and willful" intent to disobey federal law. The scheme reflected in this complaint is intricate in all of its details: fictitious committees, unreported bank accounts, hand-in-glove work with the David Thibodaux for Congress Committee while independence, and false representations to the general public about its nature and its purposes. This includes Mr. Phillips' letter of May 3, 1989, to the FEC claiming that the Coalition is "not connected to any organization." This is:

- A violation of 18 U.S.C. S 1001, prohibited the making of false statements in filing with or other such representations to the United States Government.

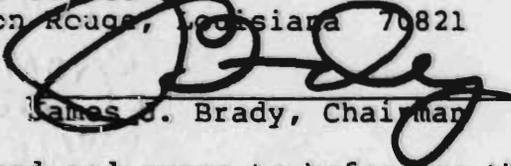
In these circumstances it is apparent that Commission must proceed to investigate this case with every initial assumption that the violations in question were knowing and willful. This, of course, has significant consequences for the civil penalty which will be ultimately assessed in the

matter, authorized by the Congress to be set at a level several 100 percent greater than that imposed for inadvertent violations.

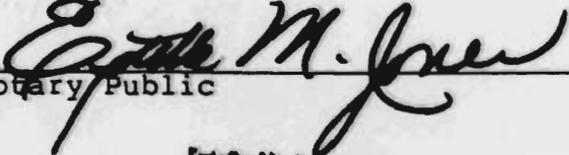
9304094653

COMPLAINT:

Democratic State Central Committee of Louisiana
Post Office 4385
Baton Rouge, Louisiana 70821

By: 
James J. Brady, Chairman

Signed and sworn to before me this 23rd day of May 1991.


Notary Public

Estelle M. Jones
Notary Public, District of Columbia
Commission Expires October 14, 1992

A

FEDERAL ELECTION COMMISSION
 1989-1990
 COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE: 11/18/91

PAGE: 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	PAGES	MICROFILM LOCATION
AMERICAN COALITION FOR LEGISLATIVE REFORM						
CONNECTED ORGANIZATION: NONE						
(D #00205812 NON-PAGE: NON-QUALIFIED)						
	1989 STATEMENT OF ORGANIZATION			2785009		1 90REC/506/2472
	REQUEST FOR ADDITIONAL INFORMATION			2284809		1 90REC/507/3006
	STATEMENT OF ORGANIZATION - AMENDMENT			984709		1 90REC/504/3425
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1347209		1 90REC/507/0937
	MID-YEAR REPORT	0	0	1JAN89 -31JUL89		1 90REC/604/0608
	MID-YEAR REPORT - AMENDMENT	0	0	1JAN89 -31JUL89		1 90REC/645/0915
	REQUEST FOR ADDITIONAL INFORMATION			1JAN89 -31JUL89		1 90REC/647/2097
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JAN89 -31JUL89		1 90REC/644/5049
	YEAR-END	0	0	31JUL89 -31JAN90		1 90REC/627/0088
	1-YR LETTER INFORMATIONAL NOTICE			31JUL89 -31DEC89		1 90REC/622/1797
	APRIL QUARTERLY	0	0	1JAN90 -15APR90		1 90REC/636/2354
	JULY QUARTERLY	0	0	1APR90 -30JUN90		1 90REC/655/0864
	PRE-PRIMARY	10,610	10,257	1JUL90 -14SEP90		1 90REC/657/1304
	PRE-PRIMARY - AMENDMENT			1JUL90 -14SEP90		1 90REC/676/417
	REQUEST FOR ADDITIONAL INFORMATION			1JUL90 -14SEP90		1 90REC/662/0619
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL90 -14SEP90		1 90REC/670/3657
	OCTOBER QUARTERLY	0	0	15AUG90 -16NOV90		1 90REC/678/3654
	YEAR-END	0	350	26OCT90 -31JAN91		1 90REC/686/3053
	TOTAL	10,610	10,612			45 TOTAL PAGES

9304094654

B-1

May 1, 1999

Mr. Ross S. Hageman
Federal Election Commission
Washington, D.C. 20462

Dear Mr. Hageman:

This letter is in reply to our conversation on April 19, 1999, regarding the questions about the American Coalition for Legislative Reform.

We are not connected to any organization and there are no committees or other organizations which would share in organizing or financing.

We have made arrangements to open a checking account at this bank:

Texas Commerce Bank
P.O. Box 10250
San Antonio, TX 78210

If you need any information you would like regarding the American Coalition for Legislative Reform, please contact:

Mr. [Name] at [Address] or [Phone Number] regarding completed regulations and activities.

Charles D. Kelly

9304094655

87035943425

American Coalition...
1400 N. Flores P.O. Box 701267
San Antonio, Texas 78270

- TYPE OF COMMITTEE (check one)
- (a) This committee is a political campaign committee, (complete the committee information below.)
 - (b) This committee is an authorized committee, and is NOT a political campaign committee. (Complete the committee information below.)
 - (c) This committee supports/opposes only one candidate, (Name of Candidate) and is NOT an authorized committee.
 - (d) This committee is a (National, State or local) committee of the (Democratic, Republican, etc.) Party.
 - (e) This committee is a separate segregated fund.
 - (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship

Type of Connected Organization
 Corporation Corporation with Capital Stock Other Organization Membership Organization Trade Association Committee

7. Custodian of Records: Identify by name, address (phone number - optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position
Charles R. Phillips	P.O. Box 701267 San Antonio, Texas 78279	

8. Treasurer: List the name and address (phone number - optional) of the Treasurer of the committee and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address	Title or Position
Charles R. Phillips	P.O. Box 701267 San Antonio, TX 78270	Treasurer

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
Texas Bank of Commerce	

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

TYPE OR PRINT NAME OF TREASURER	SIGNATURE OF TREASURER	DATE
Charles R. Phillips	<i>Charles R. Phillips</i>	2/24/89

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. 9407. ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS.

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B-3

USE FEC MAILING LABEL OR POST

TYPE OR PRINT

00239012 CHARLES B. PHILLIPS AMERICAN COALITION FOR A FREE REPORT PO BX 74267 SAN ANTONIO TX 78270	1. FEC IDENTIFICATION NUMBER 600 22 5012
---	--

TYPE OF REPORT

April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report

Monthly Report Due On:

 February 28 June 30 October 31

 March 31 July 31 December 31

 April 30 August 31 January 31

 May 31 November 30

Twelve day report preceding October 1 in the State of California

Twelve day report following the General Election in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<u>July 1, 92 through Sept 30, 92</u>		
6. (a) Cash on Hand January 1, 19 <u>92</u>			\$
(b) Cash on Hand at Beginning of Reporting Period		\$ <u>100</u>	\$ <u>100</u>
(c) Total Receipts (from Line 1b)		\$ <u>10610</u>	\$ <u>10710</u>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ <u>10710</u>	\$ <u>10710</u>
7. Total Disbursements (from Line 2b)		\$ <u>10297</u>	\$ <u>10257</u>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ <u>453.00</u>	\$ <u>453.00</u>
9. Debts and Obligations Owed TO the Committee (Reported as on Schedule C and/or Schedule D)		\$ <u>0</u>	
10. Debts and Obligations Owed BY the Committee (Reported as on Schedule C and/or Schedule D)		\$ <u>0</u>	

For further information contact:
 Federal Election Commission
 900 E Street, NE
 Washington, DC 20543
 Toll Free 800-426-6830
 Local 202-376-3130

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

Type or Print Name of Treasurer: Charles Phillips

Signature of Treasurer: Charles Phillips

Date: 9/24/92

NOTE: Submission of false, erroneous, or misleading information may subject the person signing the Report to the penalties of 2 U.S.C. § 532b.

FEC FORM 3X
Revised 6/91

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20036571304

B-4

Name of Committee (in full)	Amount Received (in full)	Amount Disbursed (in full)
American Conservative Party		
I. RECEIPTS		
11 CONTRIBUTIONS (other than loans) (PACs)		
(a) Individuals/Persons Other Than Political Committees		
(i) Reported (see Schedule A)	10,340	10,340
(ii) Unreported	0	0
(iii) Total of contributions from individuals	10,340	10,340
(b) Political Party Committees	0	0
(c) Other Political Committees (such as PACs)	0	0
(d) TOTAL CONTRIBUTIONS (add 11(a)(i), (b), and (c))	10,340	10,340
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	0	0
13 ALL LOANS RECEIVED	0	0
14 LOAN REPAYMENTS RECEIVED	0	0
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	0	0
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	0	0
17 OTHER RECEIPTS (Eminent Domain, Interest, etc.)	0	0
18 TOTAL RECEIPTS (add 11(d), 12, 13, 14, 15, 16 and 17)	10,340	10,340
II. DISBURSEMENTS		
19 OPERATING EXPENDITURES	1210	1210
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	0	0
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	547.00	547.00
22 INDEPENDENT EXPENDITURES (see Schedule E)	3100.00	3100.00
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 441a(d)) (see Schedule F)	0	0
24 LOAN REPAYMENTS MADE	0	0
25 LOANS MADE	0	0
26 REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees	0	0
(b) Political Party Committees	0	0
(c) Other Political Committees (such as PACs)	0	0
(d) TOTAL CONTRIBUTION REFUNDS (add 26(a), (b), and (c))	0	0
27 OTHER DISBURSEMENTS	540.00	540.00
28 TOTAL DISBURSEMENTS (add 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	10,257.00	10,257.00
III. NET CONTRIBUTIONS/OPERATING EXPENDITURES		
29 TOTAL CONTRIBUTIONS (other than loans) (from Line 11(d))	10,340	10,340
30 TOTAL CONTRIBUTION REFUNDS (from Line 26(d))	0	0
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from 29)	10,340	10,340
32 TOTAL OPERATING EXPENDITURES (from Line 19)	1210	1210
33 OFFSETS TO OPERATING EXPENDITURES (from Line 15)	0	0
34 NET OPERATING EXPENDITURES (subtract Line 33 from 32)	1210	1210

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B-5

SCHEDULE A

ITEMIZED RECEIPTS

Any information received from such Reports and Statements may not be sold or used by any person for the purpose of collecting 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)

American Coalition for Legislative Reform

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date Received (m, day, year)	Amount of Each Receipt (this Period)
<i>MR JACK HANSTON JR RT 5 BX 3617 Salphus 70663</i>	<i>Hanston Co</i>	<i>Apr 5 90</i>	<i>2500.00</i>
Reason For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Occupation: <i>oil</i>	Aggregate Year-to-Date: <i>2500</i>	
<i>MR JACK HANSTON JR BX 3615 Salphus 70663</i>	<i>Hanston Co</i>	<i>Sept 5 90</i>	<i>2500.00</i>
Reason For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Occupation: <i>oil</i>	Aggregate Year-to-Date: <i>2500</i>	
<i>MR JOHN CHASE P.O. BX 52029 LA Fayette 70505</i>	<i>Chase Corp</i>	<i>Sept 8 90</i>	<i>2500.00</i>
Reason For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Occupation: <i>oil</i>	Aggregate Year-to-Date: <i>2500</i>	
<i>MRS JANE CHENEY 130 TURN CIRK LA Fayette 70503</i>		<i>Sept</i>	<i>2500.00</i>
Reason For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General	Occupation: <i>Home Wife</i>	Aggregate Year-to-Date: <i>2500</i>	
<i>MR JOHN BROWN 123 NORTH AVE Jax Louisiana 79422</i>		<i>July 18 90</i>	<i>550.00</i>
Reason For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Occupation: <i>Retired</i>	Aggregate Year-to-Date: <i>550.00</i>	
<i>MR PAT J. HALLER</i>	<i>Edie Haller</i>	<i>Aug 12 90</i>	<i>500.00</i>
Reason For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Occupation: <i>Sale</i>	Aggregate Year-to-Date: <i>500.00</i>	
<i>Charles Phillips P.O. BX 701307 SALPHUS 70270</i>		<i>Aug 8 90</i>	<i>700.00</i>
Reason For: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General	Occupation: <i>Sale</i>	Aggregate Year-to-Date: <i>700.00</i>	

SUB-TOTAL of Receipts This Page (optional) *10,200.00*

TOTAL This Period (last page this line number only) *10,200.00*

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SCHEDULE A

(ITEMIZED RECEIPTS)

Any information shown from each Report and Statement may not be sold or used by any person for the purpose of making 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)

American Coalition for Legislative Reform

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt (this Period)
<i>Dr. Howard Burch 1121 Center Blvd LA Fayette LA 70503</i>	<i>Self</i>	<i>7/17/90</i>	<i>5.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation: <i>Doctor</i>	Aggregate Year-to-Date: <i>25.00</i>	
<i>JOHN V. Guesic 231 Rivulet Dr Youngsville 70592</i>	<i>Self</i>	<i>9/14/90</i>	<i>25.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation: <i>Self</i>	Aggregate Year-to-Date: <i>25.00</i>	
<i>MICHAEL F. KANGIC 319 Wood Bluff LA Fayette LA 70503</i>	<i>Requested</i>	<i>9/14/90</i>	<i>25.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation:	Aggregate Year-to-Date: <i>25.00</i>	
<i>Daniel Chehert P.O. Box 300 Angola Louisiana</i>	<i>Requested</i>	<i>9/15/90</i>	<i>10.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation:	Aggregate Year-to-Date: <i>10.00</i>	
<i>Faye Athin 139 La Rose Vil LA Fayette 70508</i>	<i>Requested</i>	<i>9/17/90</i>	<i>25.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation:	Aggregate Year-to-Date: <i>25.00</i>	
<i>Douglas J. BROWN 2807 5th Ave Lake Charles LA 70601</i>	<i>Self</i>	<i>9/14/90</i>	<i>25.00</i>
Receipt For: <input checked="" type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation: <i>Real Estate</i>	Aggregate Year-to-Date: <i>25.00</i>	
<i>[Empty]</i>	<i>[Empty]</i>	<i>[Empty]</i>	<i>[Empty]</i>
Receipt For: <input type="checkbox"/> Primary <input type="checkbox"/> General Other (specify):	Occupation:	Aggregate Year-to-Date: <i>0</i>	

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SUBTOTAL of Receipts This Page (optional)	<i>160.00</i>
TOTAL This Period (last page this line number only)	<i>110.00</i>

B-7

SCHEDULE B ITEMIZED DISBURSEMENTS

For each category of the Budgetary Plan
 FOR LINE NUMBER

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

NAME OF COMMITTEE OR PAID
American Coalition for Legislative Reform

930409466
 21136571306

Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
22000 Angeles 110 Loop 410 New Se St. Antonio 78216	Congress of the Allies	July 15/90	75.00
1001 743 78503	Congress of the Allies	July 15/90	50.00
Phil Hunter 785087 78351	Bob Rank Fox Pallas	July 15	60.00
Joe O'Dell 2212 N. N. Ave 77901	Congress of the Allies	July 15	50.00
22150 27245 71755	Unity of Buckle	July 15	50.00
Richard Reichers 500 N 11th Austin 78701	Congress of the Allies		50.00
203 Pacific Ave 78087	Priority	6/11	150.00
Martin Group 609 West Red Bird Ln Denton TX 75116	Priority	9/19/90	160.00
Bay Bays P.O. Box 866 Metairie Louisiana	U.S. Senate Amator Polling Unit V	9/14/90	200.00
SUBTOTAL of Disbursements This Page (optional)			9047.00
TOTAL This Period (not over the line number only)			9047.00

B-8

FEDERAL ELECTION COMMISSION
FAR FORM 7000

91 FEB - 2000

USE PREPARED LABELS
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (SEE INSTRUCTIONS)

American Coalition for Legislative Reform

ADDRESS (number and street) (check if different than previously reported)

P.O. Box 200068

CITY, STATE and ZIP CODE

Austin, TX 78720

2. THE IDENTIFICATION NUMBER

C 0023 5912

3. This committee qualified as a non-federally financed committee (SCHEDULE THIS REPORTING PERIOD AS _____)

4. TYPE OF REPORT

April 15 Quarterly Report

July 15 Quarterly Report

October 15 Quarterly Report

January 31 Year End Report

July 31 Mid Year Report (Non-election Year Only)

Termination Report

Monthly Report Due On:

<input type="checkbox"/> February 28	<input type="checkbox"/> June 30	<input type="checkbox"/> October 31
<input type="checkbox"/> March 31	<input type="checkbox"/> July 31	<input type="checkbox"/> November 30
<input type="checkbox"/> April 30	<input type="checkbox"/> August 31	<input type="checkbox"/> December 31
<input type="checkbox"/> May 31	<input type="checkbox"/> September 30	<input type="checkbox"/> January 31

Twelve day report preceding _____ (Type of Session)

held on _____ in the State of _____

Twelve day report following the General Election on _____ in the State of _____

12. Is the Report an Amendment? YES NO

2
1
J
3
5
3
6
3
0
5
3

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<i>May 26 through Jun 31</i>		
6. (a) Cash on Hand January 1, 19__			\$
(b) Cash on Hand at Beginning of Reporting Period		\$ <i>459.⁰⁰</i>	
(c) Total Receipts (from Line 10)		\$ <i>0</i>	\$ <i>10710</i>
(d) Subtotal (add Lines 6(a) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ <i>0</i>	\$ <i>10710</i>
7. Total Disbursements (from Line 20)		\$ <i>355.⁰⁰</i>	\$ <i>11065</i>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ <i>98.⁰⁰</i>	\$ <i>96.⁰⁰</i>
9. Debts and Obligations Owed TO the Committee (itemize as on Schedule C and/or Schedule D)		\$	For further information contact: Federal Election Commission 999 E Street, NE Washington, DC 20003 Tel: 800-424-9529 Local: 202-376-3120
10. Debts and Obligations Owed BY the Committee (itemize as on Schedule C and/or Schedule D)		\$	

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

Type or Print Name of Treasurer

Charles R Phillips

Signature of Treasurer

Charles Phillips

Date

4/23/91

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing the Report to the penalties of 3 U.S.C. 6457c.

FEC FORM 7000
(revised 4/87)

9304094662

B-10

9304094664



Coalition Of Politically Active Christians *inc.*
P.O. Box 701267
San Antonio, Texas 78270



970364503

GOVERNOR'S SPECIAL

Federal Election Commission
999 E. St. N.W.

Washington, D.C. 20463

Kenneth A. Davis, Jr.

90 JUL -6 2:11:01

EXHIBIT C

C

THIBODAUX FEC REPORT EXCERPTS

APRIL 15 QUARTERLY

SCHEDULE A RECEIPTS
PAGE NO.

NAME

DATE

AMOUNT

1	Mrs. Jack Lawton, Sr.	1/31/90	\$1000.00
3	Jack Lawton	2/01/90	\$1000.00
7	John Chance	3/27/90	\$1000.00

9304094665

D

1 of 2

September 17, 1990

Mr. P. C. Piazza
213 Claudia Drive
Lafayette, LA 70507

Re: Taxpayer's Alert

Dear Mr. Piazza:

Please let this confirm our telephone conferences of September 17, 1990 concerning your one photograph, Representative Jimmy Hayes sitting on his Ferrari, which was published in the Tax Payer's Alert. As I described to you, our research did not reveal any copyright on the photograph, even in the original piece in Louisiana Life. We had no knowledge of your copyrighting the photograph, or we would certainly have requested your permission. Let me acknowledge the photograph was not solicited from you, and we only learned of your involvement with the copyrighted photograph, when you contacted me after the Taxpayer's Alert was published.

We have no desire to unauthorizedly use the photograph, which has been so copyrighted, and therefore have agreed to pay you \$1,500.00, or ten times your daily rate, for the one-time use of the photograph in this piece, the Taxpayer's Alert, to the extent of publication, approximately 500,000 copies.

We wish to thank you for contacting us and appreciate the reasonable nature in which you approached us about the photograph.

Please let this letter also confirm you are the sole holder of rights to the photograph and that, to your knowledge, no one else is authorized or empowered to present any suit with respect to the use of the photograph. By these agreements, you have released all relevant parties with respect to any legal action and agree not to

9304094666

Mr. P. C. Piazza
September 17, 1990
Page -2-

D
Zotz

file suit against anyone for the use of the picture of Mr. Hayes
(described above) in the Taxpayer's Alert.

With kind personal regards, I remain,

Yours very truly,

By: Charles Phillips
Charles Phillips
424 West Vermilion
Lafayette, Louisiana

Witness:

Richard Martin

P. C. Piazza
P. C. PIAZZA

0362K

9304094667

E

American Coalition for Legislative Reform

 NBC Bank AMERICA'S BANK
P.O. BOX 8870 AUSTIN, TEXAS 78781 512784-4111

9 17 1990

PAY TO THE
ORDER OF

Peter Piazza

\$ 1500.00

One Thousand Five Hundred and No/100

DOLLARS

	FOR USE OF PHOTO		
	1500.00		

Charles R. Philippi

⑆114907099⑆

⑆09784977⑆

9304094668

F-1

THE THREE FACES OF HAYES...



HAYES THE BANKER

As State Commissioner of Financial Institutions under Edwin Edwards, Hayes wrote the rules to the game he would soon play.



HAYES THE ATTORNEY

As an Attorney, he played the game of high finances. Unfortunately for the taxpayers, he lost the game. At the end of his hayride, Hayes defaulted on nearly \$2 million worth of loans to Commerce and Energy Bank and First Louisiana Savings and Loan.



HAYES THE CONGRESSMAN

As Congressman, Hayes now protects himself from the game he lost. A Congressman's salary cannot be garnished. Also, Hayes voted conflict of interest on the Savings and Loan bailout vote. Our question is, "Whose interest?"

Chief Financial Officer for Commerce and Energy Bank Calls Hayes Action into Question

from the desk of
Joseph B. Wolf

Dear Editor:

Congressman Jimmy Hayes is certainly generous with other people's money.

Jimmy Hayes has signed documents admitting that he owes, and is unable to pay, nearly \$2 million, plus interest, to two banks in Lafayette which later failed.

The failure of the two banks cost the shareholders of the banks, our fellow citizens and voters of Lafayette, all of the money they had invested in the stock of these institutions - about \$15 million total.

Instead of paying away money, he should use what he owns or learns to repay his obligations. Debts such as these do not go away when a bank fails. Debts such as these become the property of either the FDIC or the bank which takes over the failed bank.

A man such as Jimmy Hayes who so shamelessly flaunts his amazing willingness to ignore his sworn commitment, prefaced with the simple and exact phrase, "I promise to pay," is unqualified to represent the working men and women of southwest Louisiana, for whom their word is their bond, in the Congress of the United States.

Sincerely,
Joseph B. Wolf

EDITOR'S NOTE: Wolf is the former chief financial officer of Commerce & Energy Bank, one of the institutions referred to in this letter. Mr. Wolf's letter originally appeared in the December 6 1981 issue of The Times of Acadiana.

AMERICAN COALITION FOR LEGISLATIVE REFORM NEEDS YOUR HELP NOW!

The election is October 5. This means we have to work fast if we are going to defeat the S & L kingpins in the fall elections. Your donation today will help us produce more mailings, more radio spots and more newspaper ads. In short, your donation will help us reform our own Congress.

CAN WE COUNT ON YOU?

- Yes, enclosed is my contribution of:
- \$100 \$50 \$25 Other

Name: _____

Address: _____

City: _____ Zip: _____

Mail all donations to:
American Coalition for Legislative Reform
P.O. Box 55816
Lafayette, LA 70518

Paid for by the American Coalition for Legislative Reform
Authorized by The David Thibodeaux for Congress Campaign

9304094669



Congressman Jimmy Hayes - "Uses position to protect Financial Dealings."

"He used the hard-earned cash of the stockholders and depositors of Commerce and Energy Bank... And then Jimmy Hayes defaulted."

ALL INFORMATION IN THIS PUBLICATION IS SECURED FROM PUBLIC RECORDS FOUND IN THE LAFAYETTE PARISH COURTHOUSE

CONGRESSMAN HAYES TIED TO THE S & L DISASTER

Lafayette Parish Courthouse records indicate that Congressman Jimmy Hayes has defaulted on loans totaling nearly \$2 million to two Lafayette financial institutions which were declared insolvent by Federal authorities. Courthouse records indicate that Hayes has judgments against him for \$1.2 million from Commerce & Energy Bank and \$476,000 from First Louisiana Savings & Loan. In addition, recent Federal Elections Commission reports filed by Jimmy Hayes confirm that as of May 15, 1990, Mr. Hayes' 1986 campaign is still in debt for another \$207,000.

Jimmy Hayes' wheeling and dealing is a classic example of the S & L "shell game" for which taxpayers are now being asked to pay. Recent estimates show that the S & L bailout will cost every man, woman and child \$2,500. In other words, a family of four will have to pay a total of \$10,000 to make up for the greedy S & L gamblers.

The rise and fall of Jimmy Hayes began in

April of 1983 when Hayes contributed \$45,000 to Edwin Edwards. The following year, Edwards appointed Hayes State Commissioner of Financial Institutions. In 1986, Hayes resigned as Finance Commissioner and decided to run for Congress. Hayes borrowed one million dollars from the bank he helped found, Commerce & Energy Bank. Unbelievably, Hayes then took \$419,000 of that one million and loaned it to his Congressional Campaign. It was widely believed, at the time, that Hayes was spending his own wealth on the race. In fact, he was spending borrowed money, money Hayes has yet to pay back. Money that C & E Bank would later struggle in vain to retrieve in order to stay solvent.

By June of 1987, it was obvious to the financial community that Commerce & Energy Bank was in trouble. Jimmy Hayes now knew that he could not get any more loans from Commerce & Energy. In a desperate attempt to find more cash, Congressman Hayes used his congressional influ-

ence and called on First Louisiana Savings & Loan for a loan.

You won't believe what you are about to read. First Louisiana Savings loaned Congressman Hayes \$575,000. And guess what Hayes gave First Louisiana for collateral? His 39,000 shares of now almost worthless Commerce & Energy stock. And if that were not enough, only six months later, Hayes defaulted on First Louisiana without ever making one payment!

On May 24, 1989, Commerce & Energy Bank was declared insolvent and seized by the FDIC. (On the day of the seizure, C & E Bank was indebted for approximately \$2.2 million, \$1 million of that amount was Jimmy Hayes' defaulted loans.)

On November 2, 1989, First Louisiana Savings & Loan was declared insolvent and taken over by FSLIC.

Hayes 1986 Campaign Still in Debt For \$207,000

While Jimmy Hayes is raising and spending money for his 1990 congressional re-election, his 1986 campaign still has not paid its outstanding debt of \$207,000.

This debt stems from a typical S & L maneuver involving power, influence, money and greed... a deadly brew.

In 1986 Jimmy Hayes borrowed \$1 million from Commerce and Energy Bank, a bank which he co-founded. Hayes took \$419,000 out of that million and loaned it to his 1986 campaign fund. As collateral his campaign committee gave him a



"junk bond" in the form of a \$419,000 I.O.U.

Voters are now realizing that Hayes used their money to get himself elected Congressman in 1986. Voters are also angry that Hayes has raised and spent \$150,000 in his present campaign while still owing on his 1986 campaign. Question: Would a any honorable person pay off his old debt before spending more money on himself? And what kind of chance would you have in borrowing \$407,000 to run for political office? And what would happen to you if you didn't pay it back?

S & L Interests Pad Hayes Campaign

Our research people poked around the Federal Elections Commission's public records and found that not only did S & L interests fleece the taxpayers, but they also contributed to many congressional campaigns, including Louisiana Congressman Jimmy Hayes. Searching through the public records, we even found that Hayes received contributions from at least one bank in Houston, Texas. We found it strange that a bank in Houston would want to contribute to a Congressman in Louisiana. After all, Houston has its own Congressman.

For your information, the following financial organizations have made financial contributions to Jimmy Hayes' congressional campaigns:

- First Commerce Corp. (N.O.)
- Savings Assoc. of Louisiana (N.O.)
- Louisiana Bankers Assoc. (B.R.)
- Savings Assoc. of Louisiana (B.R.)
- M Bank (Houston, Texas)
- Association of Bank Holding Companies (Washington, D.C.)
- Lakeside National Bank (Lake Charles)

In addition to these bank and S & L PACs, we found that several key financial individuals have contributed to Hayes including the past presidents of the now defunct Commerce and Energy Bank and First Louisiana.

We just thought you should know...

9304094670

"MAKIN' YOUR BIG" AN EDITORIAL

Makin' your big. It's an old Cajun expression. It means "coming into your own," "making the grade," "arriving," but it implies much more. It implies hard work, character and down right stick-to-it-ness.

Even Cajun babies when someone they know makes their big; when a friend gets his piece of the American Dream. They rejoice unless that person makes his big at someone else's expense. When that happens, it saddens everyone.

In this year's Congressional race, we have a man who tried to make his big at our expense. That man is Congressman Jimmy Hayes. He fooled us in the 1986 election when he first got elected. We all thought he was campaigning with his own wealth when, in fact, he was tampering with borrowed money.

He used the hard-earned cash of the stockholders and depositors of Commerce and Energy Bank. Now, there's nothing wrong with borrowing a few dollars to fix your house or buy your car. But there is something seriously wrong when an individual borrows not \$10,000 or \$20,000. Not even \$100,000. No folks, Congressman Hayes borrowed \$419,000 of our money to get himself elected to the Congress. And then Jimmy Hayes defaulted. He defaulted not only on Commerce & Energy Bank, but also First Louisiana Savings & Loan, both of which were declared insolvent.

Now, I have nothing personal against Jimmy Hayes. I just happen to believe that if any other working stiff like me or you would have done what this guy has done, we would be in the halls of that brick building downtown and not in the halls of Congress.

Well, I've said my piece. I think you know where I stand.

For the past four years Congressman Hayes tried to make his big at our expense. I think he sent us a message that he just doesn't care about the working people of Acadiana. On October 6, I say we send a message back to him.



THE LOUISIANA HAYES RIDE: RIDING HIGH DURING THE 80'S

A \$140,000 sports car and mobile phones were not too much to ask for Jimmy Hayes, here he is seated on the hood of his Italian-made Ferrari at the beginning of the Hayes "ride."

Chronology

Chronology of Congressman Jimmy Hayes' Financial Dealings

- Oct. 1981 - Hayes is founding counsel of Commerce & Energy Bank.
- Aug. 1983 - Hayes donates \$45,000 to the Edwin Edwards' campaign for governor.
- Mar. 1984 - Hayes is appointed Commissioner of Financial Institutions by Governor Edwards. Hayes rewrites the banking code of Louisiana.
- June 1985 - Hayes resigns as Banking Commissioner and announces his candidacy for Congress.
- Dec. 1985 - Hayes borrows over one million dollars (\$1,075,000) from Commerce & Energy Bank and then loans \$419,000 to his Campaign Committee. Hayes accepts political contributions from major S & L and Banking PACs and from the Chairman and President of both Commerce & Energy Bank and First Louisiana Federal Savings Bank. (Over \$50,000 from financial institution interests.)
- Nov. 1986 - Hayes is elected to Congress.
- Nov. 1986 - It becomes public that Hayes is legally in debt on loans from Commerce & Energy Bank for over one million dollars.
- Dec. 1986 - Hayes receives an advancement of \$1,125,974 from Commerce & Energy Bank.
- June 1987 - Hayes borrows \$575,000 from First Louisiana Federal Savings and Loan using 29,000 shares of Commerce & Energy stock as collateral. Stock is valued at only \$150,000.
- Nov. 1987 - Six months later, Hayes defaults on loans from First Louisiana S & L without even making one payment.
- Dec. 1987 - Hayes borrows \$850,000 from Commerce & Energy
- Oct. 1988 - Hayes defaults on loan from Commerce & Energy for \$850,000.
- Nov. 1988 - Hayes is sued by Commerce & Energy and First Louisiana Federal Savings & Loan for over \$1.5 million dollars in principle and interest. Consent judgments are rendered against Hayes in favor of Commerce & Energy Bank and First Louisiana Federal Savings & Loan.
- May 1989 - Six months later, Commerce & Energy Bank is declared insolvent and seized by the FDIC. It is then taken over by Mid-South Bank.
- June 1989 - Hayes votes "Conflict of Interest" on the Savings and Loan Restructuring Bill and amendments.
- Nov. 1989 - First Louisiana Federal Savings & Loan is declared insolvent and is taken over by the FSLIC.
- Jan. 1990 - Hayes named 30th richest member of Congress by Roll Call magazine on January 22 and by Forbes magazine on February 19.
- Aug. 1990 - Commerce & Energy Bank currently holds a consent judgment against Jimmy Hayes for \$936,442.14. First Louisiana Federal Savings & Loan currently holds a consent judgment against Hayes for \$613,085.

FLASH!!!

As this edition was going to press, it was learned that Jack Hayes paid \$100,000 to Mid-South Bank (formerly Commerce and Energy Bank) to clear his son, Congressman Jimmy Hayes, from a \$1 million debt. That's getting out of debt for 10c on the dollar. Guess who pays the difference!

9 3 0 4 0 9 4 6 7 1

F-4

THIBODAUX CONGRESS



PERSONAL

Born in New Iberia; Resident of Lafayette; 36 years old
Married to former Melody Paul
Father of 5; Daughters: 14, Shannon, 12; Jeremy, 10

EDUCATION

Graduate of Calhoun-Carmel High School, 1971
Bachelor's Degree in Political Science, USL, 1975
Master's Degree in Literature, USL, 1978
Doctor of Philosophy, Kansas State University, 1982

WORK EXPERIENCE

In Agriculture: Farm Hand, 4 years
In Business: 1st Mer. Operator of Theater, 10 years
In Media: Columnist, Times of Acadiana, 1 year
In Education: College Teacher, 15 years.

COMMUNITY SERVICE

Board of Directors, Festivals Academy
Board of Directors & Counselor, Kato Cross Foundation
Board of Directors, Louisiana Council on Human Relations
Executive Committee, Philological Association of Louisiana
Executive Committee, Delta South Writers' Conference
Environment Chairman, Lafayette Parish Hunger Project
Fundraiser for Muscular Dystrophy, Central Park & United Way

9304094672

American Coalition for Legislative Reform Endorses David Thibodaux for Congress

We believe that Congressman Jimmy Hayes is unfit to serve the people of South Louisiana. We believe he should step back from the political arena and get his personal finances in order. We believe that Jimmy Hayes has served the past four years at the expense of the hard-working men and women of South Louisiana.

For these reasons, we enthusiastically endorse David Thibodaux for Congress. Mr. Thibodaux is not a professional politician. He is a professor at the University of Southwestern Louisiana. We feel it is time to have an educator representing South Louisiana, and we feel it is time to deal with the S & L wheeler-dealers by putting them behind us.

**VOTE THIBODAUX
FOR CONGRESS
OCTOBER 6**



THE ISSUES

Circle the Candidate position that most closely represents your personal views. Then decide who should represent you in Washington, D.C.

Issue	Hayes	Thibodaux
Taxes	Voted for \$23.2 billion in new taxes - HR 5545 12/21/87	Opposed to all new taxes
Increased Taxes on the Oil Industry	Voted for a \$100 million increase in the tax on offshore oil - HR 3299 11/21/88	Opposed to all new taxes on the oil industry
Congressional Pay Rate	Voted for a \$40,000 a year pay raise - HR 3559 11/15/88	Opposed to the Congressional Pay Raise
Budget Deficit	Voted against a balanced budget amendment	Supports a balanced budget amendment
Labor Unions	Has voted the AFL-CIO position 75% of the time 1987-1988, second highest rating in the Louisiana delegation	A pro-business candidate not a Labor candidate
Chamber of Commerce	Voted pro-business only 58% of the time; not enough (70%) to be considered a "Friend of Business"	Writes a pro-business Congressman
Homosexual and Bisexual Education	Voted for HR 2990 8/2/89 to allow the federal government to spend money to teach about homosexuality and homosexuality in public schools Received a favorable rating from the homosexual/bisexual community	Opposes HR 2990

G

EXHIBIT "G"

THIBODAUX FEC
REPORT

DISBURSEMENT

DATE

AMOUNT

<u>THIBODAUX FEC</u> <u>REPORT</u>	<u>DISBURSEMENT</u>	<u>DATE</u>	<u>AMOUNT</u>
July 15, 1990	Richie Martin 615 N. Red Bird Lane Duncanville, TX	4/24/90	184.00
	Divine Images 615 N. Red Bird Lane Duncanville, TX	6/06/90	1832.00
	Divine Images 615 N. Red Bird Lane Duncanville, TX	5/24/90	690.00
12TH Day Preceding 10/6/90 Primary	Richard Martin	7/05/90	58.59
	Richard Martin	7/10/90	3125.00
	Martin Group	9/10/90	525.00
	Richard Martin	9/12/90	2000.00
	Martin Group	9/13/90	1500.00
October 15, 1990	Richard Martin	9/17/90	50.00
	Martin Group	9/20/90	645.92
	Martin Group	9/21/90	1100.00
	Martin Group	9/24/90	633.00
	Martin Group	9/24/90	568.88
	Martin Group	9/26/90	1792.00
	Martin Group	9/28/90	1429.82
Year End - December 31, 1990	Martin Group		1710.00
			209.44
			1500.00
	Richard Martin		2750.00
	Martin Group		900.00
			895.00
			1000.00
		Total:	<u>25,098.65</u>

9304094673

EXHIBIT H

H

To be inserted as Exhibit "H" is the affidavit of P. C. Piazza.

9304094674



AD ORDER

LOCAL

NATIONAL

CLASSIFIED

PLEASE CIRCLE ONE

ACCOUNT NUMBER

New 9062

Miss. Suburban / Congress

ADVERTISEMENT

COL 3 IN 11 TOTAL

33

MONDAY _____
TUESDAY _____
WEDNESDAY 1/12
THURSDAY _____
FRIDAY 196178
SATURDAY _____
SUNDAY _____
PPER _____

SECTION

General

REMARKS

CO-OP

COLOR ADS

COLOR	NUMBER
COLOR	NUMBER
COLOR	NUMBER

BILLING INFO

RATE

NAME Miss. Suburban / The Mobile Group

ADDRESS 424 W. Vermilion

CITY Pop. La

STATE _____ ZIP 70501

PHONE NUMBER _____

INSERTION ORDER NO. _____

PERSON AUTHORIZING AD _____

PAID-RECEIPT NO. _____ CHECK NO. _____

CHARGE CARD _____ EXP _____

DATE 9/10 SALESPERSON [Signature] NO. _____

The Advertiser

LAFAYETTE, LOUISIANA

ADVERTISING CASH RECEIPT

Date Sept. 11, 1990
 Received of Miss. Suburban Group
 Street 424 W. Vermilion
 City Pop. La State 70501

CLASSIFIED	DISPLAY	RUN DATES
	<input checked="" type="checkbox"/>	<u>196178</u>

AMOUNT \$ 434 CENTS 28

Received By [Signature]

CR. ACCT. NO.

AMOUNT

130

43428

THANK YOU

RECEIPT NO. 82113

J

EXHIBIT J

To be inserted as Exhibit "J" are "Thibodaux" FEC reports indicating the continued use and operation as a campaign headquarters of 421-25 West Vermilion, Lafayette, Louisiana.

Contrary to its FEC address, the "Thibodaux" campaign was conducted from these premises from June, 1990, through October, 1990. Rent and utilities was made as an in-kind contribution in excess of legal limits by Antoine Boustany.

9304094676

Congress of the United States
House of Representatives
Washington, D.C. 20515

K

JIMMY HAYES
7TH DISTRICT, LOUISIANA

September 19, 1990

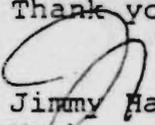
Postmaster
Lafayette, Louisiana

Dear Sir:

This is an inquiry concerning the rentor of P.O. Box 80816,
Lafayette, Louisiana 70598.

The identity of the box holder is hereby requested.

Thank you,


Jimmy Hayes
Member of Congress

The boxholder of P. O. Box 80816, Lafayette, LA
is Jane Blackwell, Scholarship Chairman,
Louisiana Methodist Conference, 118 Huntington Dr.,
Lafayette, LA. 989-8570. 70598


Harry D. Green, Sr.
Postmaster

L-1

STATEMENT OF ORGANIZATION

(See reverse side for instructions)

FEDERAL ELECTION COMMISSION

1. NAME OF COMMITTEE IN FULL (Check if name is changed)
Commission of Patriotically Active Christian

2. DATE
Aug 14 1999

3. REC'D BY
10-33

4. IS THIS STATEMENT AN AMENDMENT?
 YES NO

5. TYPE OF COMMITTEE (Check one)

- (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- | Name of Candidate | Candidate Party Affiliation | Office Sought | State/Circuit |
|-------------------|-----------------------------|---------------|---------------|
| | | | |
- (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(name of candidate)
- (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)
- (e) This committee is a separate segregated fund.
- (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund or a party committee.

Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship

Type of Connected Organization
 Corporation Corporation w/o Capital Stock Labor Organization Membership Organization Trade Association Cooperative

7. Custodian of Records: Identify by name, address (phone number -- optional) and position of the person in possession of committee books and records.

Full Name	Mailing Address	Title or Position
<u>Charles R Phillips</u>	<u>3823 Briarwood</u>	

8. Treasurer: List the name and address (phone number -- optional) of the treasurer of the committee; and the name and address of any designated assistant treasurer.

Full Name	Mailing Address	Title or Position
<u>Charles R Phillips</u>	<u>P.O. Box 701267</u>	<u>Treas</u>

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
<u>Wells Fargo</u>	<u>P.O. Box 5995 San Antonio, Tex 78201</u>

I hereby certify that the information in this Statement and to the best of my knowledge and belief it is true, correct and complete.

NAME OF TREASURER: _____ SIGNATURE OF TREASURER: _____ DATE: _____

0304094678
83036073801

L-2

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Coalition Of Patriotically Active Christians, p.a.c.
P.O. Box 701267
San Antonio, Texas 78270



Federal Election Commission
999 E. Street N.W
Washington D.C.
20463

89 AUG 21 AM 10:33

RECEIVED
FEDERAL ELECTION COMMISSION

L-3



FEDERAL ELECTION COMMISSION

FE-1

SEP 20 1989

Charles R. Phillips, Treasurer
Coalition of Patriotically Active
Christians
3823 Briarmore
San Antonio, TX 78270

Identification Number: C00238089

Reference: Statement of Organization (8/24/89)

Dear Mr. Phillips:

This letter is prompted by the Commission's preliminary review of your Statement of Organization. The review raised questions concerning certain information contained in the Statement. An itemization follows:

-Any affiliated or connected organization must be identified on your Statement of Organization. For further guidance, please refer to 11 CFR 100.5(g) and 100.6. If there are no other committees or organizations with which you share control or financing, please indicate "None" on Line 6. If you do share control or financing with other committees or organizations, please list their names, addresses, and relationships on that line. 11 CFR 102.2.

-Your Statement of Organization was not signed. Please amend your filing by including the original signature of the treasurer or designated assistant treasurer. 11 CFR 102.2(a)(1).

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Todd S. Hageman
Reports Analyst
Reports Analysis Division

304094680

L-4



Coalition Of Patriotically Active Christians p.a.c.

Mr. Todd S. Hageman
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Hageman,

Regarding your letter of Sept. 20, 1989, Coalition of Patriotically Active Christians is not a connected organization. Line 6 on the form should read "None".

I neglected to sign as treasurer.

If there are any further questions, please contact me at A/C512-225-8821.

Sincerely,

Charles Phillips

9304094681
3036110

89 OCT -6 AM 9:22

Amendment to Form 278

L-6



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

RG-2

APR 7 1990

Charles R. Phillips, Treasurer
Coalition of Patriotically Active
Christians
3823 Briarmore
San Antonio, TX 78270

Identification Number: C00238089

Reference: Year End Report dated 1/31/90

Dear Mr. Phillips:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

- Please provide coverage dates for the report referenced above.
- In order for your report to be considered complete, a Detailed Summary Page must be filed. 2 U.S.C. §434(b)
- Please provide the Column A totals for the Summary Page.

A written response or an amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me or our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

A handwritten signature in cursive script that reads "Margo Herbert".

Margo Herbert
Reports Analyst
Reports Analysis Division

L-7



FE-3

March 1, 1990

Charles R. Phillips, Treasurer
Coalition of Patriotically Active
Christians
1823 Briarmore
San Antonio, TX 78270

Identification Number: C00238089

Reference: Year End Report dated 1/31/90

Dear Mr. Phillips:

This letter is to inform you that as of March 28, 1990, the Commission has not received your response to our request for additional information, dated March 7, 1990. That notice requested information essential to full public disclosure of your federal election financial activity and to ensure compliance with provisions of the Federal Election Campaign Act (the Act). A copy of our original request is enclosed.

If no response is received within fifteen (15) days from the date of this notice, the Commission may choose to initiate audit or legal enforcement action.

If you should have any questions related to this matter, please contact Margo Tucker on our toll-free number (800) 424-9530 or our local number (202) 376-2480.

Sincerely,

John D. Gibson
John D. Gibson
Assistant Staff Director
Reports Analysis Division

Enclosure

930409484

L-8

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

90 APR 13 PM 12:50

USE FEC MAILING LABEL
OR
TYPE ON PRINT

1. NAME OF COMMITTEE (Full) <i>Committee of Politically Active Christians</i>		2. FEDERAL IDENTIFICATION NUMBER <i>000000000</i>
ADDRESS (Number, Street) <i>3537 McBlane</i>		
CITY, STATE AND ZIP CODE <i>San Antonio Tex 78211</i>		3. This Committee has had its principal date during this reporting period date

4. TYPE OF REPORT

- a. April 15 Quarterly Report
 - July 15 Quarterly Report
 - October 15 Quarterly Report
 - January 31 Year End Report
 - July 31 Mid Year Report (Non election Year Only)
 - Termination Report
- Monthly Report Due On:
- | | | |
|-------------|--------------|-------------|
| February 20 | June 20 | October 20 |
| March 20 | July 20 | November 20 |
| April 20 | August 20 | December 20 |
| May 20 | September 20 | January 31 |
- Twelfth day report preceding _____
election on _____ in the State of _____
Thirteenth day report following the General Election of _____
in the State of _____
- c. Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
1. Covering Period: <i>January 20 19 20</i> through <i>12-31-97</i>		
2. Cash on Hand January 1, 19 <i>20</i>	\$ <i>0</i>	\$ <i>0</i>
3. Cash on Hand at Beginning of Reporting Period	\$ <i>0</i>	\$ <i>0</i>
4. Total Receipts from Line 18i	\$ <i>0</i>	\$ <i>0</i>
5. Total Disbursements from Line 25	\$ <i>0</i>	\$ <i>0</i>
6. Cash on Hand at Close of Reporting Period (subtract Line 5 from Line 4)	\$ <i>0</i>	\$ <i>0</i>
7. Total Debts Owed TO the Committee (Schedule A, C and of Schedule D)	\$ <i>0</i>	\$ <i>0</i>
8. Total Debts Owed BY the Committee (Schedule B and of Schedule D)	\$ <i>0</i>	\$ <i>0</i>

For further information contact:
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
Toll Free: 1-800-424-9630
Local: 202-478-1110

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

Signature: *[Handwritten Signature]*
Date: *[Handwritten Date]*

9304094685

L-9

DETAILED SUMMARY PAGE
of Receipts and Disbursements
Page 2 of 2 FORM

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date
I RECEIPTS		
1 CONTRIBUTIONS FROM Individuals (Other Than Political Committees) Use Schedule A	0	0
2 CONTRIBUTIONS FROM Political Committees		
3 CONTRIBUTIONS FROM Political Parties		
4 CONTRIBUTIONS FROM Political Organizations and Other Committees		
5 TRANSFERS FROM AFFILIATED OTHER PARTY COMMITTEES		
6 ALL OTHER RECEIPTS		
7 TAX REPAYMENTS RECEIVED		
8 DEFERRED RECEIPTS (Refunds, Rebates, etc.)		
9 REFUND OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
10 OTHER RECEIPTS (Dividends, Interest, etc.)		
11 TOTAL RECEIPTS (add 1-10, 12, 13, 14, 15, 16 and 17)		
II DISBURSEMENTS		
18 OPERATING EXPENDITURES		
19 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES		
20 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES		
21 INDEPENDENT EXPENDITURES (use Schedule E)		
22 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (use Schedule F)		
23 TAX REPAYMENTS MADE		
24 TAXES MADE		
25 REFUND OF CONTRIBUTIONS TO Individuals (Other Than Political Committees) Use Schedule A		
26 CONTRIBUTIONS TO Political Parties (as PACs)		
27 CONTRIBUTIONS TO POLITICAL ORGANIZATIONS AND OTHER COMMITTEES		
28 ALL OTHER DISBURSEMENTS		
29 TOTAL DISBURSEMENTS (add 18-28)		
30 NET CONTRIBUTIONS OPERATING EXPENDITURES	0	0

9304094686

L-10

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

NAME OF COMMITTEE: California Tax 7 PC
 ADDRESS: San Antonio Tex 7 PC
 STATE: TX ZIP: 78101

DATE OF REPORT: 12/26/79
 REPORTING PERIOD: 12/26/79
 DURING THIS REPORTING PERIOD

4 TYPE OF REPORT

- 1. Quarterly Report
- 2. Mid-Year Report
- 3. Year-End Report
- 4. Mid-Year Report (non-election year only)
- 5. Turnover Report
- 6. Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
1. Covering Period: <u>Jan 1 79 through Apr 15 79</u>		
2. Cash on Hand January 1, 19 <u>79</u>	\$ 0	\$ 0
3. Cash on Hand at Beginning of Reporting Period	\$ 0	\$ 0
4. Total Receipts from Line 18	\$ 0	\$ 0
5. Total (add Lines 4-b and 5-b for Column A and Lines 4-a and 5-a for Column B)	\$ 0	\$ 0
6. Total Disbursements from Line 28	\$ 0	\$ 0
7. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6-c)	\$ 0	\$ 0
8. Total amount paid TO the Committee (add Schedule C and Schedule D)	\$ 0	\$ 0
9. Total amount paid BY the Committee (subtract Schedule C and Schedule D)	\$ 0	\$ 0

For further information contact:
 Federal Election Commission
 999 E Street, N.W.
 Washington, DC 20542
 Toll Free 800 424-9541
 Local 202 375-3700

Charles R. Phillips

9304094687

L-11

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(Page 2, FEC FORM 3X)

Name of Committee in full: Coalition of Patriotically Active Citizens
Report Covering the Period from July 1, 90 to June 30, 90

I. RECEIPTS

- 11 CONTRIBUTIONS (other than loans) FROM:
 - a) Individuals Persons Other Than Political Committees
 - (i) Itemized (use Schedule A)
 - (ii) Unitemized
 - (iii) Total of contributions from individuals
 - b) Political Party Committees
 - c) Other Political Committees (such as PACs)
 - d) TOTAL CONTRIBUTIONS (add 11(a)(iii), (b), and (c))
- 12 TRANSFERS FROM AFFILIATED OTHER PARTY COMMITTEES
- 13 ALL LOANS RECEIVED
- 14 LOAN REPAYMENTS RECEIVED
- 15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)
- 16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES
- 17 OTHER RECEIPTS (Dividends, Interest, etc.)
- 18 TOTAL RECEIPTS (add 11(d), 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

- 19 OPERATING EXPENDITURES
- 20 TRANSFERS TO AFFILIATED OTHER PARTY COMMITTEES
- 21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES
- 22 INDEPENDENT EXPENDITURES (use Schedule E)
- 23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U.S.C. 441a(d)) (use Schedule F)
- 24 LOAN REPAYMENTS MADE
- 25 LOANS MADE
- 26 REFUNDS OF CONTRIBUTIONS TO:
 - a) Individuals Persons Other Than Political Committees
 - b) Political Party Committees
 - c) Other Political Committees (such as PACs)
 - d) TOTAL CONTRIBUTION REFUNDS (add 26(a), (b), and (c))
- 27 OTHER DISBURSEMENTS
- 28 TOTAL DISBURSEMENTS (add 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

III. NET CONTRIBUTIONS OPERATING EXPENDITURES

- 29 TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)
- 30 TOTAL CONTRIBUTION REFUNDS from Line 26(d)
- 31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from 29)
- 32 TOTAL OPERATING EXPENDITURES from Line 19
- 33 OFFSETS TO OPERATING EXPENDITURES from Line 15
- 34 NET OPERATING EXPENDITURES (subtract Line 33 from 32)

COLUMN A
Total This Period

COLUMN B
Calendar Year-To-Date

11(a)(i)
11(a)(ii)
11(a)(iii)
11(b)
11(c)
11(d)

12
13
14
15
16
17
18

19
20
21
22
23
24
25
26(a)
26(b)
26(c)
26(d)

27
28

29
30
31
32
33
34

9304-094688

L-12

REPORT OF RECEIPTS AND DISBURSEMENTS
For Other Than An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1
 C00238089 060690 N 233
 CHARLES R PHILLIPS
 COALITION OF PATRIOTICALLY ACT
 IVE CHRISTIANS
 3539 LEBLANC
 PO BOX 701267
 SAN ANTONIO TX 78247

90 JUL -6 AM 11:00
 2 FEC IDENTIFICATION NUMBER
 C00238089
 3 This committee qualified as a multicandidate
 committee DURING THIS Reporting Period
 on (date)

4. TYPE OF REPORT

(a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non election Year Only)
 Termination Report

Monthly Report Due On
 February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31

Twelfth day report preceding
 (Type of Election)
 election on in the State of
 Thirtieth day report following the General Election on
 in the State of

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 04/01/90 through 06/30/90		
6. (a) Cash on Hand January 1, 1990	\$ 0	\$ 0
(b) Cash on Hand at Beginning of Reporting Period	\$ 0	\$ 0
(c) Total Receipts (from Line 18)	\$ 0	\$ 0
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 0	\$ 0
7. Total Disbursements (from Line 28)	\$ 0	\$ 0
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 0	\$ 0
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 0	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ 0	

For further information
contact:
Federal Election Commission
999 E Street NW
Washington DC 20463
Toll Free 800 424-9530
Local 202 376 3120

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

Type or Print Name of Treasurer
Charles R Phillips
Signature of Treasurer
Charles R Phillips

Date
7/21/90

NOTE: Submission of false, erroneous, or incomplete information may subject the persons signing this Report to the penalties of 2 U.S.C. §43(g)

910384P449689

L-13

DETAILED SUMMARY PAGE
of Receipts and Disbursements
(PAGE 2, FEC FORM 3X)

Name of Committee (in full) Coalition of Athletically Active Clubs Report Covering the Period From 06/01/90 To 06/30/90

I. RECEIPTS

	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
11 CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized (use Schedule A)	0	0	11(a)(i)
(ii) Unitemized	0	0	11(a)(ii)
(iii) Total of contributions from individuals	0	0	11(a)(iii)
(b) Political Party Committees	0	0	11(b)
(c) Other Political Committees (such as PACs)	0	0	11(c)
(d) TOTAL CONTRIBUTIONS (add 11(a)(iii), (b), and (c))	0	0	11(d)
12 TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES	0	0	12
13 ALL LOANS RECEIVED	0	0	13
14 LOAN REPAYMENTS RECEIVED	0	0	14
15 OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	0	0	15
16 REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	0	0	16
17 OTHER RECEIPTS (Dividends, Interest, etc.)	0	0	17
18 TOTAL RECEIPTS (add 11(d), 12, 13, 14, 15, 16 and 17)	0	0	18

II. DISBURSEMENTS

19 OPERATING EXPENDITURES	0	0	19
20 TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES	0	0	20
21 CONTRIBUTIONS TO FEDERAL CANDIDATES AND OTHER POLITICAL COMMITTEES	0	0	21
22 INDEPENDENT EXPENDITURES (use Schedule E)	0	0	22
23 COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES (2 U S C 441a(d)) (use Schedule F)	0	0	23
24 LOAN REPAYMENTS MADE	0	0	24
25 LOANS MADE	0	0	25
26 REFUNDS OF CONTRIBUTIONS TO			
(a) Individuals/Persons Other Than Political Committees	0	0	26(a)
(b) Political Party Committees	0	0	26(b)
(c) Other Political Committees (such as PACs)	0	0	26(c)
(d) TOTAL CONTRIBUTION REFUNDS (add 26(a), (b), and (c))	0	0	26(d)
27 OTHER DISBURSEMENTS	0	0	27
28 TOTAL DISBURSEMENTS (add 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)	0	0	28

III. NET CONTRIBUTIONS/OPERATING EXPENDITURES

29 TOTAL CONTRIBUTIONS (other than loans) (from Line 11(d))	0	0	29
30 TOTAL CONTRIBUTION REFUNDS (from Line 26(d))	0	0	30
31 NET CONTRIBUTIONS (other than loans) (subtract Line 30 from 29)	0	0	31
32 TOTAL OPERATING EXPENDITURES (from Line 19)	0	0	32
33 OFFSETS TO OPERATING EXPENDITURES (from Line 15)	0	0	33
34 NET OPERATING EXPENDITURES (subtract Line 33 from 32)	0	0	34

9304084949490

RECORD OF DISBURSEMENTS

L-14

(Summary Page)

90DEC 17 AM 11:27

OR TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
Coalition of Patriotic American Christians
 ADDRESS (number and street) Check if different than previously reported
3539 LeBlanc P.O. Box 701267
 CITY, STATE and ZIP CODE
San Antonio 78270

2. FEC IDENTIFICATION NUMBER:
C00259087
 3. This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)

4. TYPE OF REPORT

- April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)

- Monthly Report Due On:
- February 20
 - March 20
 - April 20
 - May 20
 - June 20
 - July 20
 - August 20
 - September 20
 - October 20
 - November 20
 - December 20
 - January 31

- Tenth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Tenth day report following the General Election on _____ in the State of _____

Termination Report

(B) Is this Report an Amendment? YES NO

9304094691335523067

SUMMARY		COLUMN A	COLUMN B
Covering Period		This Period	Calendar Year-to-Date
(a) Cash on Hand January 1, 19 <u>90</u>	<u>1/30/90 through 6/30/90</u>		\$ 0
(b) Cash on Hand at Beginning of Reporting Period		\$ 0	
(c) Total Receipts (from Line 1B)		\$ 0	\$ 0
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(b) and 6(c) for Column B)		\$ 0	\$ 0
Total Disbursements (from Line 2B)		\$ 0	\$ 0
Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 0	\$ 0
Debt and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		\$ 0	
Debt and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		\$ 0	

For further information contact:
 Federal Election Commission
 999 E Street, NW
 Washington, DC 20463
 Tel: Press 800-424-9530
 Local 202-376-3120

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

Type or Print Name of Treasurer
Charles Phillipps
 Signature of Treasurer

Charles Phillipps

Date
OCT 15 90

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

L-15



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

MS-K

DEC 28 1990

Charles R. Phillips, Treasurer
Coalition of Patriotically
Active Christians
3539 Leblanc P.O. Box 701267
San Antonio, TX 78247

Identification Number: C00238089

Reference: Termination Report (4/30/90-9/30/90)

Dear Mr. Phillips:

Your committee's filing has been accepted as a valid termination because it meets the conditions set forth in 2 U.S.C. §433(d) and 11 CFR §102.3. Your committee is no longer required to file reports on a periodic basis. However, 2 U.S.C. §432(d) and 11 CFR §§102.9(c) and 104.14(b)(3) require that you maintain your records and copies of reports for inspection for at least three (3) years. In addition, you may be required to respond to Commission requests for information regarding your committee's federal election activity and previously filed reports.

If your committee again becomes active in federal elections, it will be required to re-register with the Commission in accordance with the Federal Election Campaign Act and applicable Regulations. Your committee will be treated as a new entity by the Commission and should register as a new committee on FEC FORM 1, pursuant to 2 U.S.C. §§432(g) and 433(a).

Political committees and separate segregated funds which once attained multicandidate committee status and subsequently terminated will, upon re-registration, again be required to meet the criteria set forth in 2 U.S.C. §441a(a)(4).

If you have any questions concerning your status and requirements, please contact the Reports Analysis Division on the toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

David J. Weidman
Reports Analyst
Reports Analysis Division

2304094692
21036792352

SCORE CARD

★ ★ ★ U.S. CONGRESS ★ ★ ★

ISSUE	David Thibodeau	JIMMY HAYES
Federally Funded Abortions	AGAINST	FOR
Federal Funds for National Endowment of the Arts' obscene exhibits such as Christ in urine.	AGAINST	FOR
GAY RIGHTS	AGAINST	FOR Received 82% favorable rating from the Gay/Lesbian Task Force.
FLAG BURNING	AGAINST	"If someone wants to burn American Flag in his backyard, tis his right to do so." (Daily advertiser)
OIL ECONOMY	"Let's Give Incentives back to the Oil Industry."	VOIED FOR \$100 Million Dollar Tax on Offshore Industry.
TAXES	NO MORE TAXES	Named "Big Spender" by National Taxpayers Union.

VOTE PRO LIFE ON

SATURDAY, OCTOBER 6

4 6 9 3

Pro-Life Voting Records

Candidates for U. S. Senate



Ben Bagert

"100% pro-life voting record in the Louisiana legislature since 1973" (Louisiana Right to Life)



David Deke

"Favors abortion in cases of rape, incest, and genetic defects" (1990 Dalko/Bagert debate)



J. Bennett Johnston

voted against the confirmation of Judge Robert Bork for the Supreme Court
voted for federal funding for abortion (c.c.263:1966)

Thank you for your prayers and support



Sally Garrett, Director
Christians for Conservative Government



Christians for

Conservative Government



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Mr. James J. Brady, Chairman
Democratic State Central Committee
of Louisiana
P.O. Box 4385
Baton Rouge, Louisiana 70821

RE: MUR 3313

Dear Mr. Brady:

This letter acknowledges receipt on May 23, 1991, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by The American Coalition for Legislative Reform and David Thibodaux for Congress - 1990. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3313. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

93040924694



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1991

The American Coalition for
Legislative Reform
Charles R. Phillips, Treasurer
P.O. Box 701267
San Antonio, TX 78270

RE: MUR 3313

Dear Mr. Phillips:

The Federal Election Commission received a complaint which alleges that The American Coalition for Legislative Reform and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

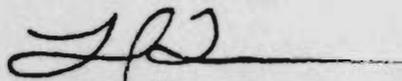
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040924695

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924696



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1991

David Thibodaux for Congress - 1990
Eugene N. Darnell III, Treasurer
432 W. Vermillion
Lafayette, LA 70508

RE: MUR 3313

Dear Mr. Darnell:

The Federal Election Commission received a complaint which alleges that David Thibodaux for Congress - 1990 and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

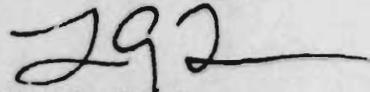
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040924697

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

cc: David Thibodaux

93040924698



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

The Martin Group
Mr. Richard Martin
483 Bayou Shadows
Lafayette, Louisiana 70508

RE: MUR 3313

Dear Mr. Martin:

The Federal Election Commission received a complaint which alleges that The Martin Group may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

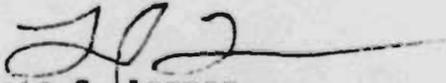
93040924699

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924700



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

The American Congress for
Legislative Reform
Charles R. Phillips, Treasurer
P.O. Box 701267
San Antonio, Texas 78270

RE: MUR 3313

Dear Mr. Phillips:

The Federal Election Commission received a complaint which alleges that the American Congress for Legislative Reform and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

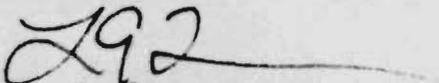
93040924701

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924702



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1991

Coalition of Politically
Active Christians
Charles R. Phillips, Treasurer
P.O. Box 701267
San Antonio, Texas 78270

RE: MUR 3313

Dear Mr. Phillips:

The Federal Election Commission received a complaint which alleges that the Coalition of Politically Active Christians and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

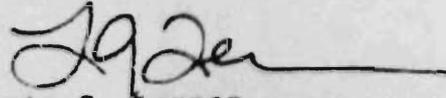
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040924703

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924704



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1991

Christians for Conservative
Government
P.O. Box 791257
San Antonio, Texas 78270

RE: MUR 3313

Dear Gentlemen:

The Federal Election Commission received a complaint which alleges that Christians for Conservative Government may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

93040924705

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924706



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Senator Ben Bagert Committee
to Put Louisiana First
Carroll M. Chiasson, Treasurer
601 Poydras Street, Suite 1851
New Orleans, Louisiana 70130

RE: MUR 3313

Dear Mr. Chiasson:

The Federal Election Commission received a complaint which alleges that the Senator Ben Bagert Committee to Put Louisiana First and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

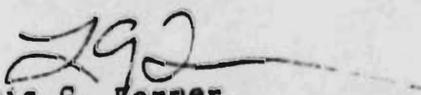
93040924707

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

cc: Senator Ben Bagert

93040924708



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Ms. Jane Blackwell
118 Huntington Drive
Lafayette, Louisiana 70508

RE: MUR 3313

Dear Ms. Blackwell:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

93040924709

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924710



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Jack Lawton, Jr.
Rt. 5, Box 3617
Sulphur, Louisiana 70663

RE: MUR 3313

Dear Mr. Lawton:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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93040924711

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924712



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Mrs. Jack Lawton, Sr.
P.O. Box 3615
Sulphur, Louisiana 70663

RE: MUR 3313

Dear Mrs. Lawton:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

93040924713

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924714



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 29, 1991

Mr. John Chance
P.O. Box 52029
Lafayette, Louisiana 70505

RE: MUR 3313

Dear Mr. Chance:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3312. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

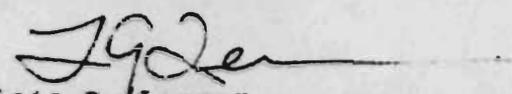
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040924715

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924716



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 29, 1991

Mrs. John Chance
130 Turn Oaks
Lafayette, Louisiana 70503

RE: MUR 3313

Dear Mrs. Chance:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3313. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

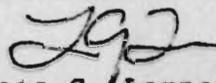
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

93040924717

If you have any questions, please contact Jose Rodriguez, the attorney assigned to this matter, at (202) 376-5690. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

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

93040924718

06C1546

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

BAKER & BOTTS
ONE SHELL PLAZA
910 LOUISIANA
HOUSTON, TEXAS 77002-4995

OTHER OFFICES:
WASHINGTON, D. C.
DALLAS
AUSTIN

91 JUN 14 AM 9:07
TELEPHONE: (713) 229-1234
FAX: (713) 229-1522
TELEX: 76-2776

June 4, 1991

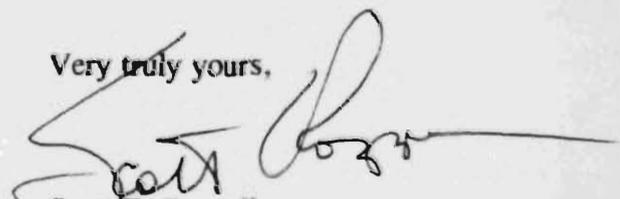
Office of the General Counsel
Federal Election Commission
999 E Street, N.W., 6th Floor
Washington, D.C. 20004

RE: MUR 3313

Dear Sir or Madam:

We have been engaged to represent Mr. and Mrs. John Chance in the above captioned matter. Enclosed are executed Designation of Counsel forms.

Very truly yours,


Scott E. Rozzell

:1126
Attachments

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JUN 14 PM 3:22

93040924719

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3313

NAME OF COUNSEL: Scott E. Rozzell

ADDRESS: Baker & Botts

3000 One Shell Plaza

Houston, TX 77002

TELEPHONE: (713) 229-1502

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

June 4, 1991
Date

John E. Chance
Signature

RESPONDENT'S NAME: John E. Chance

ADDRESS: 130 Twin Oaks Blvd.

LaFayette, LA 70503

HOME PHONE: (318) 233-3105

BUSINESS PHONE: _____

93040924720

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3313

NAME OF COUNSEL: Scott E. Rozzell

ADDRESS: 3000 One Shell Plaza

Houston, TX 77002

Baker & Botts

TELEPHONE: (713) 229-1502

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

June 4, 1991
Date

Joretta A. Chance
Signature

RESPONDENT'S NAME: Joretta A. Chance

ADDRESS: 130 Twin Oaks Blvd.

LaFayette, LA 70503

HOME PHONE: (318) 233-3105

BUSINESS PHONE: _____

93040924721

Jones, Walker, Waechter, Poitevent, Carrère & Denègre

PLACE ST. CHARLES

201 ST. CHARLES AVENUE

NEW ORLEANS, LOUISIANA 70170-5100

TELEPHONE 504-582-8000

FAX 504-582-8583

BATON ROUGE OFFICE
SUITE 1700
ONE AMERICAN PLACE
BATON ROUGE, LOUISIANA 70828
TELEPHONE 504-346-5500

R PATRICK VANCE
582-8194

66C152

June 12, 1991

Mr. José Rodriguez
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

VIA FEDERAL EXPRESS

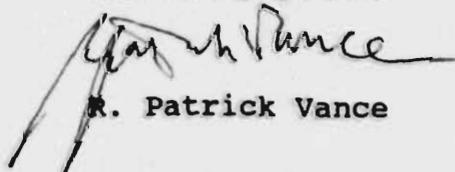
Re: MUR 3313

Dear Mr. Rodriguez:

On behalf of Jack E. Lawton, Jr. and Mrs. Jack Lawton, Sr., I enclose a Statement of Designation of Counsel. Please direct any further notifications or communications from the Commission to me.

As I informed you during our telephone conversation of June 10, 1991, this matter has only recently been brought to my attention. I was out of town on vacation from May 31 through June 9, 1991. I have only begun reviewing the allegations of the complaint and am unable to respond within 15 days of the receipt of the letter by my clients. Furthermore, because of other trial commitments, I find it necessary to ask for some additional time to respond. I would respectfully request an additional 30 days from June 14, 1991, or until July 15, 1991, to submit a response. Please advise me as soon as possible whether you will grant my request.

Sincerely yours,


R. Patrick Vance

RPV:dgs

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

91 JUN 13 AM 11:06

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JUN 13 AM 9:20

93040924722



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1991

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Place St. Charles
201 St. Charles Avenue
New Orleans, LA 70170-5100

RE: MUR 3313
Jack E. Lawton, Jr.
Mrs. Jack Lawton, Sr.

Dear Mr. Vance:

This is in response to your letter dated June 12, 1991, which we received on June 13, 1991, requesting an extension of thirty days to respond to the Commission's notification of May 29, 1991. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 15, 1991.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

93040924725



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 17, 1991

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Place St. Charles
201 St. Charles Avenue
New Orleans, LA 70170-5100

RE: MUR 3313
Jack E. Lawton, Jr.
Mrs. Jack Lawton, Sr.

Dear Mr. Vance:

Per your Office's request of June 13, 1991, please find enclosed a copy of the attachments accompanying the complaint in this matter. These are the clearest reproductions available to us. Please note we have substituted the photocopied attachments labeled B-1, L-5, and L-8 through 10 with reproductions taken from microfilm.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Jonathan A. Bernstein
Assistant General Counsel

93040924726

06 C1549

BAKER & BOTTS

OTHER OFFICES:
WASHINGTON, D. C.
DALLAS
AUSTIN

ONE SHELL PLAZA
910 LOUISIANA
HOUSTON, TEXAS 77002-4995

TELEPHONE: (713) 229-1234
FAX: (713) 229-1522
TELEX: 76-2779

June 14, 1991

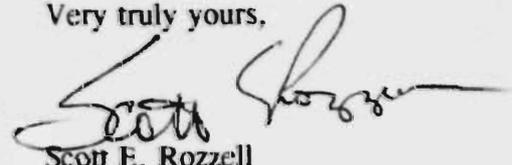
Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E. Street, N.W., 6th Floor
Washington, D.C., 20004

RE: MUR 3313

Dear Sir:

Enclosed for filing pursuant to 11 CFR 111.6 is the response of Mr. and Mrs. John Chance to the complaint filed by the Democratic State Central Committee of Louisiana. It is the position of Mr. and Mrs. Chance that separate, unrelated and therefore legal contributions were made to Thibodaux for Congress (Thibodaux) and the American Coalition for Legislative Reform (Coalition). Mr. and Mrs. Chance were not aware of any connection that might exist between the Coalition and Thibodaux. As more fully explained in the attached pleading, the Chances respectfully request that this MUR be dismissed as to them.

Very truly yours,



Scott E. Rozzell
Attorney for Mr. and Mrs. John
Chance

:1126
Enclosure

L1126/1126/01BM01

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JUN 17 AM 10:21

93040924727

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

IN THE MATTER OF

The American Coalition For
Legislative Reform

David Thibodaux For Congress

§
§
§
§
§
§

MUR NO. 3313

**RESPONSE OF MR. AND MRS. JOHN CHANCE
TO COMPLAINT BY THE
DEMOCRATIC STATE CENTRAL COMMITTEE OF LOUISIANA**

93040924728

On May 31, 1991 Mrs. John Chance received a copy of a complaint filed with the Federal Election Commission (Commission) in the above-captioned matter by the Democratic State Central Committee of Louisiana (Louisiana Democrats). On June 3, 1991 Mr. John Chance also received a copy of the same complaint. In the complaint, the Louisiana Democrats allege that the American Coalition for Legislative Reform (Coalition), a multi-candidate political committee, and David Thibodaux for Congress - 1990 (the Thibodaux Committee), a candidate committee, were in fact related campaign committees that accepted illegal campaign contributions and filed false campaign reports.

Mr. and Mrs. Chance are not connected with either the Coalition or with the Thibodaux Committee and had no knowledge of any relationship or affiliation between the two. Their only interest in this matter results from the fact that checks were written from their joint account to both the Coalition and the Thibodaux Committee. Mr. and Mrs. Chance respectfully submit that there have been no violations of the Commission's regulations on their part and that there is no basis in law or reason

in fact for the Commission to seek redress from them. Accordingly, Mr. and Mrs. Chance respectfully request the Commission determine that no further action should be taken and dismiss this MUR as it relates to them.

I.

The undersigned has been designated as counsel for Mr. and Mrs. Chance pursuant to 11 CFR § 111.23. See Exhibit I.

II.

Commission regulations provide that the Commission shall notify, in writing, the respondent listed in a complaint that such complaint has been filed. In this proceeding, the complaint was filed by the Louisiana Democrats. The Louisiana Democrats named as respondents only the Coalition and Thibodaux. Neither Mr. John Chance nor Mrs. John Chance were listed as respondents. Thus the General Counsel is incorrect in his statement that "the Commission has received a complaint which alleges that you [Mr. and Mrs. Chance] may have violated the Federal Election Campaign Act of 1971, as amended." Since Mr. and Mrs. Chance were not named as respondents in the complaint which is the basis of the above-captioned MUR, the MUR should be dismissed as to Mr. and Mrs. Chance.

III.

Certain facts neither are nor should be in dispute.

1. Mr. and Mrs. Chance have a joint checking account at Whitney National Bank in Lafayette, Louisiana.
2. On March 27, 1990 Mr. Chance signed a check drawn on the joint account in the amount of \$1,000 made payable to Thibodaux for Congress.

93040924729

3. On September 10, 1990, Mr. Chance signed a check drawn on the joint account in the amount of \$5,000 made payable to the American Coalition for Legislative Reform.

IV.

Although the checks to Mr. Thibodaux and the Coalition were drawn on Mr. and Mrs. Chance's joint account, they were signed only by Mr. Chance. In order for either contribution to be attributed to Mrs. Chance, she must have signed the check. Since she did not, she cannot be held to be in violation of any regulation. At the very least, the MUR should be dismissed as it relates to Mrs. Chance.

V.

Under the Commission's regulations, an individual may contribute \$1,000 per election to a candidate for federal office. (11 C.F.R. § 110.(b)(1). Whether attributed only to Mr. Chance or to Mr. and Mrs. Chance on a *pro rata* basis, the March 27, 1990 check to the Thibodaux for Congress Committee, standing alone, is a perfectly legal campaign contribution.

Under the Commission's regulations, an individual may contribute up to \$5,000 to a multi-candidate political committee. (11 C.F.R. § 110.1(d)(1). Whether attributed to Mr. Chance alone or to Mr. and Mrs. Chance on a *pro rata* basis, the September 10, 1990 check to the American Coalition for Legislative Reform, standing alone, is a perfectly legal contribution, provided that the Coalition is, in fact, a multi-candidate committee. If that representation was incorrect, the Coalition should be ordered to refund \$4,000 to Mr. Chance.

VI.

The Louisiana Democrats argue that the Coalition and the Thibodaux Committee are related committees under the Commission's regulations and that accordingly, the combined total of the two checks represents campaign contributions exceeding those allowed under the Act.

VII.

Mr. and Mrs. John Chance have lived in Lafayette, Louisiana for 40 years. Neither has held public office or a position of responsibility in a political party or a campaign committee. Both Mr. and Mrs. Chance have been actively involved in the political process and both have a history of making regular contributions to local, state and federal candidates, both Democrats and Republicans. Both have also contributed to political action committees that support conservative candidates. From January 1, 1990 to May 31, 1991, the Chances made the following campaign contributions:

- a. \$1,500 to party committees (four contributions to both parties in amounts ranging from \$250 to \$500).
- b. \$11,710 to political committees (six contributions to committees in amounts ranging from \$500 to \$5,000).
- c. \$4,500 to federal candidates (six contributions to two Republicans and four Democrats, ranging in amounts from \$500 to \$1,000).
- d. \$2,575 to state and local candidates (seven contributions to two Republicans and five Democrats, ranging in amounts from \$125 to \$500).

93040924731

VIII.

The check from Mr. Chance to the Thibodaux Committee was written shortly after Thibodaux announced his intention to run for Congress. Mr. and Mrs. Chance had known David Thibodaux for some time and had supported him in prior campaigns.

Mr. Chance, who had previously contributed to a number of conservative political committees, was advised sometime prior to September 9, 1990 that the Coalition was a conservative political committee worthy of his support. He does not remember who first told him about the Coalition but acknowledges that it could have been David Thibodaux. At no time, however, were Mr. and Mrs. Chance informed that the Coalition was formed to raise money for David Thibodaux or that the Coalition intended to make contributions to Mr. Thibodaux. They were not advised that the Coalition was a vehicle by which they could avoid limitations imposed by the Federal Election Campaign Act on further contributions to David Thibodaux. In determining whether to make a contribution to the Coalition, they relied exclusively on representations that the Coalition was a legitimate organization that supported conservative candidates.

Other than making a single contribution, Mr. and Mrs. Chance were not involved in the Thibodaux campaign. They did not do volunteer work for the campaign or host any sort of social function on behalf of Mr. Thibodaux.

The Chances also had little contact with the Coalition. They did not participate in any fundraising efforts. They are not personally acquainted with Charles Phillips or any of the Coalition's other contributors (except for Dr. Howard Burch) listed

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on page 3 of the complaint. Their only involvement with the Coalition was a single contribution.

IX.

Mr. and Mrs. Chance have no knowledge of any relationship between the Coalition and Thibodaux. As shown by affidavits attached as Exhibit II, Mr. and Mrs. Chance did not know that the Coalition had made contributions to Thibodaux until they received the subject complaint from the FEC.

Under the circumstances, it would be inappropriate, unfair and illegal to find that Mr. or Mrs. Chance had violated the Act or to impose sanctions for any such violation. Section 110.1(h)(1) of the Commission's regulations provide that a person may contribute to a candidate and also to a political committee which supports the same candidate so long as:

- (1) The political committee is not the candidates' principal campaign committee;
- (2) The contributor does not give with the knowledge that a substantial portion will be contributed to or expended on behalf of the candidate; and
- (3) The contributor does not retain control of the funds.

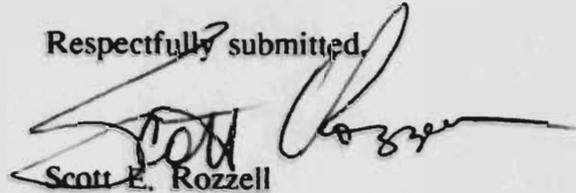
The safe harbor of § 110.1(h) precisely fits the fact situation here. The Coalition is not the principal campaign committee of David Thibodaux. The Chances did not know that their contribution to the Coalition would benefit Thibodaux. The Chances did not retain control of the funds contributed to the Coalition.

The Act allows the Commission to seek redress from those who use PACs as an artifice to evade campaign contribution limitations. Such was not the case here. Mr. and Mrs. Chance reasonably believed they were dealing with a congressional

93040924733

campaign committee, on the one hand, and a multi-candidate political committee on the other. If the Commission should find that they were mistaken in this belief, appropriate sanctions should be applied to the Coalition, Thibodaux or both, not Mr. and Mrs. Chance.

Respectfully submitted,



Scott E. Rozzell
Attorney for
Mr. and Mrs. John Chance

93040924734

93040924735

EXHIBIT I
STATEMENT OF DESIGNATION OF COUNSEL

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3313

NAME OF COUNSEL: Scott E. Rozzell

ADDRESS: Baker & Botts

3000 One Shell Plaza

Houston, TX 77002

TELEPHONE: (713) 229-1502

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

June 4, 1991
Date

John E. Chance
Signature

RESPONDENT'S NAME: John E. Chance

ADDRESS: 130 Twin Oaks Blvd.

LaFayette, LA 70503

HOME PHONE: (318) 233-3105

BUSINESS PHONE: _____

93040924736

STATEMENT OF DESIGNATION OF COUNSEL

MUR 3313
NAME OF COUNSEL: Scott E. Rozzell
ADDRESS: 3000 One Shell Plaza
Houston, TX 77002
Baker & Botts
TELEPHONE: (713) 229-1502

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

June 4, 1991
Date

Joretta A. Chance
Signature

RESPONDENT'S NAME: Joretta A. Chance
ADDRESS: 130 Twin Oaks Blvd.
LaFayette, LA 70503
(318) 233-3105
HOME PHONE: _____
BUSINESS PHONE: _____

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EXHIBIT II
AFFIDAVITS OF MR. AND MRS. JOHN CHANCE

AFFIDAVIT OF JOHN E. CHANCE

State of Louisiana §
 §
Parish of Lafayette §

1. My name is John E. Chance. I reside at 130 Twin Oaks Boulevard, Lafayette, Louisiana 70503. The following statements are true and correct to the best of my knowledge, information and belief.

2. My wife, Joretta A. Chance, and I maintain a joint checking account at Whitney National Bank in Lafayette, Louisiana.

3. On March 27, 1990 I signed a check drawn on our joint account in the amount of \$1,000 made payable to Thibodaux for Congress. The check was intended to be a contribution to the campaign of David Thibodaux, a Republican seeking election to Congress from the 7th District in Louisiana.

4. I am personally acquainted with David Thibodaux and have made political contributions to him in previous campaigns. The \$1,000 check was the only contribution I made to David Thibodaux in this particular campaign and other than this single check I had no further involvement with the campaign. I did not raise money for David Thibodaux or host a social event, in his behalf.

5. On September 10, 1990, I signed a check drawn on our joint account in the amount of \$5,000 made payable to the American Coalition for Legislative Reform (Coalition). I do not recall who first told me about the Coalition but it could have been David Thibodaux. However, I have previously contributed similar amounts to political action committees formed to support the election of conservative candidates. I was told that the Coalition was such a PAC. I intended for my contribution to be used for lawful

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purposes in support of conservative candidates around the country. I was never informed that the Coalition was another vehicle for obtaining additional campaign contributions for David Thibodaux. In fact, the first time I learned that the Coalition had made contributions to David Thibodaux was when I received the Complaint filed with the Federal Election Commission by the Democratic State Central Committee of Louisiana.

6. Other than the single check, I had no further involvement with the Coalition. I am not personally acquainted with Charles Phillips or any of the Coalition contributors listed in the Federal Election Commission complaint except for Dr. Howard Burch. I did not participate in any Coalition fundraising activities.

7. I regularly make contributions to candidates for state, local and federal office and to political committees that provide support to conservative candidates. My contributions to David Thibodaux and the Coalition were consistent with those practices. I did not intend my contribution to the Coalition to be another way to give money to David Thibodaux and I did not know that the Coalition intended to make contributions to the Thibodaux campaign.

John E. Chance
John E. Chance

SUBSCRIBED AND SWORN TO BEFORE ME on this 12 day of

June, 1991.

Joanna S. Lay
Notary Public

My commission expires:

at death

L0517/0100/03CQ01

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AFFIDAVIT OF JORETTA A. CHANCE

State of Louisiana §

 §

Parish of Lafayette §

1. My name is Joretta A. Chance. I reside at 130 Twin Oaks Boulevard, Lafayette, Louisiana 70503. The following statements are true and correct to the best of my knowledge, information and belief.

2. My husband and I maintain a joint checking account at Whitney National Bank in Lafayette, Louisiana.

3. I did not sign the March 27, 1990 check for \$1,000 drawn on our joint account and made payable to Thibodaux for Congress. I was aware that my husband had written such a check and I understood it to be a campaign contribution for David Thibodaux.

4. I am personally acquainted with David Thibodaux and my husband and I have made contributions to his previous campaigns. I was not personally involved in David Thibodaux's 1990 campaign. I did not attempt to raise funds for him nor did I host social functions on his behalf.

5. I did not sign the September 10, 1990 check for \$5,000 drawn on our joint account and made payable to the America Coalition for Legislative Reform (Coalition). I was aware that my husband had written such a check and I understand it to be a contribution to a political action committee that supported conservative candidates. We had made similar contributions to conservative PAC's in the past.

6. I was not involved in any way with the Coalition or any of its fundraising activities. I am not personally acquainted with Charles Phillips or any of the Coalition

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contributors as listed in the Federal Election Commission Complaint, except for Dr. Howard Burch.

7. It was not my understanding that the Coalition was intended to be another vehicle to raise money for David Thibodaux. In fact I did not know that the Coalition had made contributions to David Thibodaux until I received a copy of the complaint filed by the Democratic State Central Committee of Louisiana.

Jbretta A. Chance
Jbretta A. Chance

SUBSCRIBED AND SWORN TO BEFORE ME on this 12 day of
June, 1991.

Thomas P. Jay
Notary Public

My commission expires:

at death

93040924742

06C 1684

LEEFE, GIBBS & KOHLER

Attorneys at Law

ONE LAKEWAY CENTER

Suite 1470

3900 North Causeway Boulevard

METAIRIE, LOUISIANA 70002

Telephone: (504) 835-0077

1-800-765-0077

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 JUN 25 PM 2:55

RICHARD K. LEEFE

FAX: (504) 835-0398

June 12, 1991

Office of the General Counsel
Federal Election Commission
999E E Street N.W., 6th Floor
Washington, D.C. 20004

ATTENTION: Jose Rodrigues

RE: MUR 3313

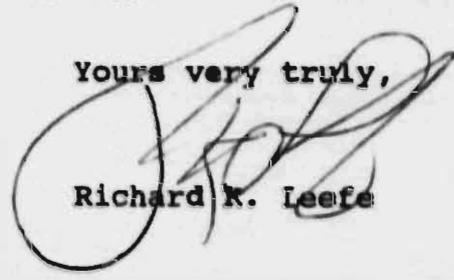
Dear Mr. Rodrigues:

Please be advised that this firm has been asked to represent Jane Blackwell of Lafayette, Louisiana, relative to the referenced matter arising out of the election campaign of David Thibodaux. Please let this further confirm our telephone conversation that we had only recently become aware of this matter and I have yet to see the actual complaint and other documents.

For the foregoing reasons, it is requested that this firm and Jane Blackwell be granted a 15 day extension of time in which to respond to your letter of May 29, 1991 concerning this claim. As indicated, during that time we will attempt to meet with Ms. Blackwell and prepare an appropriate response to your office. In accordance with our conversation, I would appreciate it if you would confirm this extension.

Should you need any additional information, please feel free to contact me. I certainly appreciate your courtesy in this matter.

Yours very truly,



Richard K. Leefe

RKL/kmw

91 JUN 26 AM 11:01

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL

93040924743



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 27, 1991

Richard K. Leefe, Esq.
Leefe, Gibbs & Koehler
One Lakeway Center, Suite 1470
3900 North Causeway Boulevard
Metairie, LA 70002

RE: MUR 3313
Ms. Jane Blackwell

Dear Mr. Leefe:

This is in response to your letter dated June 12, 1991, which we received on June 25, 1991, requesting an extension of 15 days to respond to the Commission's notification of May 29, 1991. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 10, 1991.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner

BY: Lois G. Lerner
Associate General Counsel

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 JUL -5 AM 10:44

7/2/91

Mr. Jose Rodriguez
Federal Election Commission
Washington, D. C. 20463

Re: MUR 3313

Dear Mr. Rodriguez:

As per our telephone conversation today, I am requesting an extension until July 20, 1991 to respond to the complaint against my 1990 Congressional Campaign.

I again wish to thank you for your understanding in this matter. As I told you on the phone, I am most distressed over this matter as I am not a "professional politician." I have never held an office in my life. I am simply a school teacher, a taxpaying citizen who sought to try and make a difference. Perhaps this realm is better left to the "professionals" who make their living running for and serving in office, although I do not believe that that is what our founding fathers intended.

Again, I would appreciate an extension to July 20, 1991 to prepare a response. Thank you again for your consideration.

Sincerely,



David Thibodaux
P.O. Box 44343
Lafayette, LA 70504

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
91 JUL -5 PM 12:22



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 11, 1991

David Thibodaux
P.O. Box 44343
Lafayette, LA 70504

RE: MUR 3313
David Thibodaux for
Congress - 1990 and
Eugene N. Darnell III,
as treasurer

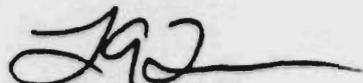
Dear Mr. Thibodaux:

This is in response to your letter dated July 2, 1991, which we received on July 5, 1991, requesting an extension until July 20, 1991 to respond to the Commission's notification of May 29, 1991. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on July 20, 1991.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

93040924746

06-1928

LEEFE, GIBBS & KOEHLER

Attorneys at Law
ONE LAKEWAY CENTER
Suite 1470

3900 North Causeway Boulevard
METAIRIE, LOUISIANA 70002
Telephone: (504) 835-0077
1-800-765-0077

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

91 JUL 18 AM 10:26

RICHARD K. LEEFE

FAX: (504) 835-0398

July 3, 1991

Office of the General Counsel
Federal Election Commission
999 E Street N.W., 6th Floor
Washington, D.C. 20004

ATTENTION: Jose Rodrigues

RE: MUR 3313

Dear Mr. Rodrigues:

Please be advised that this firm has been asked to represent Jane Blackwell relative to the complaint filed by under the reference MUR 3313 concerning the campaign of David Thibodaux for Congress in 1990. In accordance therewith, please find enclosed the Designation of Counsel Form wherein Jane Blackwell has designated the undersigned as counsel of record in this matter.

Your letter of May 29, 1991, has been referred to me by Jane Blackwell for response and I have had occasion to meet with her and review the facts and circumstances involved. In accordance with my previous correspondence, I had requested an extension of time within which to investigate the surrounding circumstances.

As appears from the complaint, the only apparent connection relative to the alleged conspiracy claimed in the complaint in this matter and Jane Blackwell is the fact that she was the registered name on a post office box used by the American Coalition for Legislative Reform (the "Coalition"). Mrs. Blackwell had in fact rented this post office box several years prior to the time in question for use relative to her work as Scholarship Chairman for the Louisiana Methodist Conference. That Conference generally only used the post office box during the spring and it was not being used during the fall of 1990 by the Methodist Conference. Charles Phillips apparently asked Jane Blackwell if he could use the post office box for convenience.

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OFFICE OF THE GENERAL COUNSEL
91 JUL 19 PM 3:12

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Office of the General Counsel
July 3, 1991
Page 2

As can be seen from the various FEC reports, as well as the complaint, Jane was not an officer or involved in any way with either of the PACS addressed in the complaint, either the "Coalition" or David Thibodaux for Congress-1990 ("Thibodaux"). Jane Blackwell's only connection was as a volunteer for the Thibodaux campaign in which she did not handle money, represent any PAC or other organization, etc. She solely was a volunteer worker for the Thibodaux campaign without being involved in its particular organization. Mrs. Blackwell has indicated that the small payments that were made to her from the campaign were in fact reimbursements for expenses that she had incurred on behalf of the campaign. This includes the \$175.00 indicated as labor, which was in fact reimbursing her for her having paid some minor labor expenses for the campaign. She was not a paid employee and worked only as a volunteer in the Thibodaux campaign. In no time did Jane have any connection with, held office in, dealings relative to the operation of, or otherwise concerning the "Coalition".

The only connection between Jane Blackwell and the "Coalition" use of the subject post office box was purely incidental and an accommodation by Mrs. Blackwell to Mr. Phillips for use as a convenience in Lafayette rather than any office address he may have had in Texas.

As indicated above, Jane had no control of or information concerning the actual use of money, collection of contributions, etc. concerning the campaign. It was Mrs. Blackwell's understanding that a CPA was handling the records concerning contributions, disbursements, etc. and she had no input in this regard relative to the campaign, the "Coalition" or "Thibodaux".

Unfortunately, since Mrs. Blackwell was merely a volunteer worker with the campaign, she does not have access to any particular documents, records, other information concerning the campaign operations, etc. to provide to the FEC. A reading of the complaint indicates that there is not a complaint directed to Mrs. Blackwell and only an implication that the various parties, the Thibodaux campaign and the Texas "Coalition" PAC, were working closely. Mrs. Blackwell was not aware of the connection between the groups except to the extent that Mr. Phillips was often present at the campaign headquarters and worked with Mr. Martin on many projects.

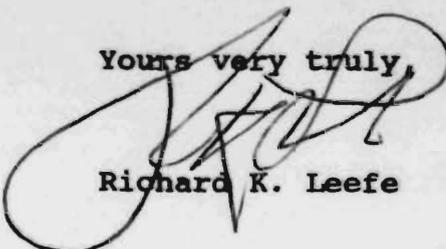
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Office of the General Counsel
July 3, 1991
Page 3

Naturally, we would be glad to provide any additional information you may deem necessary. We certainly submit that Mrs. Blackwell was not involved in any alleged conspiracy and the complaint does not indicate and/or allege that she was. She readily admits that she did allow the use of her post office box, however, was not party to any reporting requirements, failure to report the use, etc. and was not part of the activities concerning contributions to any of the PAC'S and/or distribution of funds, whether legal or in violation of FEC regulations. Any further information which she does have in her position, is certainly available to you and we will be glad to discuss this matter further if necessary. Any arrangement in that regard can be made through this office and we will certainly cooperate concerning any further investigation.

Enclosed is a Statement of Designation of Counsel for your records.

Yours very truly,



Richard K. Leefe

RKL/kmw

Enclosure

CC: Jane Blackwell

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3313

NAME OF COUNSEL: Richard K. Leefe

ADDRESS: Suite 1470
3900 No. Causeway Blvd.
Metairie, La..70002

TELEPHONE: 504-835-0077

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

June 18, 1991
Date

Jane Blackwell
Signature

RESPONDENT'S NAME: Jane Blackwell

ADDRESS: 118 Huntington Drive
Lafayette, La. 70508

HOME PHONE: 318-989-8570

BUSINESS PHONE: _____

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06-1899

Jones, Walker, Waechter, Poitevent, Carrère & Denègre

PLACE ST. CHARLES

201 ST. CHARLES AVENUE

NEW ORLEANS, LOUISIANA 70170-5100

TELEPHONE 504-582-8000

FAX 504-582-8583

R. PATRICK VANCE
582-8194

BATON ROUGE OFFICE
SUITE 1700
ONE AMERICAN PLACE
BATON ROUGE, LOUISIANA 70821
TELEPHONE 504-346-3500

July 12, 1991

Federal Election Committee
999 E Street
Washington, D.C. 24063

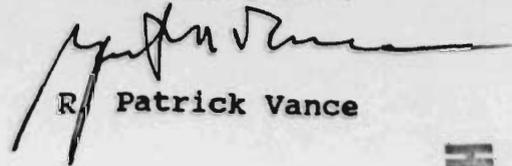
VIA FEDERAL EXPRESS

Re: MUR 3313
Jack E. Lawton, Jr. and Mrs. Jack Lawton, Sr.

Dear Sir or Madam:

Enclosed is the original and one copy of the Response of Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. To Complaint By the Democratic State Central Committee of Louisiana. Please date-stamp the copy and return it to me in the envelope provided.

Sincerely yours,



R. Patrick Vance

RPV:dgs

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF FEDERAL COUNSEL
91 JUL 16 AM 11:15

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH
91 JUL 15 AM 9:26

HAND DELIVERED

93040924751

UNITED STATES OF AMERICA
FEDERAL ELECTION COMMISSION

IN THE MATTER OF *
* MUR NO. 3313
The American Coalition for *
Legislative Reform *
*
David Thibodaux for Congress *

RESPONSE OF MRS. JACK LAWTON, SR.
AND MR. JACK LAWTON, JR.
TO COMPLAINT BY THE
DEMOCRATIC STATE CENTRAL COMMITTEE OF LOUISIANA

I.

On June 1, 1991 Mrs. Jack Lawton, Sr. received a copy of a complaint filed with the Federal Election Commission (Commission) in the above-captioned matter by the Democratic State Central Committee of Louisiana (Louisiana Democrats). On the same date Mr. Jack Lawton, Jr. also received a copy of the same complaint. In the complaint, the Louisiana Democrats allege that the American Coalition for Legislative Reform (Coalition), a multi-candidate political committee, and David Thibodaux for Congress - 1990 (the Thibodaux Committee), a candidate committee, were in fact related campaign committees that accepted illegal campaign contributions and filed false campaign reports.

II.

Mrs. Jack Lawton, Sr. is the mother of Mr. Jack Lawton, Jr. Mrs. Jack Lawton, Sr. is not connected with either the Coalition or with the Thibodaux Committee and had no knowledge of any

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relationship or affiliation between the two. Her only interest in this matter results from the fact that checks were written from her accounts to both the Coalition and the Thibodaux Committee.

III.

Mr. Jack Lawton, Jr. is not connected with the Coalition and had no knowledge of any relationship or affiliation between the Coalition and the Thibodaux Committee.

IV.

Mrs. Jack Lawton, Sr. is the mother of Mr. Jack Lawton, Jr. Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. respectfully submit that there have been no violations of the Commission's regulations on their part and that there is no basis in law or reason in fact for the Commission to seek redress from them. Accordingly, Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. respectfully request the Commission determine that no further action should be taken and dismiss this MUR as it relates to them.

V.

The undersigned has been designated as counsel for Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. pursuant to 11 CFR § 111.23. See Exhibit 1.

VI.

Commission regulations provide that the Commission shall notify, in writing, the respondent listed in a complaint that such complaint has been filed. In this proceeding, the complaint was filed by the Louisiana Democrats. The Louisiana Democrats named as respondents only the Coalition and Thibodaux. Neither Mrs. Jack

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Lawton, Sr. nor Mr. Jack Lawton, Jr. were listed as respondents. Since Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. were not named as respondents in the complaint which is the basis of the above-captioned MUR, the MUR should be dismissed as to Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr.

VII.

Certain facts neither are nor should be in dispute.

1. On January 31, 1990 Mrs. Jack Lawton, Sr. signed a check in the amount of \$1,000.00 made payable to Thibodaux for Congress drawn on her joint account with her husband. (Exhibit 2)
2. On January 31, 1990 Mr. Jack Lawton, Jr. signed a check in the amount of \$1,000.00 made payable to Thibodaux for Congress drawn on his joint account with his wife. (Exhibit 3)
3. On September 13, 1990, not September 5, 1990 as the Complaint reflects, Mr. Jack Lawton, Sr., not Mrs. Jack Lawton, Sr., signed a check drawn on his joint account in the amount of \$2,500.00 made payable to the American Coalition for Legislative Reform. (Exhibit 4)
4. On September 13, 1990, not September 5, 1990 as the Complaint reflects, Mr. Jack Lawton, Jr. signed a check drawn on his joint account in the amount of \$2,500.00 made payable to the American Coalition for Legislative Reform. (Exhibit 5)

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VIII.

Under the Commission's regulations, an individual may contribute \$1,000 per election to a candidate for federal office (11 C.F.R. 110.(b)(1). The January 31, 1990 checks to the Thibodaux for Congress Committee, standing alone are perfectly legal campaign contributions.

IX.

Under the Commission's regulations, an individual may contribute up to \$5,000 to a multi-candidate political committee. (11 C.F.R. § 110.1(d)(1). The September 13, 1990 checks to the American Coalition for Legislative Reform, standing alone are perfectly legal contributions, provided that the Coalition is, in fact, a multi-candidate committee. If that representation was incorrect, the Coalition should be ordered to refund \$1,500.00 to both Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr.

X.

The Louisiana Democrats argue that the Coalition and the Thibodaux Committee are related committees under the Commission's regulations and that accordingly, the combined total of these checks represent campaign contributions exceeding those allowed under the Act.

XI.

Both Mrs. Lawton, Sr. and Mr. Jack Lawton, Jr. have lived in Sulphur, Louisiana for 45 and 34 years respectively. Mrs. Jack Lawton, Sr. has never held public office or a position of responsibility in a political party or a campaign committee. Mr.

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Jack Lawton, Jr. has never held public office. Both Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. have been actively involved in the political process and both have a history of making regular contributions to local, state and federal candidates, both Democrats and Republicans. Both have also contributed to political action committees that support conservative candidates. From January, 1987 to May 31, 1991, Mrs. Jack Lawton, Sr. has made the following campaign contributions with checks drawn on the account that she shares with her husband:

1987

Republican National Committee	\$ 250.00
New Orleans Big Game Fishing Club	\$ 400.00
GCCA	\$ 240.00
N. O. Big Game Fishing Club	\$ 400.00
GCCA	\$ 2,650.00
Republican National Committee	\$ 250.00
American Defense Lobby	\$ 100.00
Republican Senatorial Inner Circle	\$ 1,000.00
Council for National Defense	\$ 100.00
John Krey, III Memorial Wetlands Project	\$ 5,000.00
National Coalition for Marine Conserv.	\$ 100.00
Buddy Roemer Campaign Fund	\$ 1,000.00

1988

Republic Party of LA	\$ 250.00
Ducks Unlimited	\$ 200.00

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New Orleans Big Game Fishing Club	\$ 400.00
National Rifle Association	\$ 250.00
Republic National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
Billy Tauzin for Governor Committee	\$ 1,000.00
GCCA	\$ 360.00
McCrery for Congress	\$ 1,000.00
NRA - PUF	\$ 250.00
GCCA	\$ 3,935.00
American Defense Lobby	\$ 250.00
Republican National Committee	\$ 100.00
LA Wildlife Federation	\$ 250.00
Horace McQueen for Congress	\$ 100.00
Defeat Dukakis Project	\$ 25.00
Republican Senatorial Circle	\$ 1,000.00
Bob Livingston	\$ 1,000.00
New Orleans Big Game Fishing Club	\$ 75.00
RNC/88 Presidential Fund	\$ 250.00
American Defense Lobby	\$ 250.00
McCrery for Congress	\$ 1,000.00
Billy Tauzin for Congress	\$ 250.00
Trent Lott for Mississippi	\$ 250.00
New Orleans Big Game Fishing Club	\$ 22.00
National Coalition for Marine Conserv.	\$ 500.00
Ducks Unlimited	\$ 180.00
North Defense Trust	\$ 250.00

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1989

Republican National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
La. Wildlife Federation	\$ 250.00
Accounting General of BVI	\$ 220.00
GCCA	\$ 500.00
North Defense Trust	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 1,550.00
Friends of Phill Gramm	\$ 250.00
NRA	\$ 100.00
North Defense Trust	\$ 100.00
Billy Tauzin Comm.	\$ 500.00
Republican Senatorial Circle	\$ 1,000.00

1990

Republican National Committee	\$ 250.00
National Coalition for Marine Conserv.	\$ 500.00
Thibodaux for Congress	\$ 1,000.00
Thibodaux for Congress	\$ 1,000.00
NRA Institute	\$ 250.00
New Orleans Big Game Fishing	\$ 400.00
Ducks Unlimited	\$ 200.00
Friends of Clyde Holloway	\$ 500.00
Republican Senate Circle	\$ 1,000.00

BFOAEB BOND

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Friends of Phil Gramm	\$ 1,000.00
La. Wildlife Federation	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 100.00
La. Republican Party	\$ 250.00
Re-Elect Thurmond	\$ 250.00
GCCA	\$ 2,000.00
GCCA	\$ 50.00
McCrery for Congress	\$ 1,000.00
Republican National Comm.	\$ 250.00
Friends of Bob Livingston	\$ 1,000.00
Re-Elect Thurmond	\$ 250.00
Conservative Republican Comm.	\$ 250.00
GCCA	\$ 50.00
Committee on Limiting Terms	\$ 30.00

1991

NRA ILA	\$ 250.00
National Republican Cong.	\$ 200.00
GCCA	\$ 125.00
NCMC	\$ 100.00
New Orleans Big Game Fishing	\$ 400.00
NRA	\$ 250.00
Federal Coastal Conservation Political Action Committee Fund	\$ 750.00

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XII.

From January, 1987 to May 31, 1991, Mr. Jack Lawton, Jr. made the following campaign contributions with checks drawn on the account that he shares with his wife:

1987

Republican Party of La.	\$ 100.00
Fraternal Order of Police	\$ 30.00
Dennis Stine Fund Raiser	\$ 250.00
Jack Doland Camp. Fund	\$ 1,000.00
S. W. La. Fishing Club	\$ 100.00
New Orleans Big Game Fishing Club	\$ 2,000.00
New Orleans Big Game Fishing Club	\$ 400.00
GCCA	\$ 320.00
GCCA	\$ 5,000.00
GCCA	\$ 2,000.00
La. Republican Party	\$ 100.00

1988

N. O. Big Game Fishing	\$ 400.00
GCCA	\$ 360.00
S. W. La Fishing Club	\$ 100.00
GCCA	\$ 500.00
GCCA	\$ 250.00
Christopher Cox for Congress	\$ 100.00
La. Republican Party	\$ 100.00
Victory 88 (Roemer)	\$10,000.00

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Clyde Holloway Camp. Fund	\$ 1,000.00
Trent Loft for Mississippi	\$ 1,000.00
Tim Stine Camp. Fund	\$ 25.00
GCCA Victory Celebration	\$ 1,000.00

1989

AFC	\$ 100.00
La. Republican Party	\$ 33.00
GCCA	\$ 1,000.00
NRA	\$ 55.00
La. Republican Party	\$ 100.00
New Orleans Big Game Fishing	\$ 400.00
GCCA	\$ 100.00
GCCA	\$ 200.00
GCCA	\$ 500.00
GCCA	\$ 200.00

1990

New Orleans Big Game Fishing	\$ 400.00
NRA Institute	\$ 100.00
Thibodaux for Congress	\$ 1,000.00
Thibodaux for Congress	\$ 1,000.00
GCCA	\$ 100.00
GCCA	\$ 100.00
Victory 90	\$ 5,000.00
GCCA	\$ 50.00

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ACLR - PAC	\$ 2,500.00
Conservative Victory Fund	\$ 2,000.00
GCCA	\$ 50.00
The President's Club	\$ 2,440.00
Vic Stelly Campaign	\$ 1,000.00

1991

GCCA	\$ 200.00
New Orleans Big Game Fishing	\$ 400.00
Sport PAC	\$ 600.00

XIII.

The checks from Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. to the Thibodaux Committee were written prior to Thibodaux announcing his intention to run for Congress. Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. met David Thibodaux after he declared he was running for congress but had never supported him in previous campaigns.

XIV.

Mr. Jack Lawton , Jr. who had previously contributed to a number of conservative political committees, was contacted by Charles Phillips who inquired if they could meet for the purpose of discussing possible future contributions to conservative causes. A meeting was set up for August 22, 1990 and attended by Mr. Charles Phillips, Mr. Jack E. Lawton, Jr. and Mr. Thad Minaldi, the Executive Vice President and Counsel of Jack Lawton, Inc. The

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greater part of the meeting was devoted to the discussion of Mr. Phillips' activity in supporting conservative political candidates and causes in the Gulf Coast area through his PAC, the Coalition. During this meeting Charles Phillips represented affirmatively that he was not connected with the Thibodaux Campaign and that the Coalition was indeed a multi-candidate Political Action Committee. This is the only meeting or conversation that Mr. Jack Lawton, Jr. has had with Mr. Charles Phillips at which there was any discussion of contributions to the Coalition.

XV.

At no time, were Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. informed that the Coalition was formed to raise money for David Thibodaux or that the Coalition intended to make contributions to Mr. Thibodaux. They were not advised that the Coalition was a vehicle by which they could avoid limitations imposed by the Federal Election Campaign Act on further contributions to David Thibodaux. In determining whether to make a contribution to the Coalition, they relied exclusively on representations that the Coalition was a legitimate organization that supported conservative candidates.

XVI.

Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. also had little contact with the Coalition. Mrs. Jack Lawton, Sr. is not personally acquainted with Charles Phillips and does not believe that she has ever met him. Mr. Jack Lawton, Jr. has met Mr. Phillips either two or three times. Neither Mrs. Jack Lawton, Sr.

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THIBODAUX BOARD

nor Jack Lawton, Jr. are personally acquainted with any of the Coalition's other contributors. Their only involvement with the Coalition was their single contributions.

XVII.

Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. have no knowledge of any relationship between the Coalition and Thibodaux. As shown by affidavits attached as Exhibits 6 and 7, Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. did not know that the Coalition had made contributions to Thibodaux until they received the subject complaint from the FEC.

XVIII.

The affidavit of Thad Minaldi, who was present at the August 22, 1990 meeting with Mr. Charles Phillips and Mr. Jack Lawton, Jr., is attached as Exhibit 8.

XIX.

The affidavit of Mr. Jack Lawton, Sr. is attached as Exhibit 9.

XX.

Under the circumstances it would be inappropriate, unfair and illegal to find that Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. had violated the Act or to impose sanctions for any such violation. Section 110.1(h)(1) of the Commission's regulations provide that a person may contribute to a candidate and also to a political committee which supports the same candidate so long as:

- (1) The political committee is not the candidates' principal campaign committee;

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- (2) The contributor does not give with the knowledge that a substantial portion will be contributed to or expended on behalf of the candidate; and
- (3) The contributor does not retain control of the funds.

XXI.

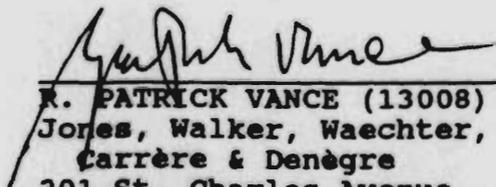
The safe harbor of § 110.1(h) precisely fits the fact situation here. The Coalition is not the principal campaign committee of David Thibodaux. Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. did not know that their contribution to the Coalition would benefit Thibodaux. Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. did not retain control of the funds contributed to the Coalition.

XXII.

The Act allows the Commission to seek redress from those who use PACs as an artifice to evade campaign contribution limitations. Such was not the case here. Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr. reasonably believed they were dealing with a congressional campaign committee, on the one hand, and a multi-candidate political committee on the other. If the Commission should find that they were mistaken in this belief, appropriate sanctions should be applied to the Coalition, Thibodaux or both, not Mrs. Jack Lawton, Sr. and Mr. Jack Lawton, Jr.

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Respectfully submitted,



R. PATRICK VANCE (13008)
Jones, Walker, Waechter, Poitevent,
Carrère & Denègre
201 St. Charles Avenue
New Orleans, Louisiana 70170-5100
Telephone (504) 582-8000
Attorneys for Mrs. Jack Lawton, Sr.
and Jack Lawton, Jr.

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223

MR. OR MRS. J. E. LAWTON, SR.

RT. 5, BOX 3815
SULPHUR, LA 70683

SULPHUR MID-CITY BRANCH
CALCASIEU MARINE NATIONAL BANK
LAKE CHARLES, LOUISIANA 70602
M-18/852

PAY

TO THE
ORDER OF

THIBODEAUX FOR CONGRESS

DATE

1-31-90

AMOUNT

\$ 1,000.00

ONE THOUSAND & NO/100

MR. OR MRS. J. E. LAWTON, SR.

Mrs. J. E. Lawton, Sr.
⑈0000 ⑈00000⑈

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20
20
20
20
20

EXHIBIT
2



JACK E. LAWTON, JR. OR
 HOLLY LAWTON
 RT. 5 BOX 3817
 SULPHUR, LA 70663

1846

1-31 90

84-18/852

PAY TO THE
 ORDER OF

THIBODEAUX FOR CONGRESS

\$ 1,000.00

ONE THOUSAND & NO/100

DOLLARS

SULPHUR MID-CITY BRANCH
 Calcasieu Marine National Bank
 P.O. BOX 3402, LAKE CHARLES, LOUISIANA 70602

FOR 1310 donation

Jack E. Lawton, Jr.

#0000 100000#

93040924770

EXHIBIT

3

J. E. OR DOBQTHY-LAWTON

1776

RT. 5, BOX 3818
SULPHUR, LA 70683

September 13 19 90

04-18/857

PA
TO
OR

A.C.L.R.

500-0-90

~~137164039 2407 2433 21 08 128-93~~ 2,500.00*

Two thousand, five hundred dollars and no/100 DOLLARS

Calcasieu Marine Bank

Calcasieu Marine National Bank

P.O. BOX 2430, LAKE CHARLES, LOUISIANA 70602

018400548 09-18-90 06 0009764977

FO: Donation- PAC

⑈0000250000⑈

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EXHIBIT

JACK E. LAWTON, JR.
OR HOLLY LAWTON
 P.O. BOX 3617, CHOUIPIQUE RD.
 SULPHUR, LA 70683

September 13 90 04-18/882 719

Pay to the order of A.C.L.R. \$ 2,500.00
 Two thousand, five hundred dollars and no/100

SULPHUR MID-CITY BRANCH
Calcasieu Marine National Bank
 LAKE CHARLES, LOUISIANA 70602

158 Donation PAC 3400547 09-18-90 05 0005284977
 0000250000

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EXHIBIT
 5

AFFIDAVIT OF MRS. JACK E. LAWTON, SR.

STATE OF LOUISIANA

PARISH OF CALCASIEU

BEFORE ME, the undersigned authority, personally came and appeared:

MRS. JACK E. LAWTON, SR.

who, after being first duly sworn, did depose and say:

- 93040924773
1. My name is Mrs. Jack E. Lawton, Sr. I reside at Route 5, Box 3615, Sulphur, Louisiana 70663. The following statements are true and correct to the best of my knowledge, information and belief.
 2. My husband, Jack E. Lawton, Sr., and I maintain a joint checking account at Calcasieu Marine National Bank in Lake Charles, Louisiana.
 3. I signed the January 31, 1990 check drawn on our joint account in the amount of \$1,000 made payable to "Thibodaux for Congress." (Exhibit 2) The check was intended to be a contribution to the campaign of David Thibodaux, a Republican seeking election to the Congress from the Seventh District of Louisiana.
 4. I have never made contributions to any of David Thibodaux's previous campaigns. The \$1,000 check was the only contribution I made to David Thibodaux in this particular campaign, and other than this single check, I had no further involvement with the campaign. I did not raise money for David Thibodaux or host a social event on his behalf.

EXHIBIT

93040924774

5. I did not sign the September 13, 1990 check, not September 5, 1990 as the Complaint reflects, for \$2,500 drawn on our joint account and made payable to the American Coalition for Legislative Reform ("Coalition"). (Exhibit 4) I was not even aware that my husband had written such a check. We had made similar contributions to conservative PAC's in the past, as indicated on Attachment A.

6. I was not involved in any way with the Coalition or any of its fund-raising activities. My only knowledge of the activities of the Coalition are based on statements made to me by my husband and son. I am not personally acquainted with Charles Phillips or any of the Coalition contributors as listed in the Federal Election Commission Complaint. To the best of my knowledge, I have never spoken to nor met Mr. Charles Phillips.

7. It is not my understanding that the Coalition was intended to be another vehicle to raise money for David Thibodaux. In fact, I did not know that the Coalition had made contributions to David Thibodaux until I received a copy of the Complaint filed by the Democratic State Central Committee of Louisiana.

Mrs Jack E. Lawton, Sr.
MRS. JACK E. LAWTON, SR.

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 10 DAY
OF July, 1991

Ramona Augustine
NOTARY PUBLIC

ATTACHMENT A

CONTRIBUTIONS MADE BY MRS. JACK LAWTON, SR.

1987

Republican National Committee	\$ 250.00
New Orleans Big Game Fishing Club	\$ 400.00
GCCA	\$ 240.00
N. O. Big Game Fishing Club	\$ 400.00
GCCA	\$ 2,650.00
Republican National Committee	\$ 250.00
American Defense Lobby	\$ 100.00
Republican Senatorial Inner Circle	\$ 1,000.00
Council for National Defense	\$ 100.00
John Krey, III Memorial Wetlands Project	\$ 5,000.00
National Coalition for Marine Conserv.	\$ 100.00
Buddy Roemer Campaign Fund	\$ 1,000.00

1988

Republic Party of LA	\$ 250.00
Ducks Unlimited	\$ 200.00
New Orleans Big Game Fishing Club	\$ 400.00
National Rifle Association	\$ 250.00
Republic National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
Billy Tauzin for Governor Committee	\$ 1,000.00
GCCA	\$ 360.00
McCrery for Congress	\$ 1,000.00
NRA - PUF	\$ 250.00
GCCA	\$ 3,935.00
American Defense Lobby	\$ 250.00
Republican National Committee	\$ 100.00
LA Wildlife Federation	\$ 250.00
Horace McQueen for Congress	\$ 100.00
Defeat Dukakis Project	\$ 25.00
Republican Senatorial Circle	\$ 1,000.00
Bob Livingston	\$ 1,000.00
New Orleans Big Game Fishing Club	\$ 75.00
RNC/88 Presidential Fund	\$ 250.00
American Defense Lobby	\$ 250.00
McCrery for Congress	\$ 1,000.00
Billy Tauzin for Congress	\$ 250.00
Trent Lott for Mississippi	\$ 250.00
New Orleans Big Game Fishing Club	\$ 22.00
National Coalition for Marine Conserv.	\$ 500.00
Ducks Unlimited	\$ 180.00
North Defense Trust	\$ 250.00

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1989

Republican National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
La. Wildlife Federation	\$ 250.00
Accounting General of BVI	\$ 220.00
GCCA	\$ 500.00
North Defense Trust	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 1,550.00
Friends of Phill Gramm	\$ 250.00
NRA	\$ 100.00
North Defense Trust	\$ 100.00
Billy Tauzin Comm.	\$ 500.00
Republican Senatorial Circle	\$ 1,000.00

1990

Republican National Committee	\$ 250.00
National Coalition for Marine Conserv.	\$ 500.00
Thibodaux for Congress	\$ 1,000.00
Thibodaux for Congress	\$ 1,000.00
NRA Institute	\$ 250.00
New Orleans Big Game Fishing	\$ 400.00
Ducks Unlimited	\$ 200.00
Friends of Clyde Holloway	\$ 500.00
Republican Senate Circle	\$ 1,000.00
Friends of Phil Gramm	\$ 1,000.00
La. Wildlife Federation	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 100.00
La. Republican Party	\$ 250.00
Re-Elect Thurmond	\$ 250.00
GCCA	\$ 2,000.00
GCCA	\$ 50.00
McCrery for Congress	\$ 1,000.00
Republican National Comm.	\$ 250.00
Friends of Bob Livingston	\$ 1,000.00
Re-Elect Thurmond	\$ 250.00
Conservative Republican Comm.	\$ 250.00
GCCA	\$ 50.00
Committee on Limiting Terms	\$ 30.00

1991

NRA ILA	\$ 250.00
National Republican Cong.	\$ 200.00
GCCA	\$ 125.00
NCMC	\$ 100.00
New Orleans Big Game Fishing	\$ 400.00
NRA	\$ 250.00
Federal Coastal Conservation	
Political Action Committee Fund	\$ 750.00

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AFFIDAVIT OF JACK E. LAWTON, JR.

STATE OF LOUISIANA

PARISH OF CALCASIEU

BEFORE ME, the undersigned authority, personally came and appeared:

JACK E. LAWTON, JR.

who, after being first duly sworn, did depose and say:

- 93040924777
1. My name is Jack E. Lawton, Jr. I reside at Route 5, Box 3617, Sulphur, Louisiana 70663. The following information is true and correct to the best of my knowledge, information and belief.
 2. My wife, Holly Lawton, and I maintain a joint checking account at Calcasieu Marine National Bank in Lake Charles, Louisiana.
 3. On January 31, 1990 I signed a check drawn on our account in the amount of \$1,000 made payable to "Thibodaux for Congress." (Exhibit 3) The check was intended to be a contribution to the campaign of David Thibodaux, a Republican seeking election to Congress from the Seventh District of Louisiana.
 4. I have never made contributions to any of David Thibodaux's previous campaigns. The \$1,000 check is the only contribution I have made to David Thibodaux in this particular campaign.
 5. On September 13, 1990, not September 5, 1990, as the Complaint reflects, I signed a check drawn on our account in the amount of

EXHIBIT

\$2,500 made payable to the "American Coalition for Legislative Reform" ("Coalition"). (Exhibit 5)

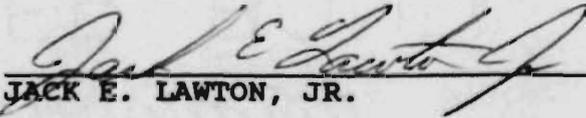
6. I first learned of the Coalition through Mr. Charles Phillips and discussed with him the possibility of contributing to the Coalition in August, 1990. To the best of my knowledge, this is the only conversation about contributions I ever had with anyone who was associated with the Coalition. Mr. Phillips represented to me that the Coalition participated in elections both inside and outside Louisiana in support of conservative candidates. The greater part of the meeting was devoted to the discussion of Mr. Phillips' activity in supporting conservative political candidates and causes in the Gulf Coast area through his PAC, the Coalition. Mr. Phillips affirmatively stated that the Coalition was not associated with the Thibodaux Committee. Mr. Phillips indicated that the Coalition was a multicandidate PAC and that an individual can contribute up to \$5,000.

7. Mr. Phillips requested that my wife and I contribute \$10,000 to the Coalition. I was never informed that the Coalition was another vehicle for obtaining additional campaign contributions for David Thibodaux. In fact, the first time I learned that the Coalition had made contributions to David Thibodaux was when I received a Complaint filed with the Federal Election Commission by the Democratic State Central Committee of Louisiana.

8. Other than the single check, I had no further involvement with the Coalition. I am not personally acquainted with the Coalition contributors listed in the Federal Election Commission Complaint.

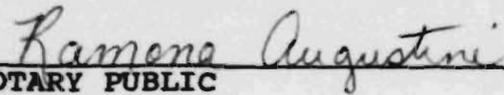
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9. I regularly make contributions to candidates for state, local and federal offices and to political committees that provide support to conservative candidates, as evidenced by Attachment A. My contributions to David Thibodaux and the Coalition was consistent with those practices. I intended for my contributions to be used for lawful purposes in support of conservative candidates around the country.



JACK E. LAWTON, JR.

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 10 DAY
OF July, 1991.



NOTARY PUBLIC

93040924779

ATTACHMENT A

CONTRIBUTIONS MADE BY MR. JACK LAWTON, JR.

1987

Republican Party of La.	\$ 100.00
Fraternal Order of Police	\$ 30.00
Dennis Stine Fund Raiser	\$ 250.00
Jack Doland Camp. Fund	\$ 1,000.00
S. W. La. Fishing Club	\$ 100.00
New Orleans Big Game Fishing Club	\$ 2,000.00
New Orleans Big Game Fishing Club	\$ 400.00
GCCA	\$ 320.00
GCCA	\$ 5,000.00
GCCA	\$ 2,000.00
La. Republican Party	\$ 100.00

1988

N. O. Big Game Fishing	\$ 400.00
GCCA	\$ 360.00
S. W. La Fishing Club	\$ 100.00
GCCA	\$ 500.00
GCCA	\$ 250.00
Christopher Cox for Congress	\$ 100.00
La. Republican Party	\$ 100.00
Victory 88 (Roemer)	\$10,000.00
Clyde Holloway Camp. Fund	\$ 1,000.00
Trent Loft for Mississippi	\$ 1,000.00
Tim Stine Camp. Fund	\$ 25.00
GCCA Victory Celebration	\$ 1,000.00

1989

AFC	\$ 100.00
La. Republican Party	\$ 33.00
GCCA	\$ 1,000.00
NRA	\$ 55.00
La. Republican Party	\$ 100.00
New Orleans Big Game Fishing	\$ 400.00
GCCA	\$ 100.00
GCCA	\$ 200.00
GCCA	\$ 500.00
GCCA	\$ 200.00

1990

New Orleans Big Game Fishing	\$ 400.00
NRA Institute	\$ 100.00
Thibodaux for Congress	\$ 1,000.00
Thibodaux for Congress	\$ 1,000.00
GCCA	\$ 100.00
GCCA	\$ 100.00

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Victory 90	\$ 5,000.00
GCCA	\$ 50.00
ACLR - PAC	\$ 2,500.00
Conservative Victory Fund	\$ 2,000.00
GCCA	\$ 50.00
The President's Club	\$ 2,440.00
Vic Stelly Campaign	\$ 1,000.00

1991

GCCA	\$ 200.00
New Orleans Big Game Fishing	\$ 400.00
Sport PAC	\$ 600.00

93040924781

AFFIDAVIT OF THAD D. MINALDI

STATE OF LOUISIANA

PARISH OF CALCASIEU

BEFORE ME, the undersigned authority, personally came and appeared:

THAD D. MINALDI

who, after being first duly sworn, did depose and say:

1. I reside at 1915 22ND Street, Lake Charles, Louisiana 70601. The following statements are true and correct to the best of my knowledge, information and belief.
2. I am the Executive Vice President and Counsel of Jack Lawton, Inc.
3. I was present at a meeting at which Mr. Charles Phillips and Mr. Jack Lawton, Jr. were present on August 22, 1990. This was the one and only time I have ever met Mr. Phillips. The greater part of the meeting was devoted to the discussion of Mr. Phillips' activity in supporting conservative political candidates and causes in the Gulf Coast area through his PAC, the American Coalition for Legislative Reform ("Coalition").
4. I do not recall any discussions that suggest that Mr. Phillips or the Coalition was participating in the Thibodaux election. Mr. Phillips indicated that the Coalition was a multi-candidate Political Action Committee and that an individual could contribute up to \$5,000. In fact, Mr. Phillips requested that Mr. Jack Lawton, Jr. and his wife contribute \$10,000 to the Coalition.



5. I have never made a contribution to the American Coalition for Legislative Reform.


THAD D. MINALDI

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 10 DAY
OF July, 1991


NOTARY PUBLIC

93040924783

AFFIDAVIT OF JACK E. LAWTON, SR.

STATE OF LOUISIANA

PARISH OF CALCASIEU

BEFORE ME, the undersigned authority, personally came and appeared:

JACK E. LAWTON, SR.

who, after being first duly sworn, did depose and say:

1. My name is Jack E. Lawton, Sr. I reside at Route 5, Box 3615, Sulphur, Louisiana 70663. The following statements are true and correct to the best of my knowledge, information and belief.
2. My wife, Dorothy S. Lawton and I maintain a joint checking account at Calcasieu Marine National Bank in Sulphur, Louisiana.
3. On January 31, 1990 my wife signed a check drawn on our joint account in the amount of \$1,000 made payable to "Thibodaux for Congress." (Exhibit 2) I was aware that my wife had written such a check and I understood it to be a campaign contribution for David Thibodaux.
4. I have never made contributions to any of David Thibodaux's previous campaigns. The \$1,000 check was the only contribution I made to David Thibodaux in this particular campaign and other than this single check, I had no further involvement with the campaign. I did not raise money for David Thibodaux or host a social event, on his behalf.

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EXHIBIT

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5. On September 13, 1990, not September 5, 1990 as the Complaint reflects, I signed a check drawn on our joint account in the amount of \$2,500 made payable to the American Coalition for Legislative Reform ("Coalition"). (Exhibit 4) To the best of my knowledge, I have never met Charles Phillips nor even had a conversation with him, but may have been in the same room with him at one time. I relied on the representations of my son, Jack E. Lawton, Jr., that a contribution to the Coalition was a contribution to a multi-candidate PAC. My son relied on Mr. Phillips' representation.

6. I did not know that the Coalition and David Thibodaux were related. I have previously contributed similar amounts to Political Action Committees formed to support the election of conservative candidates. I was told that the Coalition was such a PAC. I intended for my contribution to be used for lawful purposes in support of conservative candidates around the country. I was never informed that the Coalition was another vehicle for obtaining additional campaign contributions for David Thibodaux.

7. Other than the single check, I had no further involvement with the Coalition. I am not personally acquainted with Charles Phillips or any of the Coalition contributors listed in the Federal Election Commission Complaint.

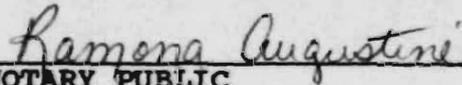
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8. I regularly make contributions to candidates for state, local and federal offices and to political committees that provide support to conservative candidates as evidenced by Attachment A. My contributions to David Thibodaux and the Coalition were consistent with those practices.



JACK E. LAWTON, SR.

SWORN TO AND SUBSCRIBED
BEFORE ME THIS 10 DAY
OF July, 1991.



NOTARY PUBLIC

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ATTACHMENT A

CONTRIBUTIONS MADE BY MR. JACK LAWTON, SR.

1987

Republican National Committee	\$ 250.00
New Orleans Big Game Fishing Club	\$ 400.00
GCCA	\$ 240.00
N. O. Big Game Fishing Club	\$ 400.00
GCCA	\$ 2,650.00
Republican National Committee	\$ 250.00
American Defense Lobby	\$ 100.00
Republican Senatorial Inner Circle	\$ 1,000.00
Council for National Defense	\$ 100.00
John Krey, III Memorial Wetlands Project	\$ 5,000.00
National Coalition for Marine Conserv.	\$ 100.00
Buddy Roemer Campaign Fund	\$ 1,000.00

1988

Republic Party of LA	\$ 250.00
Ducks Unlimited	\$ 200.00
New Orleans Big Game Fishing Club	\$ 400.00
National Rifle Association	\$ 250.00
Republic National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
Billy Tauzin for Governor Committee	\$ 1,000.00
GCCA	\$ 360.00
McCrery for Congress	\$ 1,000.00
NRA - PUF	\$ 250.00
GCCA	\$ 3,935.00
American Defense Lobby	\$ 250.00
Republican National Committee	\$ 100.00
LA Wildlife Federation	\$ 250.00
Horace McQueen for Congress	\$ 100.00
Defeat Dukakis Project	\$ 25.00
Republican Senatorial Circle	\$ 1,000.00
Bob Livingston	\$ 1,000.00
New Orleans Big Game Fishing Club	\$ 75.00
RNC/88 Presidential Fund	\$ 250.00
American Defense Lobby	\$ 250.00
McCrery for Congress	\$ 1,000.00
Billy Tauzin for Congress	\$ 250.00
Trent Lott for Mississippi	\$ 250.00
New Orleans Big Game Fishing Club	\$ 22.00
National Coalition for Marine Conserv.	\$ 500.00
Ducks Unlimited	\$ 180.00
North Defense Trust	\$ 250.00

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1989

Republican National Committee	\$ 250.00
Citizens Against Government Waste	\$ 25.00
La. Wildlife Federation	\$ 250.00
Accounting General of BVI	\$ 220.00
GCCA	\$ 500.00
North Defense Trust	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 1,550.00
Friends of Phill Gramm	\$ 250.00
NRA	\$ 100.00
North Defense Trust	\$ 100.00
Billy Tauzin Comm.	\$ 500.00
Republican Senatorial Circle	\$ 1,000.00

1990

Republican National Committee	\$ 250.00
National Coalition for Marine Conserv.	\$ 500.00
Thibodaux for Congress	\$ 1,000.00
Thibodaux for Congress	\$ 1,000.00
NRA Institute	\$ 250.00
New Orleans Big Game Fishing	\$ 400.00
Ducks Unlimited	\$ 200.00
Friends of Clyde Holloway	\$ 500.00
Republican Senate Circle	\$ 1,000.00
Friends of Phil Gramm	\$ 1,000.00
La. Wildlife Federation	\$ 250.00
GCCA	\$ 100.00
GCCA	\$ 100.00
La. Republican Party	\$ 250.00
Re-Elect Thurmond	\$ 250.00
GCCA	\$ 2,000.00
GCCA	\$ 50.00
McCrery for Congress	\$ 1,000.00
Republican National Comm.	\$ 250.00
Friends of Bob Livingston	\$ 1,000.00
Re-Elect Thurmond	\$ 250.00
Conservative Republican Comm.	\$ 250.00
GCCA	\$ 50.00
Committee on Limiting Terms	\$ 30.00

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NRA ILA	\$ 250.00
National Republican Cong.	\$ 200.00
GCCA	\$ 125.00
NCMC	\$ 100.00
New Orleans Big Game Fishing	\$ 400.00
NRA	\$ 250.00
Federal Coastal Conservation	
Political Action Committee Fund	\$ 750.00

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06-1944

DAVID THIBODAUX FOR CONGRESS 1990

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH

EUGENE H. DARNALL, III, TREASURER

91 JUL 22 AM 10:39

July 3, 1991

Office of the General Counsel
Federal Election Commission
999 E. Street, N.W., 6th Floor
Washington, D.C. 70004

Attention: Jose Rodriguez

Re: MUR 3313

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE GENERAL COUNSEL
91 JUL 23 AM 10:36

Dear Mr. Rodriguez:

As per our telephone conversation on July 3, 1991, we are requesting an extension to respond to the complaint against David Thibodaux for Congress-1990 campaign committee. The extension is requested to July 20, 1991.

Sincerely,

Eugene H. Darnall, III, Treasurer

EHD:kbc

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DAVID THIBODAUX FOR CONGRESS 1990

EUGENE H. DARNALL, III, TREASURER

July 19, 1991

Mr. Jose Rodriguez
The Federal Election Commission
Washington, D.C. 20463

Re: MUR 3313

Dear Mr. Rodriguez:

I accepted the role and responsibilities of Treasurer of the 1990 David Thibodaux for Congress Campaign Committee. David Thibodaux asked me to do this to see to it that all Campaign receipts and disbursements were properly reported. David also made it clear to me that he wanted all FEC regulations and restrictions followed strictly. I set up a system to see to it that this would be done.

According to our system, two copies of all checks received by the Campaign were to be made before the checks were deposited. The deposit slip and one copy of the checks were to be given to me. The other copy of the check was to be given to Joel Mincey, who was responsible for entering the donation into the Campaign's computer files. In-kind donations were handled in a similar way, and vouchers were to be submitted for each one containing the exact amount and the nature of the donation. This is the system that was followed throughout the campaign.

The American Coalition for Legislative Reform never donated any money to the Campaign, nor did we ever receive any vouchers or statements of any kind from the Coalition for an in-kind contribution. If we had, it would have been reported immediately along with all other donations to the Campaign.

David Thibodaux's detailed response to the allegations contained in the Complaint filed against the Campaign will also stand for the Committee's response. I would only reiterate what all those involved in the Campaign have already stated in writing to the FEC, that we always went the extra mile to abide by both the letter and spirit of any and all FEC regulations and restrictions.

Sincerely,


Eugene H. Darnall, III

EHDIII/lbr

CERTIFIED MAIL NO. P 433 254 080

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE SERVICES BRANCH
91 JUL 23 AM 11:43

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF CENTRAL COUNSEL
91 JUL 23 PM 3:30

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Mr. Jose Rodriguez
Federal Election Commission
Washington, D. C. 20463

9, 1991

RE: MUR 3313

Dear Mr. Rodriguez:

The following is my response to the Complaint filed against my 1990 Congressional Campaign. Unfortunately, I have already had to respond to the media regarding this matter as the individuals responsible for filing the Complaint saw fit to recklessly ignore the provisions of confidentiality you refer to in Paragraph 3 of your letter and delivered copies of the Complaint to the media at the same time that it was delivered to the FEC. If this were a good faith effort to see justice done, the individuals responsible for this Complaint would have respected the law themselves and at least given the FEC a chance to evaluate the Complaint *before* going to the media with it.

My statements to the media were general rather than specific as I had not seen the Complaint. My original position, which I stated in a dozen different interviews, was that this Complaint is a mean-spirited, petty, personal, political vendetta at taxpayers' expense.

The truth of the matter is that Congressman Jimmy Hayes is angry because I opposed him in 1990 and dared to bring out the truth about his financial dealings, which involve millions of dollars in defaulted loans to two failed financial institutions. This is clearly evidenced by the fact that the entire Complaint focuses on the printing and distribution of a brochure entitled *Taxpayer Alert*, which lists Hayes' financial dealings. This Complaint is a scare tactic to discourage any potential challenges to him next year or the use of this information about his finances against him. The fact that Jimmy Hayes' wife is a member of the Louisiana Democratic State Central Committee, which was ostensibly responsible for filing the Complaint, and the fact that there is a letter in the Complaint signed by Hayes on his Congressional stationery (despite his protestations that he had nothing to do with it) *clearly* establish the very personal nature of this attack. What is so insidious about this effort is that it, indeed, will reinforce the perception that politics is a dirty, little game that decent people should not get involved in.

This was the substance of my public statements before I saw the Complaint. Now that I have actually seen the Complaint, I reiterate in the strongest possible language *all* that I have already stated to the media. This Complaint is careless, contradictory, and, in places, incoherent. Still, I would prefer to have the benefit of legal counsel, but I simply cannot afford a lawyer. My wife and I are both school teachers, and we have just had a baby (who is not yet paid for). I do not now and have never held a public office. We are just regular, working-class taxpayers who have never and would never violate the law. It is in that spirit that *both* of my unsuccessful and hopelessly underfunded campaigns for Congress were conducted.

And so, in spite of Abraham Lincoln's admonition that he who defends himself has a fool for a lawyer and a jackass for a client, I shall attempt to answer the libelous allegations in the Complaint, point for point.

Sincerely,

David Thibodeaux

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RESPONSE TO
THE COMPLAINT TO THE
FEDERAL ELECTION COMMISSION

AGAINST

DAVID THIBODAUX FOR CONGRESS - 1990
FEC NO. 132845

CASE NO. MUR 3313

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INTRODUCTION

I begin by objecting strenuously to the personal, petty, political nature of the Complaint which was filed against my 1990 Campaign Committee. I also wish to object in the strongest possible language to the manner in which those responsible for filing this Complaint have conducted themselves. I would point out that the names of all the people who appear on the American Coalition for Legislative Reform's (the committee with which my Campaign Committee allegedly "conspired to violate FEC regulations") FEC report were released to the media by the people responsible for filing this Complaint *after* the respondents had all been assured by the FEC that "...this matter will remain confidential...unless you [the respondents] notify the Commission in writing that you wish the matter to be made public." This kind of reckless disregard for decency and lack of respect for the rule of law characterizes this entire Complaint. I am convinced that all those in any way involved in this Complaint have seriously violated the rights of all the respondents in this inquiry under 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A). I am desirous of seeing to it that all these violations are appropriately addressed and redressed, through litigation if necessary.

Many public statements have already been made to the media regarding this matter by me and others associated with this Complaint because of the reckless manner in which those responsible for filing this Complaint have chosen to conduct themselves. I would like to point out, in particular, statements made to the media by Mr. James Brady, Chairman of the Louisiana Democrat State Central Committee and the man who is ostensibly, principally responsible for filing this Complaint. Mr. Brady was quoted in the *Morning Advocate* newspaper (Exhibit A) as "conceding" that the "evidence" offered to support the allegations he has made is "circumstantial." Then Brady was quoted in *The Times of Acadiana* as saying that the alleged "conspiracy" to violate FEC regulations was "...such a blatant attempt that it just couldn't be allowed to go by and not be dealt with" (Exhibit B). The logical question, of course, is - Is it "blatant" or is the evidence "circumstantial?" Mr. Brady's contradictory statements to the media are characteristic of this entire Complaint, indicating the careless nature of this attack.

I would also point out that the "request to the Lafayette, Louisiana Postmaster, Harry D. Green, Sr., establishing "the source of the P. O. Box rental" (Exhibit K in the Complaint) is, in fact, a letter from Jimmy Hayes, signed by him and on his congressional stationery which indisputably links Hayes personally to this Complaint. Still more evidence of Hayes' personal involvement in this Complaint is the fact that his wife, Leslie, is an elected member of the Louisiana Democrat State Central Committee, which is ostensibly responsible for filing the Complaint. There is a reference in the Complaint to the Bayou Shadows apartment complex in Lafayette, which is where Mr. Hayes' office manager, Louis Perret, lives which is further evidence of Hayes' involvement in and the personal, political nature of this Complaint.

It must also be noted that Joel Mincey, one of the young men who did much of the research which went into the *Taxpayer Alert* brochure, was invited to appear on a local television program in Lafayette to discuss the information discovered in the Court House records pertaining to Mr. Hayes' financial wheelings and dealings. After he appeared on this program, Mr. Mincey was told by a "reliable source" that Mr. Perret had made the comment that he was supposed "to keep an eye on Joel" because "Jimmy (Hayes) was going to make his life a living hell" (Exhibit C) This kind of comment is not only beneath the dignity of a Congressional office, it is beneath contempt. Nevertheless, the point is that Mr. Perret's comment is further evidence not only that Mr. Hayes is out for revenge against anyone who discusses his financial wheelings

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and dealings, but also of the intent to which he will go to punish those who dare to do so, further revealing the political nature and spirit of this Complaint.

Yet, in spite of the indisputable evidence linking Hayes personally to the Complaint, CBS affiliate, KLFY - TV, Channel 10 in Lafayette reported in a news broadcast (of which I have a copy) that Hayes denied having *anything* to do with the Complaint. The fact that Hayes did not want his name associated with this Complaint, even though he is clearly involved, would seem to indicate that he realizes that there are inherent problems with this Complaint, such as misstatements of fact, distortions of fact, ridiculously small amounts of money, and "evidence" which refutes the allegations made and contradicts the conclusions drawn. Hayes' public denial would also seem to indicate that Mr. Hayes does not want this Complaint perceived for what it is, the use by an incumbent congressman of a public, taxpayer-funded organization (the FEC) and a public resource (his Congressional office) to pursue a personal vendetta and to exact a cost from someone who dared to oppose him. His denial would also seem to indicate that he is aware that the rights of all the respondents to this Complaint may have been seriously violated when this Complaint was delivered to the media. Again, these facts could be significant in future litigation regarding the conduct of those linked to this Complaint.

It would also seem that because the Federal Election Commission is a taxpayer funded entity which exists to enforce rules written by incumbents, the Commission would want to be very careful to guard against being used by incumbents as a tool to persecute people who run against them, which should be a very real consideration in this instance.

I would also call attention to the amount of money involved as evidence of the pettiness of this Complaint. Even if we were to admit, for the sake of argument, that every single allegation made in the Complaint were true, we are talking only about a few thousand dollars. Intelligent people would simply not expose themselves to possible serious legal problems over such inconsequential amounts of money, especially given the astronomical costs of congressional campaigns today. While the pathetically small amount of money involved should not, in and of itself, be the basis for dismissing this Complaint as frivolous, logical analysis does dictate that there are points at which differences in degree do, indeed, become differences in kind. As an example, I offer the following facts:

- 1) Jimmy Hayes spent almost NINE HUNDRED THOUSAND DOLLARS (\$900,000) in his 1986 campaign for Congress;
- 2) I spent seventy thousand dollars in my 1986 campaign for Congress;
- 3) In 1990, Mr. Hayes received more money from PAC's than I was able to raise in my entire 1990 campaign;
- 4) Now Mr. Hayes questions a \$5000 in-kind PAC donation to my campaign.

As a colleague of mine at school remarked, this is worse than the proverbial pot calling the kettle black; this is the pot raping the kettle then accusing the kettle of sexual misconduct.

While the clear personal, political, petty nature of this Complaint cannot, in and of itself, lead to the conclusion that it should not be pursued seriously by the FEC, this, together with other facts and evidence would certainly call into question a decision to take this matter any further. I will now address the allegations in this Complaint and the "evidence" offered in support of those allegations.

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RESPONSE TO
THE SPECIFIC ALLEGATIONS
CONTAINED IN THE
COMPLAINT TO THE
FEDERAL ELECTION COMMISSION
AGAINST
DAVID THIBODAUX FOR CONGRESS - 1990
FEC NO. 132845

The COMPLAINT begins by alleging that "The American Coalition for Legislative Reform" (hereinafter referred to as COALITION) and "David Thibodaux for Congress - 1990" (hereinafter referred to as CAMPAIGN COMMITTEE) were "...two ostensibly different, but, in fact, indistinguishable political committees." The COMPLAINT further alleges that the COALITION "...was plainly established to operate in support of the Thiobodaux [sic.] principal campaign committee, and under its control." This allegation forms the foundation on which virtually all of the other allegations contained in the COMPLAINT rest.

Ironically, the COMPLAINT itself establishes with evidence provided therein that this principal allegation (that the two committees were one and the same) is baseless and libelous. The COMPLAINT states that the COALITION was formed on February 24, 1989 and provides the COALITION's Statement of Organization filed with the FEC on that date (Exhibit B-2 in the COMPLAINT) as evidence. The COMPLAINT also includes as Exhibit B-1 a letter from the COALITION dated May 3, 1989 to the FEC in response to an inquiry from the FEC dated April 19, 1989. And so, the COMPLAINT itself establishes through the exhibits presented as evidence that the COALITION was in existence and operating early in 1989. The COMPLAINT also verifies that the Exploratory Committee for my campaign was not formed until December 12, 1989, and this Exploratory Committee did not become my principal CAMPAIGN COMMITTEE until January 24, 1990. Yet the COMPLAINT alleges that the COALITION "...was plainly established to operate in support of the Thiobodaux [sic.] principal campaign committee, and under its control," when the CAMPAIGN COMMITTEE did not come into existence until the COALITION had been operating for an entire year. And so, the very "evidence" offered in the COMPLAINT refutes the principal allegation on which the entire COMPLAINT rests, and this is the kind of careless contradiction which characterizes this very personal, political attack.

Furthermore, I wish to state for the record that I did not meet Charles Phillips, the Treasurer of the COALITION, until June of 1990, more than a year and a half after the COALITION had begun its activities in Texas. Prior to that, I had never heard of Mr. Phillips or the COALITION. I met Charles Phillips through Richard "Richie" Martin, who I did not meet until April 24, 1990, and he did not become the CAMPAIGN COMMITTEE'S media consultant until June of 1990.

The COMPLAINT alleges that Mr. Phillips and Mr. Martin "actively worked together in the Pat Robertson Texas Presidential Campaign," and that I "was elected as a Pat Robertson delegate to the Republican National Convention." This is the only evidence offered in the COMPLAINT to establish any connection between me and these men prior to June of 1990.

The fact of the matter is that I attended the 1988 Republican 7th District Caucuses in Jennings, Louisiana as a member of the delegation supporting Jack Kemp. Mayor Dud Lastrapes of Lafayette was the Chairman of our delegation, and a letter from him verifying that I was, indeed, a part of his delegation is included (Exhibit D). So this is yet another example of the

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rockless and careless nature of this COMPLAINT, and what is so interesting about this misstatement of fact is that Congressman Hayes' own brother, Fred, also attended this Caucus, and he was a member of the Robertson delegation. Furthermore, on March 19, 1988, I was elected by the Louisiana Republican State Central Committee as a Delegate-at-large to the Republican National Convention, but I was committed to George Bush as Mr. Kemp had already withdrawn from the race. I enclose a copy of a certificate signed by President Bush so stating as Exhibit E. So the "evidence" offered in this COMPLAINT is not only "circumstantial," as Mr. James Brady himself, the man supposedly responsible for filing this COMPLAINT, stated in an interview with the *Morning Advocate*, it is wrong.

I would further state for the record that it was always my understanding that the COALITION was a legitimate, multi-candidate PAC which had been in existence for several years and active in races in several states. This understanding was based upon my face-to-face inquiries directed to Mr. Phillips, in good-faith compliance with all FEC regulations. Richie Martin's understanding of the COALITION was the same as mine as confirmed to me by Mr. Martin in a telephone conversation since I received this COMPLAINT. If this is not the case as regards the COALITION, then Mr. Phillips misrepresented himself to me and to my CAMPAIGN COMMITTEE. Furthermore, it is my understanding that Mr. Phillips has actually written and published a book on PAC's and their participation in campaigns and elections, so I had no reason to doubt the man's expertise or his word. Nevertheless, the most significant fact is that my CAMPAIGN COMMITTEE and the COALITION were, indeed and in fact, two completely separate entities, and this COMPLAINT has offered absolutely no evidence to the contrary. In light of that fact, I cannot and will not address questions raised in this COMPLAINT which should appropriately be addressed to the COALITION.

The COMPLAINT makes three specific allegations listed in Section II and labeled A, B, and C. These allegations, like the principal one in this COMPLAINT, are baseless and libelous and, also like the principal one in this COMPLAINT, are "supported" with "evidence" which is either purely circumstantial, contradictory, or incorrect. The allegations are:

- A. The "Coalition" operated exclusively from contributions arranged by "Thibodaux;"
- B. The "Coalition" expenses were devoted entirely to the "Thibodaux" campaign for the 7th district of Louisiana;
- C. The "Coalition" and "Thibodaux" conspired to knowingly and intentionally file false reports with the Federal Election Commission in order to avoid discovery of the illegal relationship linking the two committees and in order to disguise illegal contributions and prohibited election activity.

I will address the allegations one at a time.

- A. The "Coalition" operated exclusively from contributions arranged by "Thibodaux."

This allegation is baseless and libelous. Neither I nor any authorized agent of my CAMPAIGN COMMITTEE ever solicited donations for the COALITION. I was never aware of when or how Mr. Phillips solicited donations to the COALITION, and, because of the completely independent nature of the COALITION, this was appropriate and in keeping with FEC regulations. In fact, the first knowledge I had of the sources of the COALITION's money was the receipt of this COMPLAINT, which, again, is appropriate and in keeping with FEC

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restrictions. The COMPLAINANT alleges that the "COALITION did not give a single contribution to it from its February 24, 1989 inception until August 8, 1990." I cannot speak to this allegation as, again, the COALITION was an independent committee operating early in 1989, and Exhibit A offered in the COMPLAINT as evidence of this allegation is illegible. Most of the donations to the COALITION listed in the COMPLAINT do, however, come from the Lawton family and the Chance family. These two families are as generous as they are wealthy, and it is not unusual for them to be solicited nor for them to make maximum contributions to conservative causes and/or candidates. A review of the monies they have donated over the years will quickly and easily verify this, and I am confident that their responses to the FEC inquiries will further confirm what I am saying.

In addition, Mr. John Chance was quoted in the *Morning Advocate* saying that he "gave money to the Texas PAC [the COALITION] assuming it would contribute money to conservative politicians." Mr. Chance went on to say that when he received the COMPLAINT from the FEC, that "...that's the first I knew that the PAC had given money to David Thibodaux." Chance also called this COMPLAINT "...dirty little politics..." (See Exhibit A).

As I understand the FEC regulations, as long as the COALITION was operating independently of my CAMPAIGN COMMITTEE, which is established both by the inception dates of the committees and by Mr. Chance's public statements, then the COALITION could legally solicit contributions from any party up to the \$2500 legal limit, and that is what happened. Mr. Chance's public statements clearly establish that there was no "understanding" of any kind that money he donated to the PAC would come to my CAMPAIGN COMMITTEE. If the Lawtons' responses to the FEC inquiries are similar to Chance's, and I am confident that they will be, then these individuals' donations to the COALITION do *not* constitute excess contributions to my CAMPAIGN COMMITTEE as alleged in the COMPLAINT. Furthermore, I am not even familiar with the other names which appear on the COALITION's FEC report as donors, and *none* of these people donated any money to my CAMPAIGN COMMITTEE, which further establishes the independent nature of the COALITION and its fundraising activities. It must also be pointed out that *no* COALITION money ever found its way into my CAMPAIGN COMMITTEE's account.

B. The "Coalition" expenses were devoted entirely to the "Thibodaux" campaign for the 7th district of Louisiana.

This allegation is also baseless and libelous. Because the COALITION was, in fact, an independent committee, as has been established, neither I nor my CAMPAIGN COMMITTEE should answer questions about the receipts or disbursements of the COALITION. A review of the COALITION's disbursements listed in the COMPLAINT, however, reveals only one expenditure which can be specifically related to my campaign, i.e., the payment to P. C. Piazza for the use of his photograph of Jimmy Hayes sitting on the hood of his expensive, Italian sports car on the future site of Commerce and Energy Bank (a Bank which collapsed after Mr. Hayes defaulted on a million dollars in loans) in the brochure entitled *Taxpayer Alert*. It must be pointed out that this brochure, which lists chapter and verse of Mr. Hayes' financial dealings, is the focus of this COMPLAINT, which offers further evidence of the source and spirit of this COMPLAINT. Nevertheless, the disbursement to Mr. Piazza is only \$1500, well below the \$5000 legal limit the COALITION could contribute to my CAMPAIGN COMMITTEE.

There is also a disbursement to "The Martin Group," which *could* be connected to my CAMPAIGN COMMITTEE. I say *could* because I was unaware of this disbursement until I received a copy of this COMPLAINT, and I have no idea what the disbursement was for. The

only reason that this disbursement could be connected to my CAMPAIGN COMMITTEE is because Richard "Richie" Martin, who is the owner of The Martin Group, was also the media consultant to my CAMPAIGN COMMITTEE. The COMPLAINT falsely alleges, however, that Mr. Martin was working "exclusively" for me, and there was never such a relationship between Mr. Martin and my CAMPAIGN COMMITTEE for the simple reason that my CAMPAIGN COMMITTEE could not afford to retain his services on an "exclusive" basis. The fact is I know for certain that Mr. Martin was consulting with the State Republican Party and the Senate Campaign of Ben Bagert. Mr. Martin's business, The Martin Group, also continued to operate in Dallas, and Mr. Martin made several trips back to Dallas during the period he was working with my CAMPAIGN COMMITTEE on business which was unrelated to my campaign. So, it is only an assumption that the COALITION's disbursement to The Martin Group was on behalf of my campaign, as the COMPLAINT, itself, points out that Mr. Martin and Mr. Phillips have been associated at least since the Robertson Presidential Campaign of 1988. But even if we assume, for the sake of argument, that the COALITION's disbursement to The Martin Group was completely related to my campaign, that still places the total COALITION contribution to my CAMPAIGN COMMITTEE at only \$3100, still below the legal limit.

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There is absolutely no evidence offered in this COMPLAINT that the remainder of the COALITION's disbursements are in any way related to my campaign. The COALITION's disbursement to Ben Bagert would specifically serve as clear evidence that the COALITION was operating in support of more than one candidate, which was always my understanding, and that not all of the COALITION's expenditures were on behalf of my campaign. The argument supporting the allegation that the "payment by the 'Coalition' is not support for the Bagert campaign but in fact [my CAMPAIGN COMMITTEE's] portion of a common expense" is confusing and is, again, refuted by the very evidence offered to support the allegation. The COMPLAINT offers a flyer marked Exhibit M as evidence for this particular allegation. But the flyer contains the disclaimer "Christians for Conservative Government," an organization of which I have never heard prior to receiving this COMPLAINT. If my CAMPAIGN COMMITTEE was supposed to reimburse someone for my "portion of a common expense" for this flyer through the COALITION, which it appears the COMPLAINT is alleging, then the reimbursement would logically have been to the "Christians for Conservative Government" and not to Bagert. Again, the attempt of those responsible for filing this COMPLAINT to connect the COALITION's disbursement to Bagert to my campaign is confusing and yet another example of a desperate grasping at thin threads as they continue to weave their story out of whole cloth.

It is also in this Section of the COMPLAINT that the COMPLAINT itself offers the clearest evidence that there was never a "conspiracy to violate FEC regulations," as the COMPLAINT alleges. In this Section, the COMPLAINT points out that the *Taxpayer Alert* brochure contains a disclaimer which reads:

Paid for by The American Coalition for Legislative Reform
Authorized by The David Thibodaux for Congress Campaign (Exhibit F).

If there was, indeed, a "conspiracy" between my CAMPAIGN COMMITTEE and the COALITION to "conceal an illegal relationship," as the COMPLAINT alleges, why, in the name of common sense, would we have placed such a disclaimer in the *Taxpayer Alert* brochure? If, again, there was a "conspiracy" between my CAMPAIGN COMMITTEE and the COALITION to "conceal an illegal relationship," as the COMPLAINT alleges, (the fact that we placed this disclaimer in a brochure that would inevitably fall into the hands of my opponent

publicly announcing the formation of the two committees on this basis would be evidence only that we are, indeed, the most inept conspirators in the history of political intrigue. The fact that both committees then clearly listed in both our FEC reports the names of people who had made maximum donations to each committee would be further evidence that this is a "conspiracy" a la The Three Stooges. In other words, in the face of this disclaimer clearly printed in the *Taxpayer Alert* brochure, the conclusion that there was a "conspiracy to violate FEC regulations" and to "conceal the illegal relationship" between the two committees violates all categories of logical thought and rational analysis. And so, once again, the "evidence" presented in the COMPLAINT serves to refute the allegations contained therein and to render its conclusions absurd.

The disclaimer was printed in the *Taxpayer Alert* brochure in order to avoid violating FEC regulations as there was consultation between the COALITION and my CAMPAIGN COMMITTEE. The consultation was limited to the sharing of information and documents obtained from the records of the Clerk of Court for Lafayette Parish which reveal the startling chronology of Jimmy Hayes' financial dealings, which involve millions of dollars in defaulted loans to two failed financial institutions. But it was and is my understanding of the FEC code that even *that* much consultation meant that the COALITION could either contribute \$5000 directly to my CAMPAIGN COMMITTEE *or* participate in the printing and distribution of the brochure up to that legal limit. Had there been no consultation, then there would have been no legal limit on what the COALITION could spend on the brochure. It was and is my understanding from Mr. Phillips, himself, that he did not exceed the \$5000 limit in expenditures relating to the *Taxpayer Alert* brochure. If the COALITION spent any other money on behalf of my campaign, and there is no clear evidence presented in this COMPLAINT that it did, it still would not constitute a violation of FEC restrictions as neither I nor any authorized agent of my CAMPAIGN COMMITTEE had any knowledge of any such expenditures.

My understanding was and is that my CAMPAIGN COMMITTEE's only obligation under FEC regulations was to report any COALITION expenditures related to the *Taxpayer Alert* brochure as an in-kind contribution. In order to do that, we needed copies of receipts of specific expenditures from the COALITION which we never received. I suppose we could have simply reported a \$5000 in-kind contribution from the COALITION as a single line item in my CAMPAIGN COMMITTEE's report, but we would have been merely guessing as to exactly how much the COALITION spent on the *Taxpayer Alert* brochure. I have personally made several unsuccessful attempts to contact Mr. Phillips since my campaign ended. I intended to see that the in-kind donation was properly reported as soon as we had the specific total and an itemized list of expenditures, and the fact that my CAMPAIGN COMMITTEE continues to file reports with the FEC still makes that possible whenever we get the specific information needed to do so. There did not seem to be any urgency about this as the election was over, but we stand ready to address this in any way the FEC sees fit.

The next Section of the COMPLAINT (specifically II.B.1a.) contains the blatant misstatement of fact that I "was elected as a Robertson delegate to the Republican National Convention." As already established, I have never supported Pat Robertson for President or any other office, and this is further evidence of the careless nature of this COMPLAINT.

The next paragraph of the COMPLAINT (the last paragraph on page 5) offers yet more evidence that Mr. Jimmy Hayes is directly involved in this COMPLAINT. That paragraph alleges that Richie Martin and Charles Phillips "often shared" an apartment at Bayou Shadows apartment complex in Lafayette. I have no idea whether or not this is so, and the COMPLAINT offers no evidence to support this allegation, but the *only* possible source of this information

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would be Louis Perret, who is Mr. Hayes' Lafayette office and who is a resident of Bayou Shadows. Furthermore, Mr. Martin was aware of the fact that Mr. Perret was a resident of this apartment complex. The point is that if there was a "conspiracy to violate FEC regulations" and to "conceal an illegal relationship" between my CAMPAIGN COMMITTEE and the COALITION, as the COMPLAINT alleges, why, again in the name of common sense, would my media consultant and the Treasurer of the COALITION "share" an apartment in the same apartment complex as Mr. Hayes' office manager? Once again, the logic of the COMPLAINT simply violates all categories of rational thought and analysis. Not only does this allegation offer further evidence of the petty nature of this COMPLAINT, it further connects Mr. Hayes personally to it when he has claimed in the media that he had nothing to do with it.

This Section of the COMPLAINT also points out that Mr. Martin and The Martin Group received a total of \$25,098.65 from my CAMPAIGN COMMITTEE. While this sounds like a large sum of money, anyone even vaguely familiar with how campaigns operate today knows that it is standard operating procedure for a campaign to buy its media through an agency, and the agency makes a 15% commission off the buy. My CAMPAIGN COMMITTEE purchased its media through The Martin Group, so the \$25,000 figure mentioned in the COMPLAINT is *not* simply money that was paid to Richie Martin. In fact, \$25,098.65 represents the *entire* media budget for my campaign, which, given the cost of running successfully against incumbent Congressmen today, is so pathetically small that it hardly bears comment. Yet, the COMPLAINT mentions the \$25,000 figure as though it were all money paid to Richie Martin, which is a deliberate distortion of fact designed to mislead one in the direction of this COMPLAINT's insupportable conclusions.

The remaining allegations contained in this Section either have already been addressed or are irrelevant in that they constitute no violation of any FEC regulation.

The allegations in Sec. II.B.2 are also baseless and libelous. In this Section, the COMPLAINT goes to great lengths to argue that the \$5400 disbursement by the COALITION to Liberty Printing was on behalf of my campaign. However, the COMPLAINT offers absolutely *no* evidence whatsoever to support this allegation, so I will not address it except to say that prior to the receipt of this COMPLAINT, I had never heard of Liberty Printing. Only Mr. Phillips and the COALITION can or should address questions relating to this line item in the COALITION's FEC report.

The COALITION disbursement to Ben Bagert discussed in Section II.B.3. of the COMPLAINT clearly establishes that the COALITION was, indeed, operating in support of more than one candidate, which was always my understanding of the COALITION's activities. As already stated, the allegation that this disbursement "is not support for the Bagert campaign but in fact [my] portion of a common expense" makes no sense, and no evidence whatsoever is offered to support this allegation.

As for the flyer submitted as Exhibit M in the COMPLAINT, I can only say that I had never seen this item prior to receiving this COMPLAINT nor had I ever heard of a group called "Christians for Conservative Government" prior to receiving this COMPLAINT.

- C. The "Coalition" and "Thibodaux" conspired to knowingly and intentionally file false reports with the Federal Election Commission in order to avoid discovery of the illegal relationship linking the two committees and prohibited election activity.

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This allegation is the most libelous of all, and the COMPLAINT goes on to offer as "evidence" of a "knowing and willful conspiracy" to violate FEC regulations the clearest proof that there was no such conspiracy, i.e., the disclaimer printed in the *Taxpayer Alert* brochure. Those responsible for filing the COMPLAINT question the wording of the disclaimer, but this in no way mitigates the fact that the disclaimer is there, clearly indicating that there was no effort to hide anything. I cannot and will not speak to how the COALITION filed its FEC report, but I will assert in the strongest possible language, and under oath if necessary, that all reports filed by my CAMPAIGN COMMITTEE were in strict observance of all FEC regulations as we understood them.

Section II.C.b. of the COMPLAINT is merely an effort to offer more "evidence" of "proximity and consultation" between my CAMPAIGN COMMITTEE and the COALITION as regards the *Taxpayer Alert* brochure, a redundant effort rendered irrelevant by the disclaimer printed in the brochure. I would, however, speak to the allegation that my CAMPAIGN COMMITTEE and the COALITION were both "using offices in the building located at 421-23-25 West Vermilion, owned by Antoine Boustany and reflected as an in-kind contribution of rent and utilities by [my CAMPAIGN COMMITTEE]." This allegation contains two misstatements of fact.

First, my CAMPAIGN COMMITTEE paid the utility bills while we occupied the office in the Boustany's building. Only the rent was donated as an in-kind contribution, as my CAMPAIGN COMMITTEE's FEC reports will confirm.

The second misstatement of fact is that the COALITION was "using offices" in the Boustany building. I have known the Boustany's since I was in the second grade, and only I had permission to use this office space. At no time did the COALITION have anyone's permission to operate an office in this building, and at no time did that occur. Furthermore, at no time did Mr. Phillips have anyone's permission to use this address for any reason. Alfred F. Boustany III, an attorney who occupies the bottom floor of the building on West Vermilion, the son of Antoine Boustany and the custodian of the building, has written a letter which will serve to verify this (Exhibit G). The fact that Mr. Phillips got the address wrong would seem to be clear enough evidence that he was not operating an office in this building. Nevertheless, I cannot speak as to why this address was used by Mr. Phillips. I will state, under oath if necessary, that my allowing any other person or party to operate an office in this building would have violated not only FEC regulations, but also my deep and long-standing friendship with the Boustany's. This I would never and did not do.

The next Section of the COMPLAINT is entitled "Summary." The first paragraph reiterates the false and libelous allegation that my CAMPAIGN COMMITTEE and the COALITION "...attempted to disguise direct campaign consultation and immediate proximity," an allegation rendered ridiculous by the disclaimer clearly printed in the *Taxpayer Alert* brochure. The COMPLAINT then alleges that the COALITION filed "false FEC reports." Again, because of the independent nature of the COALITION, I cannot and will not address this allegation. The COMPLAINT then reiterates the false allegation that my CAMPAIGN COMMITTEE and the COALITION "were both operating from the same office location," an allegation already addressed.

The COMPLAINT then goes on to allege "additional linkage" between my CAMPAIGN COMMITTEE and the COALITION through Jane Blackwell. This particular allegation contains yet another distortion of fact when it refers to Mrs. Blackwell as an "employee" of my CAMPAIGN COMMITTEE. Mrs. Blackwell has been active in every

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Republican campaign in Louisiana for years. She is an officer in the Louisiana Federation of Republican Women, an elected member of the Republican State Central Committee of Louisiana, and was the Co-Chairman of the 1990 Republican State Convention. Mrs. Blackwell has *always given* of herself in both time and money to Republican campaigns, and to refer to her as an "employee" is an insult to her generosity. Mrs. Blackwell was at my campaign headquarters every day for months doing everything from stuffing envelopes to answering telephones, and she was *never* compensated for these long days. The COMPLAINT points to three disbursements to Mrs. Blackwell by my CAMPAIGN COMMITTEE totalling \$411.78 as "evidence that she was an "employee" of my campaign. Not only is this amount ridiculously small, but \$236.78 of this total is clearly identified in my CAMPAIGN COMMITTEE's FEC report as "reimbursement for expenses," such as "stamps, name tags, food, and drinks." Furthermore, the COMPLAINT fails to mention that Mrs. Blackwell made a *\$200 donation* to my campaign, which also appears on my CAMPAIGN COMMITTEE's FEC report. In other words, as an "employee" to my campaign, Jane Blackwell ended up with *a net loss of \$25.00!* Once again, this allegation not only insults Mrs. Blackwell's generosity, it serves as yet another example of the kind of careless distortion of fact intended to mislead so characteristic of this COMPLAINT.

The COMPLAINT then points out that Mr. Phillips used Mrs. Blackwell's Post Office Box as an address for the COALITION in the *Taxpayer Alert* brochure. I was not aware that this had occurred, but this does not appear to violate any FEC regulation. But, again, as I was not aware of this arrangement, I cannot speak to it. I am sure that Mrs. Blackwell's response to the FEC inquiry will be satisfactory.

None of the information and/or allegations contained in Section 3 of the "Summary" of the COMPLAINT pertain to me or my CAMPAIGN COMMITTEE. I, personally, have never heard of any of the entities listed in the Section, with the exception, of course, of the COALITION. Any questions raised in this Section would have to be addressed to the entities named therein.

At this point, this diatribe (the COMPLAINT) finally moves to its "Conclusion," in which it reiterates the inflammatory and libelous allegations but offers no new evidence to support any of them. The Conclusion also reiterates that virtually every specific, alleged violation of FEC regulations rests on the principal allegation that "the so-called American Coalition for Legislative Reform was established to operate in support of the Thibodaux [sic.] principal campaign committee," and that "the principals of both committees conspired to conceal the illegal relationship." A calm, logical analysis of the "evidence" presented, however, leads one to the *exact opposite conclusion*, i.e., not only was there no "conspiracy" to conceal anything, but I, and *all* those associated with my CAMPAIGN COMMITTEE, were, as I have stated publicly, meticulous in following FEC regulations to the point of being neurotic, as evidenced by letters from my Campaign Chairman Charles deGravelles (Exhibit H), my Treasurer Gene Darnall (Cover letter), and the three people who were employed by the Campaign, Joel Mincey (Exhibit C), Sadie Shaansie (Exhibit I), and Peter Hebert (Exhibit J).

SUMMARY

Because this is a civil and not a criminal matter, it is my understanding that the applicable rule of law is "preponderance of evidence" and not "reasonable doubt." I would, therefore, now list the facts established by the "preponderance of evidence."

1) The COALITION was established and in operation in Texas a year and a half before I ever met Richie Martin or Charles Phillips, the Treasurer of the COALITION.

2) It was always my understanding and the understanding of all authorized agents of my CAMPAIGN COMMITTEE that the COALITION was a legitimate, multi-candidate PAC properly registered with the FEC and operating within its guidelines, as confirmed by face-to-face inquiries of Mr. Phillips, and, as such, it is my understanding of the FEC regulations that the COALITION could legally either donate \$5000 directly to my CAMPAIGN COMMITTEE or make in-kind contributions up to that limit, and, on projects and activities where there was no consultation with my CAMPAIGN COMMITTEE, there is no limit on the amount the COALITION could spend.

3) The COALITION's disbursement to Ben Bagert's Senate campaign is incontrovertible evidence that Mr. Phillips and the COALITION were, indeed, operating in support of more than one federal candidate, which was always my understanding of the nature of the COALITION and its activities.

4) Public statements by Mr. John Chance clearly indicate the completely independent nature of the COALITION's fundraising. (I am confident that the Chances' and the Lawtons' responses to the FEC inquiries will provide further evidence of this fact.)

5) The names of all individuals who contributed maximum legal amounts to both my CAMPAIGN COMMITTEE and the COALITION are clearly and publicly listed in both FEC reports indicating that there was no effort to conceal anything.

6) The only consultation which occurred between my CAMPAIGN COMMITTEE and the COALITION had to do with the printing and distribution of a brochure entitled *Taxpayer Alert*, which listed Jimmy Hayes' financial dealings which include millions of dollars in defaulted loans to two failed financial institutions.

7) There was a disclaimer printed in the *Taxpayer Alert* brochure clearly and publicly stating that the two committees had, indeed, cooperated on this project, which is the clearest evidence that there was no effort whatsoever to conceal anything.

8) It was always my understanding and that of all authorized agents of my CAMPAIGN COMMITTEE that the COALITION did not exceed the \$5000 legal limit in expenditures related to the *Taxpayer Alert* brochure.

9) The only COALITION disbursement which can be specifically linked to the costs related to the *Taxpayer Alert* brochure is the \$1500 payment to P. C. Piazza for the use of his photograph of Jimmy Hayes sitting on his expensive Italian sports car with a mobile phone in his hand, and this is well below the \$5000 legal limit which a PAC can contribute to a federal candidate.

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10) The only other COALITION disbursement which might be added to my CAMPAIGN COMMITTEE is a \$1600 payment to The Martin Group, but this entire amount added to the payment to Piazza still places the total COALITION's expenditures on behalf of my campaign well below the \$5000 legal limit.

11) The fact that my CAMPAIGN COMMITTEE has not yet listed the COALITION's expenditures related to the *Taxpayer Alert* brochure as an in-kind donation is due to the fact that we have never received from Mr. Phillips the itemized list of expenditures enabling us to do so.

12) Neither I nor any authorized agent of my CAMPAIGN COMMITTEE was ever aware of any COALITION activities or expenditures beyond its participation in the *Taxpayer Alert* brochure.

13) Because of the completely independent nature of the COALITION, neither I nor my CAMPAIGN COMMITTEE is in any way responsible for how the COALITION filed its FEC report.

14) The amount of money involved in the COMPLAINT's allegations is ridiculously small in the face of the average cost of Congressional campaigns today, and in no way is it an amount sufficient to have a significant effect on the outcome of a Congressional election, as clearly evidenced by the election returns from the 1990 7th District race.

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CONCLUSION

A careful, logical analysis of the facts established by both the COMPLAINT itself and the respondents' answers to the FEC inquiries should lead inevitably to the conclusion that every good-faith effort to follow all FEC regulations was made by me and all those associated with my CAMPAIGN COMMITTEE and that further investigation of this matter would be a waste of time and taxpayers' money, especially in light of the amount of money involved. The point is that the amount of money involved together with all of the other evidence at the disposal of the FEC would call into serious question a decision to proceed any further in this matter, at least as regards my CAMPAIGN COMMITTEE. Again, I cannot and will not speak for Mr. Phillips or the COALITION.

In addition, again, as the FEC is a taxpayer funded organization which exists to enforce rules written by incumbents, the Commission would want to always be on guard against being used by those incumbents as a tool to persecute those who run against them. The following facts would establish that this must be a very real consideration in this instance:

- 1) There is a letter in the COMPLAINT signed by Jimmy Hayes and on his congressional stationery;
- 2) Jimmy Hayes' wife is a member of the Louisiana Democrat State Committee which was ostensibly responsible for filing this COMPLAINT;
- 3) There is information contained in the COMPLAINT pertaining to the Bayou Shadows apartment complex in Lafayette which is where Mr. Hayes' office manager, Louis Perret, lives;
- 4) Louis Perret's comment about what Jimmy Hayes intended to do to Joel Mincey for discussing the information contained in the *Taxpayer Alert* brochure on a local television program.

It would seem that the FEC would want to keep these facts and statements in mind as it evaluates this matter. These facts would seem to clearly establish that this COMPLAINT is exactly what it appears to be, a mean-spirited, personal attack by an angry incumbent on a school teacher who dared to run against him involving amounts of money that, in the face of what it costs to run against incumbent congressmen, are hardly worth mentioning. What is even more important to the FEC, of course, is the fact that the COMPLAINT itself offers evidence which refutes its allegations and contradicts its conclusions. It is also full of misstatements of fact and distortions of fact, which further demonstrate the reckless, libelous nature of this effort.

I eagerly and anxiously await the FEC's reaction to this response and the other responses to its inquiry and its decision as to the most appropriate manner in which to handle this matter.

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...were relaxing outside the John M. Parker Coliseum at LSU during the Tulsa Youth Qualifying

Quarter Horse Show. The show continues today and Sunday at LSU. Admission is free.

...apartment were locked, said

See SLAM, Page 4A

Demos say Thibodaux got illegal contributions

By JEAN McKINNEY
and BRUCE SCHULTZ
Advocate staff writers

WASHINGTON — The 1990 congressional campaign of 7th District Republican David Thibodaux was illegally linked to a Texas-registered Political Action Committee (PAC), and the two hid their illegal relationship from federal campaign regulators, the Louisiana Democratic Party has charged in a formal filing to the Federal Election Commission.

Thibodaux lost to incumbent U.S. Rep. Jimmy Hayes, D-Lafayette, last October, and in the 1986 election when Hayes was first elected to the seat.

Thibodaux could not be reached for comment Friday. The allegedly illegal relationship disguised the fact that Thibodaux's campaign was collecting additional money from people who'd already given the legal limit of \$1,000, the Democratic State Central Committee of

Louisiana charged.

Several local Republicans doubted that Thibodaux would have allowed such illegalities in his campaign and they don't believe any improper fund raising would have been conducted with Thibodaux's knowledge. One former campaign worker, who didn't want to be identified, recalled expressing concern during the campaign that Thibodaux was unaware of some of the mechanics of the 1990 campaign.

The Texas PAC was the hidden "negative arm" of Thibodaux's campaign and the Texas PAC paid to print and distribute "Taxpayer Alert," a negative campaign flyer attacking Democrats and Hayes, the Democrats allege. T.L.S. "Taxpayer Alert" pointed out Hayes' financial problems, including defaulted loans exceeding \$1.5 million. A headline in the publication said "Hayes Adds to Taxpayers S&L Burden by \$2 million."

The FEC has received the complaint, spokesman Fred Eiland confirmed. He said the FEC's

investigations are confidential and he cannot discuss the contents of the complaint.

However, the Advocate obtained a copy of the complaint from Democratic sources.

When it registered with the the FEC, the American Coalition for Legislative Reform — the Texas PAC — falsely described itself as a multi-candidate PAC, and, in later reports, it falsely claimed to be making "independent" expenditures not guided by a candidate's campaign, the Democrats charged. In fact, the Democrats said, the Texas PAC received virtually all of its operating money from Louisianians who lived in the 7th District and who supported Thibodaux, and the PAC spent only on the Thibodaux campaign, the Democrats allege.

The Democratic Party conceded that some of its evidence is "circumstantial." But it said all of its

See THIBODAUX, Page 5A

Thibodaux

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charges are based on cross-checking the donation and spending reports filed with the FEC by the Texas PAC and by Thibodaux's own campaign committee, David Thibodaux for Congress.

The Texas PAC took in about \$10,000 between its creation and the Louisiana congressional election, and \$6.7 million of that money comes from 7th District residents, the Democrats said. Identified as the Louisiana donors to the Texas PAC were:

Mr. and Mrs. Jack Lawton of Sulphur, \$2,500 each; Mr. and Mrs. John Chance of Lafayette, \$2,500 each; and — for small contributions of \$10 to \$50 — Dr. Howard Beech of Lafayette, John Vigierie of Youngsville, Michael F. McKenzie of Lafayette, Dando Cheneux of Rayne, Faye Akin of Lafayette, and Douglas J. Brown of Lake Charles.

The Lawtons and John Chance "already had given the maximum legal contributions" (\$1,000 each) to Thibodaux's campaign, the Democrats said.

These Louisiana individuals are not themselves charged with illegal activity in the Democrats' complaint; only the Texas PAC and the Thibodaux campaign committee are targeted formally.

John Chance said Friday he has been contacted by the Federal Election Committee and he has discussed the matter with his attorney.

"My lawyer told me what I've done is perfectly in agreement and in accordance with the law and I didn't have anything to worry about," he said.

Chance called the complaint "dirty little politics" and he suspects Democrats timed the release of the information to coincide with the GOP convention which starts in Lafayette on

June 15.

"Why else would they do it?" Chance questioned.

He said he gave money to the Texas PAC assuming it would contribute money to conservative politicians.

"That's the first that I knew the PAC had given money to David Thibodaux," he said.

Chance wouldn't say how he learned of the PAC.

"But I can certainly say this, it was no hanky-panky deal as far as I was concerned or I wouldn't have touched it," he said.

Chance said he contributed to the state Democratic Central Committee recently.

"It's unbelievable to me that they would pull that kind of crap," he said.

The Democrats asked the FEC to investigate other associations which, the party said, will prove that the Texas PAC was not independent of Thibodaux's campaign, and the two political organizations were in close and constant consultation. The Democrats allege that:

- The Texas PAC made payments to a Lafayette photographer and to two printing and political companies in Texas, and the payments overlapped with the production and circulation of the negative campaign brochure.
- The campaign brochure asked that donations be sent to a Lafayette post

80% OFF EVERYTHING.

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THE FRONT PAGE

The Whys & Wherefores of Acadiana

Campaign Fallout

The Democratic State Central Committee of Louisiana has filed a detailed complaint with the Federal Election Commission claiming transgressions were committed during Republican David Thibodaux's unsuccessful campaign for Congress.

Democratic Chairman James J. Brady says the alleged wrongdoing was so blatant that the DSCC was obligated to report it. Thibodaux, on the other hand, says the complaint is political payback for questions he raised about U.S. Rep. Jimmy Hayes during the 1990 campaign.

The Democratic State Central Committee contends that a PAC called The American Coalition for Legislative Reform, based in San Antonio, was the recipient of campaign contributions from several individuals who had already reached the federal maximum limit (\$1,000 per individual) in contributing to the David Thibodaux for Congress-1990 committee.

The complaint, which was acquired by *The Times*, calls the Coalition "the alter-ego" of the Thibodaux campaign. The Democrats also claim that the Coalition was used as a front so that an extremely negative flyer about Hayes would not be attributed directly to Thibodaux's campaign.



DAVID THIBODAUX: "THIS IS ABOUT AS PETTY A POLITICAL PAYBACK AS I HAVE EVER SEEN."

One of the DSCC's principal contentions that The American Coalition for Legislative Reform confined its activity to the duration Thibodaux's campaign, and, with the exception of a small disbursement to Ben Bagert's U.S. Senate campaign, had no involvement with a other candidate.

"The principals of each committee conspired to violate FEC reporting requirements in order: (1) disguise illegal campaign contributions from individuals in excess of the legal maximum amounts and; (2) conduct the 'negative' arm of Congressional campaign without it being attributed to the candidate's own political activities," the complaint says.

Although Thibodaux, a USL English professor, was defeated by Hayes, the margin of victory was closer than many political observers expected. Thibodaux hit hard at Hayes' financial problems and his connections with failed financial institutions, trying to tie Hayes in the minds of voters with the national banking and savings

loan crisis. Brady says the DSCC began looking into the connection between the Thibodaux campaign and the Coalition for Legislative Reform. **CONTINUED ON PAGE 3**

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Reform after noticing the Coalition was spending a considerable sum (about \$10,000) on the run. The DSCC wanted to find out more about the Coalition and what other campaigns it was supporting. The answer, says Brady, was none.

"We're not in the habit of going around, just for political purposes, filing complaints," Brady says. "It's just such a blatant attempt (that) it just can't be allowed to go by and not be dealt with."

Accompanying the FEC complaint was detailed information from campaign reports showing contributions by individuals both to Thibodaux's campaign and to the Coalition, links between the Coalition treasurer and Thibodaux campaign activity and the Coalition's role in the "Taxpayer Alert" flyer that attempted to tie Hayes to the S&L crisis.

Thibodaux is outraged by the allegations. "This is about as petty a political payback as I have ever seen," he says.

Thibodaux says he has not seen a copy of the complaint, filed May 23 with the FEC. "There's a privacy act that's already been violated if you got that," he says. Thibodaux says he's aware that some of his friends and supporters have received written inquiries from the FEC. And he finds it significant that the Democrats have invested so much time investigating a campaign that didn't raise much money and a candidate who has never won a race.

"I know what they're trying to do and I know why they're trying to do it," Thibodaux says. And, he says, the questions he asked about Hayes' during the campaign have gone unanswered. "We

obviously made them angry when we asked them."

As far as Thibodaux knows, The American Coalition for Legislative Reform has been involved in other campaigns besides his. "My campaign was absolutely under no obligation to check them out," he says. If there were any violations of federal campaign laws, he says, they were inadvertent, not willful, and his campaign is prepared to be held accountable for them.

The telephone number listed for the Coalition on the FEC complaint reaches an answering machine with a message from a woman who identifies herself only by her first name. A call from *The Times* was not returned.

The FEC cannot comment on its case because they are considered confidential until 30 days after they are finally resolved, according to Sharon Snyder, assistant press officer for the FEC. It takes an average of seven or eight months to resolve a case.

The party or organization against which the complaint was made is given a certain amount of time to respond, and then FEC legal counsel notifies the commission if there is reason to believe a violation occurred. At that point, the FEC begins a formal investigation. If the FEC finds probable cause to believe a violation occurred, the commission and the violator negotiate a penalty, Snyder says.

The maximum fine for a violation is up to \$1,000 or 100 percent of the amount of money involved. If the violation is knowing and willful, the maximum fine is up to \$10,000 or 200 percent of the amount of money involved.

—JANE NICHOLS

POLITICS



RON GOMEZ becomes the first official candidate to replace BOB LASTRAPES as mayor of Lafayette etc. in making his announcement for the city's top spot.

Gomez stressed the positive aspects of Lafayette as a progressive city with a wealth of talent and human resources that is on the brink of achieving greatness.

Gomez, former owner of several South Louisiana radio stations, was elected to the Louisiana House of Representatives in 1975. He resigned his seat in 1980 to become Secretary of the Louisiana Department of Natural Resources.

Gomez says he will not campaign or participate in fund-raising activities for the mayoral position while serving as head of DNR. He plans to resign the post this fall after several projects undertaken by the department are completed.



GOMEZ



Lafayette Parish School Board member JAMES ANDRES has announced his candidacy for state representative from the newly created District 44. Andres, who

(C)

Joel H. Mincey
105 Cambridge Drive
Lafayette, Louisiana 70503
(318) 984-3778

Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

July 15, 1991

To Whom It May Concern:

I understand that there is a preliminary inquiry into the 1990 Thibodaux for Congress Campaign. I was employed by the campaign in 1990 as Political Director.

I would like to make it clear that during my employment it was the explicit desire of Dr. Thibodaux that all financial matters be conducted within the letter and spirit of the law. I would also like to make it clear that at all times during the campaign Dr. Thibodaux encouraged the entire campaign staff to ask questions about aspects of the law that we did not understand, and at no time were we to proceed with any financial campaign matters without consulting with the campaign treasurer.

I have read the complaint filed by the Louisiana State Democratic State Central Committee. I find that the complaint is filled with innuendo and circumstantial evidence. It is clear that Congressman Hayes is using the DSCC to "do his dirty work". After the campaign had ended, I appeared on a local talk show to discuss the research that I had conducted into Congressman Hayes' financial dealings in the Lafayette area. Soon after appearing on television, I received a message from a very reliable source informing me that I had angered Congressman Hayes, and my activities from then on would be "watched". The source also told me that Congressman Hayes intended to make my life "a living hell".

This is a clear example of political terrorism. The research that I did is incontrovertible. All documents came from the Lafayette Parish Courthouse, and can still be found there today. Congressman Hayes is upset that the truth has come out, and now he wants to make the 1990 Thibodaux campaign pay. I hope that the committee will see these accusations for what they really are, vindictive and unfounded.

If you have any questions or require any additional information, please call.

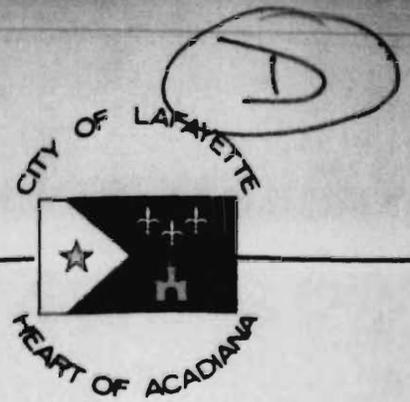
Sincerely,

Joel Mincey
Joel H. Mincey

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OFFICE OF THE MAYOR

DUD LASTRAPES, MAYOR
PHONE: (318) 281-8300
705 W. UNIVERSITY AVENUE
P. O. BOX 4017-C
LAFAYETTE, LOUISIANA 70502



July 16, 1991

TO WHOM IT MAY CONCERN:

I write this as 1988 Chairman of the Jack Kemp Campaign for Republican Presidential Nomination. David Thibodeaux of Lafayette, a recent candidate for Congress, was a member of the Kemp delegation at the Caucus meeting in Jennings during that 1988 presidential campaign. He worked with our delegation to secure support and votes for the Jack Kemp Candidacy.

Sincerely,

Dud Lastrapes, Mayor

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Be it known that

David Thibodaux

was duly elected to serve as a National Delegate for Vice President George Bush, a candidate for President of the United States of America, at the Republican National Convention in New Orleans, convened on the fifteenth day of August in the year 1988.

George Bush
Vice President of the United States

171

THE THREE FACES OF HAYES...

(F)



HAYES THE BANKER

As State Commissioner of Financial Institutions under Edwin Edwards, Hayes wrote the rules to the game he would soon play.



HAYES THE ATTORNEY

As an Attorney, he played the game of high finances. Unfortunately for the taxpayers, he lost the game. At the end of his hayride, Hayes defaulted on nearly \$2 million worth of loans to Commerce and Energy Bank and First Louisiana Savings and Loan.



HAYES THE CONGRESSMAN

As Congressman, Hayes now protects himself from the game he lost. A Congressman's salary cannot be garnished. Also, Hayes voted conflict of interest on the Savings and Loan bailout vote. Our question is, "Whose interest?"

Chief Financial Officer for Commerce and Energy Bank Calls Hayes Action into Question

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from the desk of
Joseph B. Wolf

Dear Editor:
Congressman Jimmy Hayes is certainly generous with other people's money.
Jimmy Hayes has signed documents admitting that he owes, and is unable to pay, nearly \$2 million, plus interest, to two banks in Lafayette which later failed.
The failure of the two banks cost the shareholders of the banks, our fellow citizens (and voters) of Lafayette, all of the money they had invested in the stock of these institutions - about \$16 million dollars.
Instead of giving away money, he should use every penny he owns or earns to repay his obligations. Debts such as these do not go away when a bank fails. Debts such as these become the property of either the FDIC or the bank which takes over the failed bank.
A man such as Jimmy Hayes who so shamelessly flaunts his amazing willingness to ignore his sworn commitment, prefaced with the simple and exact phrase, "I promise to pay," is unqualified to represent the working men and women of southwest Louisiana, for whom their word is their bond, in the Congress of the United States.

Sincerely,
Joseph B. Wolf

EDITOR'S NOTE: Wolf is the former chief financial officer of Commerce & Energy Bank, one of the institutions referred to in this letter. Mr. Wolf's letter originally appeared in the December 8, 1989 issue of The Times of Acadiana.

**AMERICAN COALITION FOR
LEGISLATIVE REFORM NEEDS
YOUR HELP NOW!**

The election is October 6. This means we have to work fast if we are going to defeat the S & L kingpins in the fall elections. Your donation today will help us produce more mailings, more radio spots and more newspaper ads. In short, your donation will help us reform our own Congress.

CAN WE COUNT ON YOU?

Yes, enclosed is my contribution of:
 \$100 \$50 \$25 Other

Name: _____

Address: _____

City: _____ Zip: _____

Mail all donations to:
American Coalition for Legislative Reform
P.O. Box 80816
Lafayette, LA 70598

Paid for by the American Coalition for Legislative Reform.
Authorized by The David Thibodeaux for Congress Campaign.



TAXPAYER APART



Rep. Jimmy Hayes

Congressman Jimmy Hayes - "Uses position to protect Financial Dealings."

See Chronology Page 3

"He used the hard-earned cash of the stockholders and depositors of Commerce and Energy Bank..... And then Jimmy Hayes defaulted."

See Editorial Page 4

ALL INFORMATION IN THIS PUBLICATION IS SECURED FROM PUBLIC RECORDS FOUND IN THE LAFAYETTE PARISH COURTHOUSE.

CONGRESSMAN HAYES TIED TO THE S & L DISASTER

Lafayette Parish Courthouse records indicate that Congressman Jimmy Hayes has defaulted on loans totaling nearly \$2 million to two Lafayette financial institutions which were declared insolvent by Federal authorities. Courthouse records indicate that Hayes has judgments against him for \$1.2 million from Commerce & Energy Bank and \$476,000 from First Louisiana Savings & Loan. In addition, recent Federal Elections Commission reports filed by Jimmy Hayes confirm that as of May 15, 1990, Mr. Hayes' 1986 campaign is still in debt for another \$207,000.

Jimmy Hayes' wheeling and dealing is a classic example of the S & L "shell game" for which taxpayers are now being asked to pay. Recent estimates show that the S & L bailout will cost every man, woman and child \$2,500. In other words, a family of four will have to pay a total of \$10,000 to make up for the greedy S & L gamblers.

The rise and fall of Jimmy Hayes began in

April of 1983 when Hayes contributed \$45,000 to Edwin Edwards. The following year, Edwards appointed Hayes State Commissioner of Financial Institutions. In 1986, Hayes resigned as Finance Commissioner and decided to run for Congress. Hayes borrowed one million dollars from the bank he helped found, Commerce & Energy Bank. Unbelievably, Hayes then took \$419,000 of that one million and loaned it to his Congressional Campaign. It was widely believed, at the time, that Hayes was spending his own wealth on the race. In fact, he was spending borrowed money, money Hayes has yet to pay back. Money that C & E Bank would later struggle in vain to retrieve in order to stay solvent.

By June of 1987, it was obvious to the financial community that Commerce & Energy Bank was in trouble. Jimmy Hayes now knew that he could not get any more loans from Commerce & Energy. In a desperate attempt to find more cash, Congressman Hayes used his congressional influ-

ence and called on First Louisiana Savings & Loan for a loan.

You won't believe what you are about to read. First Louisiana Savings loaned Congressman Hayes \$575,000. And guess what Hayes gave First Louisiana for collateral? His 39,000 shares of now almost worthless Commerce & Energy stock! And if that were not enough. Only six months later, Hayes defaulted on First Louisiana without ever making one payment!

On May 24, 1989, Commerce & Energy Bank was declared insolvent and seized by the FDIC. (On the day of the seizure, C & E Bank was indebted for approximately \$2.2 million, \$1 million of that amount was Jimmy Hayes' defaulted loans.)

On November 2, 1989, First Louisiana Savings & Loan was declared insolvent and taken over by FSLIC.

Hayes 1986 Campaign Still in Debt For \$207,000

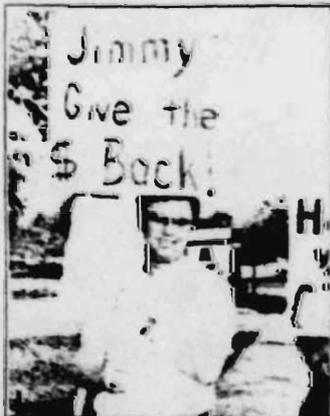
While Jimmy Hayes is raising and spending money for his 1990 congressional re-election, his 1986 campaign still has not paid its outstanding debt of \$207,000.

This debt stems from a typical S & L maneuver involving power, influence, money and greed ... a deadly brew.

In 1986 Jimmy Hayes borrowed \$1 million from Commerce and Energy Bank, a bank which he co-founded. Hayes took \$419,000 out of that million and loaned it to his 1986 campaign fund. As collateral his

campaign committee gave him a "junk bond" in the form of a \$419,000 I.O.U.

Voters are now realizing that Hayes used their money to get himself elected Congressman in 1986. Voters are also angry that Hayes has raised and spent \$152,000 in his present campaign while still owing on his 1986 campaign. Question: Wouldn't any honorable person pay off his old debt before spending more money on himself? And what kind of chance would you have in borrowing \$407,000 to run for political office? And what would happen to you if you didn't pay it back?



S & L Interests Pad Hayes Campaign

Our research people poked around the Federal Elections Commission's public records and found that not only did S & L interests fleece the taxpayers, but they also contributed to many congressional campaigns, including Louisiana Congressman Jimmy Hayes'. Searching through the public records, we even found that Hayes received contributions from at least one bank in Houston, Texas. We found it strange that a bank in Houston would want to contribute to a Congressman in Louisiana. After all, Houston has its own Congressmen.

For your information, the following financial organizations have made financial contributions to Jimmy Hayes' congressional campaigns:

- First Commerce Corp. (N.O.)
- Savings Assoc. of Louisiana (N.O.)
- Louisiana Bankers Assoc. (B.R.)
- Savings Assoc. of Louisiana (B.R.)
- M Bank (Houston, Texas)
- Association of Bank Holding Companies (Washington, D.C.)
- Lakeside National Bank (Lake Charles)

In addition to these bank and S & L PACs, we found that several key financial individuals have contributed to Hayes including the past presidents of the now defunct Commerce and Energy Bank and First Louisiana.

We just thought you should know!

93040924812

(G)

ALFRED F. BOUSTANY, II

(A PROFESSIONAL LAW CORPORATION)

POST OFFICE BOX 4626

LAFAYETTE, LOUISIANA 70502

421 WEST VERMILION STREET
LAFAYETTE, LOUISIANA

(318) 261-0225
(318) 261-0998

July 16, 1991

Federal Election Commission
Washington, D.C. 20463

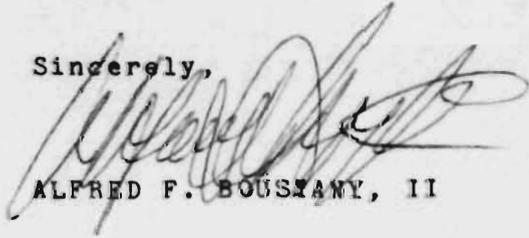
To Whom It May Concern:

It has come to my attention that some questions have been raised concerning the use of my parent's (Mr. and Mrs. Antoine Boustany, Sr.) two story building which is located at the corner of St. John Street and West Vermilion Street in Lafayette, Louisiana.

Only David Thibodeaux had permission to use the office space on the second floor of the building which has a street address of 427 West Vermilion Street, Lafayette, Louisiana. No other group occupied the second floor. The first floor is occupied by myself and two other attorneys. No other group occupied the first floor and, of course, no other group had permission to occupy the first floor. Dr. Thibodeaux had permission to use the upstairs offices during his campaign for Congress in 1990. The arrangement was that my parents would donate the rent as an in-kind contribution to Dr. Thibodeaux's campaign, and the Campaign Committee would be responsible for paying the utilities. The Committee did, indeed, pay all the utilities from the time they occupied the office until the election was over.

Again, no other individual or group had permission to use any office space.

Sincerely,



ALFRED F. BOUSTANY, II

AFB:ns

93040924313

Charles deGravelles

(H)

Telephones (318) 235-3668
235-0968

July 16, 1991

409 Acacia Street
Lafayette, Louisiana 70504

Federal Election Commission
Washington, DC 20463

TO WHOM IT MAY CONCERN:

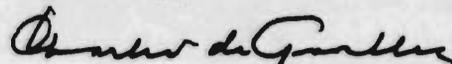
It has come to my attention that a complaint has been filed against the 1990 Congressional Campaign of David Thibodaux.

I was the Chairman of David's 1990 and 1986 Congressional Campaigns, and I wish to assure the FEC that both those campaigns were conducted with strict adherence to all regulations and restrictions of the FEC.

David would never tolerate any violations of the letter or spirit of the law, and any suggestion that he or his campaign would be involved in such a thing is complete nonsense.

I am very confident that the FEC's inquiries into the Complaint against David's campaign will reveal what those of us who have been associated with David already know, that his campaigns were hopelessly underfunded, but conducted with the utmost dignity and decorum.

Sincerely,



Charles deGravelles

Cdc/ cb

93040924814

①

Sadie M. Shamsie
303 Rayburn #631
Lafayette, La 70506

July 17, 1991

Federal Elections Commission
Washington, D.C.

To Whom it may concern:

As a former staff member of the Thibodaux for Congress 1990 Campaign, I was ordered by David Thibodaux to follow all FEC regulations to the letter of the law. When questions arose concerning FEC rules and regulations, I was told to consult Eugene Darnell, the campaign treasurer, for clarification. At no time did I act without instructions from my superiors, thereby avoiding any improprieties.

Sincerely,



Sadie M. Shamsie

93040924815

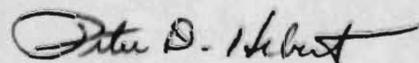
7/17/91

Federal Election Commission
Washington, D. C.

To Whom It May Concern:

David Thibodaux demanded the strictest adherence to FEC rules on handling campaign finances for his 1990 Congressional Campaign. The spirit and letter of the law were complied with to prevent the slightest hint of impropriety by all associated with the campaign. The complaints against Dr. Thibodaux are political slander and libel. Our motivation to campaign for Dr. Thibodaux was based on a belief in his honesty and integrity.

Sincerely,



Peter Hebert
Former Campaign Worker
922 W. St. Mary
Lafayette, LA 70506

93040924816

J



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

August 5, 1991

Carrol M. Chiasson, Treasurer
Senator Ben Bagert Committee
to Put Louisiana First
601 Poydras Street, Suite 1851
New Orleans, LA 70130

RE: MUR 3313

Dear Mr. Chiasson:

On May 29, 1991, you were notified that the Federal Election Commission (the "Commission") received a complaint which alleges that Senator Ben Bagert Committee to Put Louisiana First (the "Committee") and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"), and provided with a copy of the complaint. On the same date you were informed that you had 15 days in which to demonstrate in writing that no action should be taken against you or the Committee in this matter.

To date, you have not responded. Please note that the 15 day response period has expired. Unless we receive a response from you immediately the Office of the General Counsel will report to the Commission based only on the allegations of the complaint.

Should you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

cc: Ben Bagert

93040924817



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 5, 1991

Mr. Richard Martin
The Martin Group
483 Bayou Shadows
Lafayette, LA 70508

RE: MUR 3313

Dear Mr. Martin:

On May 29, 1991, you were notified that the Federal Election Commission (the "Commission") received a complaint which alleges that The Martin Group may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"), and provided with a copy of the complaint. On the same date you were informed that you had 15 days in which to demonstrate in writing that no action should be taken against The Martin Group in this matter.

To date, you have not responded. Please note that the 15 day response period has expired. Unless we receive a response from you immediately the Office of the General Counsel will report to the Commission based only on the allegations of the complaint.

Should you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

93040924818

Charles R. Phillips

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

06C 2265

P. O. Box 701267
SAN ANTONIO, TEXAS 78270

91 AUG -5 AM 11:36

MUR 3313

91 AUG 20 PM 3:41

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

July 27, 1991

Federal Election Commission
Jose Rodriquez
999 E. Street, N.W.
Washington, DC, 20463

Dear Mr. Rodriquez;

In Answer to the inquiry about American Coalition for
Legislative Reform's contribution to Thibodaux for
Congress's Campaign.

1. ACLR, was started in 1989, a full year before the 90ty
elections.

2. I was in Louisiana working on a chapter on Louisiana
Politic's for my second book. The first was published by
Oliver Nelson Publisher. I stayed some of the time with
Mr. Martin. I was researching the Thibodaux campaign and the
Senate race. It was during this time Mr. Martin showed me the
research he was putting together on Mr. Hays. After
reviewing the research I agreed to contribute \$1,600 to the
printing only of the Alert. The piece was printed in
Louisiana, by a local newspaper Mr. Martin was in charge of
creating, printing and distributing the Alert. The Committee
just contributed to the cost of the printing.

3. I raised money from people to print and distribute a
purely educational piece, which is inclosed. The Piece on
Title 10 was distributed in several state. That was the
\$5,400 to Liberty Press in Texas.

4. Because I talk to Mr. Martin I requested he put Printed by
Aclr and authorized by Thibodaux campaign. According to how
I understood the regulations this is what I needed to do. I
also asked if I could put a mail back tag in order to try to
recover some of the contribution.

5. The question on the American Congress for Legislative
Reform the letter head was a misprint, the Name is American
Coalition for Legislative Reform. this was reported to the
FEC, in 1989.

6. The Coalition of Politically Active Christian FEC Pac was
closed out and did not participate in any 1990 federal
election.

7. I do not know who the Christian for a Conservative
Government is. The Name on the Score Card is Sally Gardner.

8. I did some polling before Mr. Baggert resigned and it
showed he didn't have a chance. The expenditure was made

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before He with officially withdrew, which was the last week in September.

Mr. Rodriguez, Aclr was not a committee established to help Mr. Thibodeaux and we were not a shadow of the campaign our involvement was disclosed on the Alert. This was stated in the material sent to me. I did do some volunteer work for the campaign. There were a lot of election in 1990 the Title 10 piece was the main project and took over 50% of the Committee's funds. As I stated earlier this was a educational piece and did not encourage the defeat or election of any specific candidate.

Your letter asked if I wanted this public. I do not wish it to be public but I received Newspaper stories talking about the case.

If I can be of any further assistance please let me know.

Sincerely

Charles Phillips

Charles Phillips Treasure FEC NO.C-00235812
American Coalition for Legislative Reform
P.O.Bx.200068, Austin, Texas 78720

93040924820

Liberty Mailing & Printing, Inc.
P. O. Box 27245
Austin, Texas 78755

August 27, 1990

Description	Size	Quantity	Printing & Paper Cost	Folding Cost	Total Cost
Project 10 2 sides, Black	8 1/2x14	10000	736.32	81.76	818.08
Letter - 1 side, Red Blue, Black	8 1/2x11	10000	639.44	81.76	721.20
Letter - 1 side, Black	8 1/2x11	10000	330.63	81.76	412.39
Response Envelope - 1 side, Blue	6 3/4	10000	283.40	0	283.40
Mailing Envelope- 1 side, Blue, Red	#10 Reg.	10000	414.58	0	414.58
Alert - Side 1; Blue, Red, Black Side 2; Blue, Black	11x17	10000	1374.82	163.53	1538.35
Extra Letterhead - 1 side, Blue Red	8 1/2x11	10000	485.04	0	485.04
Shipping -					178.00
Total					4851.04

The above assumes camera ready art work.

Please Make Check Payable To:

Liberty Mailing & Printing, Inc.

93040924321

Liberty Mailing & Printing, Inc.
P. O. Box 27245
Austin, Texas 78755

July 19, 1990

Description	Size	Quantity	Printing & Paper Cost	Folding Cost	Total Cost
Project 10 2 sides, Black	8 1/2X14	10000	736.32	81.76	818.08
Shipping -					<u>34.00</u>
		Total			852.08

The above assumes camera ready art work.

Please Make Check Payable To:

Liberty Mailing & Printing, Inc.

93040924822

SCORE CARD

9 2 4 8 2 3

★ ★ ★ U.S. CONGRESS ★ ★ ★

ISSUE	SENATOR	JIMMY HAYES
Federally Funded Abortions	AGAINST	FOR
Federal Funds for National Employment of the Obscene Exhibits such as Christ in urine.	AGAINST	FOR
GAY RIGHTS	AGAINST	FOR Received 82% favorable rating from the Gay/Lesbian Ask Force
FLAG BURNING	AGAINST	"If someone wants to burn an American Flag in his back yard, tis his right to do so." (Daily advertiser)
OIL ECONOMY	"Let's Give Incentives back to the Oil Industry."	VOLED FOR \$100 Billion Dollar Tax on Offshore Industry
TAXES	NO MORE TAXES	Name! "Big Sander" by National Taxpayers Union

Pro-Life Voting Records Candidates for U. S. Senate



Ben Bagert - "100% pro-life voting record in the Louisiana legislature since 1973" (Louisiana Right to Life)



David Duke - "Favors abortion in cases of rape, incest, and genetic defects" (1990 Duke/Bagert debate)



J. Bennett Johnston - voted against the confirmation of Judge Robert Bork for the Supreme Court
- voted for federal funding for abortion (c.c. 263:1986)

Thank you for your prayers and support



Sally Garner, Director
Christians for Conservative Government



**VOTE PRO LIFE ON
SATURDAY, OCTOBER 6**

**Christians for
Conservative Government**

9 3 0 4 0 9 2 4 8 2 4

SPECIAL REPORT

PROJECT 10:
WHAT LA SCHOOLS
TEACH OUR CHILDREN
ABOUT GAY SEX

What follows is a portion of a graphic chapter that is excerpted from a book that was given to students as part of Project 10:

"I am a sixteen-year-old lesbian. I have been a lesbian since I was twelve. I had known my dance teacher for three years before I was asked to give a special dance presentation in another city. . . I want to make love to you. Let's go to bed," (my teacher said). She positioned me on the bed, with my head on a pillow and my legs spread as wide as she could get them. . . . Before long she was getting her face closer to me and kissing me; using her mouth and tongue on my c—, giving me a feeling I had never felt before. . . . We continued that night, all weekend and for almost three years until I had to move with my family. I became a lesbian and a woman that weekend! . . . Since I moved, my teacher and I talk occasionally on the phone, and we write each other. . . . My present lover and I have been together for almost a year. . . . She is fifteen and will be in the ninth grade next year."

—From "Our Teenager Is It: Testimony by Gay and Lesbian Youth," which was made available to students until the school board ordered its removal in April of this year.

PROJECT 10

What schools teach children about gay sex

A controversial program sponsored by the Los Angeles Unified School District pits parents and legislators against principals and board members in a battle likely to have nationwide impact. At issue is whether morality and life-style should be taught at home or in the school.

By Manley Witten

February 24, 1988, began like any other Wednesday at San Fernando High School. Before day's end, however, one incident became the thunderbolt that jolted parents into an electrifying confrontation with the Los Angeles Unified School District Board of Education.

Elizabeth Russo, M, arrived that day prepared to take a test in her fourth-period history class. Instead, the test was postponed and her 11th-grade class was brought into the library. There, according to a number of students, they heard Virginia Uribe, a lesbian teacher, tell them she practices "safe sex," that it is OK for them to have sexual feelings for other people of the same sex and, based on research, that 20 percent of them probably are gay.

They say she also gave telephone numbers for students to obtain additional information on gay and lesbian life-styles.

Students say when they voiced disagreement, some based on their religious beliefs, Uribe kept changing the subject.

Like others in her class, Elizabeth has no interest in gay life-styles, but she was forced to attend.

Unknowingly, Elizabeth was thrust into Project 10.

Project 10 is a school-sponsored program, which therefore uses taxpayer

dollars, to counsel students by offering "emotional support, information, resources and referred to young people who identify themselves as lesbian, gay or bisexual or who want accurate information. . . ." according to literature distributed by the LAUSD Office added for emphasis).

Extensive interviews by Valley Magazine indicate that parental consent was not obtained for any of the 200 students who heard Uribe speak that day.

Project 10 opponents allege that this lack of parental consent is a violation of California Education Code Section 35208, which provides in part that, "No governing board of a public elementary or secondary school may require pupils to attend any class in which human reproductive organs and functions and processes are described, illustrated or discussed, whether such class be part of a course designated "sex education" or "family life education" or by some similar term, or part of any other course which pupils are required to attend.

"If classes are offered in public elementary and secondary schools in which human reproductive organs and their functions and processes are described, illustrated or discussed, the parent or guardian of each pupil enrolled in such

class shall first be notified in writing of the class. . . .

"Opportunity shall be provided to each parent or guardian to request in writing that his child not attend the class."

Some teachers and administrators question whether this section applies to Uribe's presentation at San Fernando High School. Uribe herself claims she does not think obtaining parental consent is needed legally, but she has no objections to it.

Similarly explicit materials made available to students through Project 10—and only recently discontinued after public protests before the school board—have included the book, "Our Teenager Is It: Testimony by Gay and Lesbian Youth."

The following is a portion of a graphic chapter that is excerpted from the book:

"I am a sixteen-year-old lesbian. I have been a lesbian since I was twelve. I had known my dance teacher for three years before I was asked to give a special dance presentation in another city. . . I want to make love to you. Let's go to bed," (my teacher said). . . . She positioned me on the bed, with my head on a pillow and my legs spread as wide as she could get them. . . . Before long she was getting her face closer to me and kissing me; using her mouth and tongue

that special interest groups do not make contributions without giving access to the levers of power so that they can advance their issues. As you will notice in the material reproduced here an important part of the homosexual and lesbian agenda is to propagandize little children through the government public school system.

We are not talking about personal preferences. Americans don't care what people do in private. But what is being discussed here is public policy. For over 60 years most states have had laws on their books which define homosexual sodomy as a criminal offense. Such laws have consistently been upheld by the U. S. Supreme Court as being fully constitutional. However, in the last decade the legislatures of over 30 states have repealed their homosexual sodomy laws. Legalization of criminal sodomy has shown us clear examples of the agenda of the lesbian and homosexual groups -- to have access to our children and convert them to a perverse lifestyle.

It is important that you research local candidates. Any that you identify who have received campaign contributions and/or have an acceptance rating of 60% or higher by the homosexual and lesbian groups should be targeted by you. It is important that you do everything you can to defeat such candidates.

If an activity such as homosexual sodomy is legalized, courts will inevitably mandate that it has to be taught in the public schools. Your choices will be gone. If the homosexuals and lesbians claim that their lifestyle is being discriminated against, the only winning defense you have is that the activity is criminal. Otherwise you will lose.

The following is excerpted from the December, 1989, "Traditional Values Report", 1127 11th St., # 521, Sacramento, CA 95814. It is a good summary of what is going on in California and could find its way to Louisiana unless we defeat candidates approved by the homosexual and lesbian groups.

HOMOSEXUAL AGENDA for Public Schools

The militant homosexual agenda has demanded increased critical scrutiny. Part of the domestic partnerships and special privileges for homosexuals are only the tip of the iceberg. A thorough examination will reveal that the goal of the "gay rights" movement is the wholesale re-conditioning of America's values and belief systems.

To accomplish the task of the complete acceptance of this abnormal lifestyle, homosexual educators and other homosexual activists are utilizing the public school classroom as a medium for Orwellian tactics to condition the impressionable minds of our children.

Their desire is that all students who are struggling with their sexual identity should be counseled and socialized into the homosexual lifestyle. This tactic is blatant recruiting of students into homosexuality.

In addition to counseling confused children these aggressive homosexual educators want our curriculum and teacher presentations to implement conditioning the heterosexual students that homosexuality is an acceptable lifestyle. They want the entire student body taught to accept homosexuality.

Following is an 18 point Homosexual Public School Agenda carried in the October, 1989, issue of The Chalkboard, published by Gay and Lesbian Educators (GALE):

1. Enactment of anti-discrimination policies which address the issue of sexual orientation.
2. Inclusion of sexual orientation in the curricula of teacher education.
3. Enactment of an anti-harassment policy which includes sexual orientation.
4. Presentation of in-service training for all staff on dealing with students including those based on sexual orientation.
5. Organization of staff-development workshops and continuing education classes on "Dealing with Controversy" for teachers and administrators in sensitive areas such as Family Life and Health Education classes.
6. Enactment of policies which ensure and encourage classroom presentation of controversial issues, in a prejudice-free, discrimination-free atmosphere.

7. Requirement of comprehensive human relations/sex education instruction within the health curriculum framework which includes information of the diversity of sexual orientation.

8. Requirement of instruction in sex education courses on Acquired Immune Deficiency Syndrome at all levels using accurate, non-judgmental and current information. (Editors note: Their information is completely inaccurate.)

9. Encouragement of teacher utilization of gay and lesbian speakers in classes as part of their material on the diversity of sexual orientation.

10. Inclusion of information and recognition of homosexuality into course work in various disciplines at various grade levels.

11. Development of community education programs that enlighten adults about the diversity of sexual orientation.

12. Inclusion of age appropriate gay-sensitive literature in school libraries.

13. Designation of staff members able and willing to be identified as approachable by those students who may wish to discuss issues about sexuality or sexual identity.

14. Implementation of a program specifically designed to address the special social and psychological needs of gay, lesbian and bi-sexual students within the school environment.

15. Instruction of teacher training institutions on homophobia and the needs of gay and lesbian students.

16. Instruction of teacher training institutions regarding the legal rights of gay and lesbian educators, administration, and students.

17. Inclusion of benefits for the domestic partners of educational personnel.

18. School administrators should keep accurate records of "bias-related" and "hate-violence" incidents on each school campus that involve the perceived sexual orientation of victims.

We concur that homosexual behavior is an unnatural lifestyle which has always been in society but it has never before been paraded off as normal.

The parents of America should at least be apprised of the goals and purpose of these groups. One of the stated purpose is to help the students who may be considered "at risk" for

suicide, drugs, etc. However, the real purpose is to promote the acceptance of this lifestyle throughout the population in general.

This agenda is completely unacceptable. But the worst is that the California Superintendent of Schools invited a similar group to meet at his home in San Francisco. According to the Chalkboard, Mr. Hong made their agenda his agenda at that time. Mr. Hong agreed to the following:

1. To include factual representation of gay and lesbian life and history in the curriculum.
2. To fill the need for effective counseling for gay and lesbian students.
3. To provide sensitivity training for teachers concerning gay and lesbian issues and the special need of students who are at risk.
4. To promote sex education classes which deal factually with the issue of homosexuality, with an outreach program for students at risk to AIDS and drug abuse.
5. To train principals on gay and lesbian issues, which would be done through the State Department of Education.

There is documented and obvious proof that Superintendent Hong is in collusion with the homosexual agenda. And, until he makes a definite rebuttal of the goals and methods of the politicized homosexual agenda, Traditional Values Coalition will be forced to raise this issue with parents of California's children.

We agree that students with gender identity conflict need to have counseling, not reinforcement into the homosexual lifestyle. There is help for these troubled children. Many counselors are available that can help them through this difficult period into heterosexuality.

Dr. Charles Scovrin is a leading Professor of Psychiatry at Albert Einstein College recently stated the following in a telephone interview:

"Suicides of homosexual youth are not the result of religious or family opinion but that the kids can't come to terms with themselves because they know their behavior is unnatural. It is against the biological rhythms of life. They want someone to help them and they despair because of this."

Dr. Scovrin has treated over 1,000 patients. He has stated that he has helped 50% of them, 25% of the others change on their own, and 25% have deep psychological problems in addition and are overwhelmed as a result of those additional psychological problems.

93040924825



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 5, 1991

The Martin Group
Mr. Richard Martin
545 Fawn Ridge
Apt. 106
Dallas, TX 75224

RE: MUR 3313

Dear Mr. Martin:

As per our telephone conversation of September 4, 1991, please find enclosed a copy of the Commission's original notification and accompanying documents sent to you on May 29, 1991. We would appreciate a response within five days of receipt of this letter.

Should you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Jonathan A. Bernstein
Assistant General Counsel

Enclosures

93040924826

06C 2793

FEDERAL ELECTION COMMISSION
MAIN COPY ROOM

91 SEP 17 PM 12: 01

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE SECRETARY
91 SEP 17 PM 3: 26

September 12, 1991

Mr. Jose Rodriguez
Federal Election Commission
Washington D.C.

RE: MUR 3313

Mr. Rodriguez,

Please let me begin by explaining the reason for my long delay in responding.

The FEC's original documentation to me seems to have been sent in May of 1991. It was sent to 615 W. Red Bird Lane, Duncanville, Texas. I had moved from that address in November of 1990 and by May, the post office had stopped forwarding my mail. To complicate things even further, in July of 1991 I moved again to my current address of 545 Fawn Ridge Apt. 106, Dallas, Texas. The first time I received any correspondence from the Commission was September 6, 1991. At this time I received a letter from Lois Lerner dated August 5, 1991! I then called Mr. Jose Rodriguez who immediately sent me the current complaint. I take the time to explain this so that my delay does not ill-reflect my spirit of co-operation. Thank you.

First let me say that contrary to the intimations of the complaint, I did not know David Thibodaux from the Robertson campaign. I did not meet David Thibodaux until his congressional campaign was well underway. Furthermore, to my knowledge David Thibodaux was not a Robertson delegate to the National Convention, but a Bush delegate.

Secondly, most of the complaint seems to revolve around FEC filings by either Charles Phillips, the "Coalition," or Thibodaux for Congress. In none of these instances is it my responsibility to file as I was not the treasurer of any of the entities. The filings were done by the respective individuals or committees and I had no input nor obligation in these matters. Hence, the Liberty Printing bill, the expenditure to Bagert, the so-called "filing false FEC reports" etc. are all far above my scope of knowledge or responsibility.

Thirdly, let me address the now infamous "Taxpayer Alert"--the so-called "negative" arm of the Thibodaux campaign. First, it is too bad that Congressman Jimmy Hayes and/or the Democratic Committee would call the disclosure of Mr. Hayes' deals with a defunct Louisiana bank and a defunct Louisiana Savings and Loan a "negative" tactic. If there was any negative it was Mr. Hayes' participation in these failed institutions. Hopefully, one day, we will know "the rest of the story" But, considering that the banks' records have been burned, we may never know.

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RECEIVED
F.E.C.
SECRETARIAT

FEDERAL ELECTION COMMISSION 91 OCT -4 PM 4:48
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

MUR: 3313
DATE COMPLAINT RECEIVED
BY OGC: 5/23/91
DATE OF NOTIFICATION TO
RESPONDENTS: 5/29/91
STAFF MEMBER: Jose Rodriguez

COMPLAINANTS: Democratic State Central Committee of Louisiana
James J. Brady, Chairman

RESPONDENTS: David Thibodaux for Congress - 1990 and Eugene N.
Darnell III, as treasurer
American Coalition for Legislative Reform and
Charles R. Phillips, as treasurer
American Congress for Legislative Reform and
Charles R. Phillips, as treasurer
Coalition of Politically Active Christians and
Charles R. Phillips, as treasurer
Christians for Conservative Government and its
treasurer
Senator Ben Bagert Committee to Put Louisiana
First and Carrol M. Chiasson, as treasurer
The Martin Group
Mr. John Chance
Mrs. John Chance
Jane Blackwell
Jack E. Lawton, Jr.
Mrs. Jack Lawton, Sr.

On May 23, 1991, this Office received a complaint from the
Democratic State Central Committee of Louisiana alleging willful
and knowing violations of the Federal Election Campaign Act of
1971, as amended, ("Act") by David Thibodaux for
Congress - 1990 and Eugene N. Darnell III, as treasurer,
American Coalition for Legislative Reform and Charles R.
Phillips, as treasurer, American Congress for Legislative Reform

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and Charles R. Phillips, as treasurer, Coalition of Politically Active Christians and Charles R. Phillips, as treasurer, Christians for Conservative Government and its treasurer, Mr. and Mrs. John Chance, Jack E. Lawton Jr., and Mrs. Jack Lawton, Sr., and implicating Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer, The Martin Group, and Jane Blackwell in the alleged improprieties.

Based on the information provided in the complaint, this Office on May 29, 1991, sent notices to the above listed respondents of the filing of the complaint and their potential liabilities arising from the alleged facts. As became evident, not all of the addresses provided were accurate. Consequently, there has been some delay in notifying all respondents and, therefore, in receiving their responses. The following is a summary of the present state of the notification process and the attempts made by this Office in furthering this process.

Respondents who received the initial notifications are Mr. and Mrs. John Chance, Jack E. Lawton, Jr., Mrs. Jack Lawton, Sr., and Jane Blackwell. Mr. and Mrs. Chances' joint response was received from counsel on June 17, 1991. Additionally, letters requesting extensions of time in which to respond were received from counsel for Jack E. Lawton, Jr., and Mrs. Jack Lawton, Sr., on June 13, 1991, and from counsel for Jane Blackwell on June 25, 1991. Responses for the Lawtons and Ms. Blackwell were received at the termination of the granted extension periods, July 15 and 10, 1991, respectively.

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Notification concerning the other listed respondents, however, required repeated attempts. The initial notice sent to David Thibodaux for Congress - 1990 was returned to this Office and a second notice was sent on June 4, 1991, to a corrected address. Candidate David Thibodaux, however, received his copy of the notification to David Thibodaux for Congress - 1990 and he requested an extension until July 20, 1991, in which to respond on the committee's behalf. On July 3, 1991, this Office received a similar request for extension from the Committee. On July 20, 1991, responses were received from both parties.¹

Likewise, notifications sent to American Coalition for Legislative Reform, American Congress for Legislative Reform, Coalition of Politically Active Christians, and Christians for Conservative Government, all organizations identified in the complaint as being connected with Charles R. Phillips, were returned to this Office as the addresses proved incorrect. These notifications were resent to corrected addresses. On August 5, 1991, this Office received a response from Charles R. Phillips on behalf of American Coalition for Legislative Reform and Coalition of Politically Active Christians.² The response notes that American Congress for Legislative Reform is not a

1. The committee's response was in the form of a letter adopting the candidate's response.

2. This Office has been unable to locate an organization registered with the Commission as Coalition of Politically Active Christians. This Office has, however, discovered an organization registered as Coalition for Patriotically Active Christians listing Mr. Phillips as treasurer. Clarification will be sought on this matter.

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separate organization, but rather an incorrect reference to American Coalition for Legislative Reform resulting from a misprinting of the committee's letterhead. Mr. Phillips also notes that he has no knowledge concerning, nor is he involved in, Christians for a Conservative Government.³

The original notification sent to The Martin Group was also returned. On July 9, 1991, this Office resent the notification. Having received no response, a reminder letter was sent on August 5, 1991. On September 4, 1991, Richard Martin contacted this Office by telephone relating that he had received the reminder letter as the Post Office had forwarded it to his new address, but that he never received a copy of the original notification and accompanying complaint. A copy of the original notification and accompanying complaint were mailed to respondent at a new address provided by Mr. Martin. On September 17, 1991, a response was received.

Of the above listed respondents all but Senator Ben Bagert Committee to Put Louisiana First and Christians for a Conservative Government have responded to the Commission's notifications. While neither the original notification nor the reminder letter sent to Senator Ben Bagert Committee to Put Louisiana First was returned to this Office, there is some question of the committee having received the notification as no response has been forthcoming. This Office has discovered that

3. In light of its lack of affiliation with Mr. Phillips and the fact that the complaint provides no other specific allegation against it, this Office does not presently intend to make Christians for a Conservative Government a respondent.

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the address as listed by the committee in the Commission indices differs from the address used by the Reports Analysis Division ("RAD") to correspond with the committee. This Office is attempting to renotify the committee.

Upon receipt and review of all responses this Office will report to the Commission with appropriate recommendations.

Lawrence M. Noble
General Counsel

10/4/91
Date

BY:

Lois G. Lerner
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE NOBLE
GENERAL COUNSEL

FROM: *YMG* MARJORIE W. EMMONS/DONNA ROACH *DR*
SECRETARY OF THE COMMISSION

DATE: OCTOBER 8, 1991

SUBJECT: MUR 3313 - GENERAL COUNSEL'S REPORT
DATED OCTOBER 4, 1991.

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The above-captioned matter was received in the Commission Secretariat at 4:48 p.m. on Friday, October 4, 1991 and circulated on a 24-hour no-objection basis at 4:00 p.m. on Monday, October 7, 1991.

There were no objections to the above-captioned matter.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 17, 1992

Charles R. Phillips, Treasurer
American Coalition for Legislative
Reform
P.O. Box 200068
Austin, TX 78720

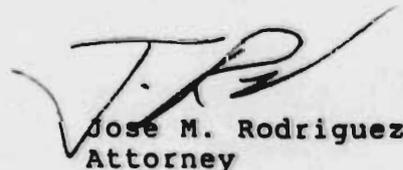
RE: MUR 3313
American Coalition for
Legislative Reform and
Charles R. Phillips, as treasurer

Dear Mr. Phillips:

On February 28, 1992, you requested that the Federal Election Commission permit American Coalition for Legislative Reform ("Committee") to terminate pursuant to 2 U.S.C. § 433(d) and Section 102.3 of the Commission's Regulations. Because of the ongoing enforcement matter involving your Committee, this request has been denied. Therefore, you are reminded that the Committee must continue to file all the required reports with the Commission until such time as the enforcement matter has been closed as to the Committee.

To facilitate future communications, please also provide this Office with a telephone number where you can be reached during regular business hours. If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

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92 OCT -9 PM 12: 11

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

GENERAL COUNSEL'S REPORT

MUR: 3313
DATE COMPLAINT RECEIVED
BY OGC: 5/23/91
DATE OF NOTIFICATION TO
RESPONDENTS: 5/29/91
STAFF MEMBER: Jose Rodriguez

COMPLAINANT: Democratic State Central Committee of Louisiana
James J. Brady, Chairman

RESPONDENTS: David Thibodaux for Congress - 1990 and Eugene N.
Darnell III, as treasurer
American Coalition for Legislative Reform and
Charles R. Phillips, as treasurer
American Congress for Legislative Reform and
Charles R. Phillips, as treasurer
Coalition of Patriotically Active Christians and
Charles R. Phillips, as treasurer
Senator Ben Bagert Committee to Put Louisiana
First and Carrol M. Chiasson, as treasurer
The Martin Group
Mr. John Chance
Mrs. John Chance
Jane Blackwell
Jack Lawton, Jr.
Mr. Jack Lawton, Sr.
Mrs. Jack Lawton, Sr.

RELEVANT STATUTES: 2 U.S.C. § 432(h)(1)
2 U.S.C. § 433(b)
2 U.S.C. § 433(c)
2 U.S.C. § 437d(a)(9)
2 U.S.C. § 441a(a)
2 U.S.C. § 441a(f)
2 U.S.C. § 441d
2 U.S.C. § 441f
18 U.S.C. § 1001

11 C.F.R. § 100.5(g)
11 C.F.R. § 110.1(h)
11 C.F.R. § 110.3(a)(1)

INTERNAL REPORTS CHECKED: Disclosure Reports

FEDERAL AGENCIES CHECKED: None

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I. GENERATION OF MATTER

This matter arises from a complaint filed with the Federal Election Commission ("Commission") by the Democratic State Central Committee of Louisiana alleging knowing and willful violations of the Federal Election Campaign Act of 1971, as amended, ("Act") by David Thibodaux for Congress - 1990 and Eugene N. Darnell, III, as treasurer, American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, Mr. John Chance, Mrs. John Chance, Jack Lawton, Jr., and Mrs. Jack Lawton, Sr.¹ The complaint also implicates the Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer, The Martin Group, and Jane Blackwell in the alleged improprieties. Responses have

1. The complaint also requested that this Office investigate the possible relationship between Charles R. Phillips, American Coalition for Legislative Reform, American Congress for Legislative Reform, Coalition of Patriotically Active Christians (improperly named in the complaint as Coalition of Politically Active Christians), and Christians for Conservative Government to determine possible violations of 2 U.S.C. § 433 for failing to register, and if registered, for failing to disclose their affiliation. It appears that American Congress for Legislative Reform is not a separate organization, but rather an incorrect reference to American Coalition for Legislative Reform resulting from the misprinting of the Committee's letterhead. See 1st General Counsel's Report dated October 24, 1991, at 3-4. Consequently, this Office recommends that the Commission find no reason to believe this entity violated 2 U.S.C. § 433. It also appears that Coalition of Patriotically Active Christians had no involvement in the events in this matter as it was inactive during the period at issue and terminated shortly afterwards. See infra note 21. Consequently, this Office likewise recommends that the Commission find no reason to believe Respondent violated 2 U.S.C. § 433. Lastly, as there was never any evidence of any connection between Christians for Conservative Government and Mr. Phillips, this Office did not make the Committee a respondent in this matter. See 1st General Counsel's Report at 4 n.3.

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been received from all respondents except for the Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer.² Attachments 2-7. (For an explanation of the difficulties encountered in notifying Respondents of the filing of the complaint refer to the 1st General Counsel's Report in this matter, dated October 24, 1991.)

David Thibodaux was a candidate for the U.S. House of Representatives in Louisiana's 7th district open primary election, held October 6, 1991. The candidate lost the election with 40% of the votes. The complaint's allegations are based on its contention that David Thibodaux for Congress - 1990 and American Coalition for Legislative Reform are affiliated committees. The issue of the two committees' affiliation and the resulting violations are analyzed separately.

I. FACTUAL AND LEGAL ANALYSIS

A. The Law

All political committees established, financed, maintained, or controlled by the same group of persons are affiliated. 2 U.S.C. § 441a(a)(5), 11 C.F.R. § 100.5(g)(2). The Regulations provide factors that the Commission examines to determine whether particular committees are affiliated, including the existence of common or overlapping officers or employees, an active and significant participation by an organization or its agent in the formation of the other organization, and the

2. The candidate has responded on behalf of his committee, David Thibodaux for Congress - 1990, and the committee has by letter adopted the candidate's response. See Attachment 2, at 1.

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existence of contributors common to both organizations. See 11 C.F.R. § 100.5(g)(4)(ii). Political committees must disclose all affiliated political committees in their Statements of Organization. 2 U.S.C. § 433(b)(2). Transactions between affiliated committees are not restricted by the Act's contribution limitations, 2 U.S.C. § 441a(a)(5), 11 C.F.R. § 110.3(c)(1); and contributions received by more than one affiliated committee are considered to be received by a single committee for purpose of the contribution limitations. 11 C.F.R. § 110.3(a)(1).

All political committees must also disclose their address and a list of all banks, safety deposit boxes, or depositories used by the committee on their Statement of Organization. 2 U.S.C. § 433(b)(1) and (6). All disbursements, except for petty cash disbursements not exceeding \$100, must be made from designated accounts. 2 U.S.C. § 432(h)(1), 11 C.F.R. § 103.3(a). Any change in information previously submitted shall be reported no later than 10 days from the date of the change. 2 U.S.C. § 433(c).

The Act prohibits a person from making contributions to a candidate's authorized political committee which exceed \$1,000 per election and to any other political committees which exceed \$5,000 in a year. 2 U.S.C. § 441a(a)(1)(A) and (C). A person may contribute to a candidate committee with respect to a particular election and also contribute to a political committee which has supported, or anticipates supporting, the same candidate in the election so long as the contributor does not

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give with the knowledge that a substantial portion will be contributed to, or expended on behalf of, that candidate for the same election. See 11 C.F.R. § 110.1(h). No candidate or political committee may knowingly accept any excessive contributions. 2 U.S.C. § 441a(f).

Whenever any person makes an expenditure for the purpose of financing any communication which solicits any contributions through direct mail that is aimed at the general public, the communication shall contain a disclaimer stating the person or persons who paid for the communication. Moreover, general public communications which expressly advocate the election or defeat of a clearly identified candidate shall also contain a disclaimer stating whether or not the communication is authorized by any candidate or candidate's committee. 2 U.S.C. § 441d, 11 C.F.R. § 110.11(a)(1)(ii).

B. Application of The Law

This matter involves the possible affiliation between a principal campaign committee and an ostensibly separate political committee. Also at issue is the alleged making of excessive contributions by four individual major donors. The complaint specifically contends that the American Coalition for Legislative Reform ("Coalition") was in fact the "alter-ego" of the Thibodaux campaign, designed to carry-out the "negative arm" of the campaign in the primary election.³ In support of this contention complainant argues that the Coalition operated

3. Louisiana's 7th district open primary election was held October 6, 1990.

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exclusively from contributions arranged by David Thibodaux for Congress - 1990 ("Thibodaux Committee"), all its expenses were devoted entirely to the Thibodaux Committee, and both committees conspired to knowingly and intentionally file false reports with the Commission in order to hide the illegal relationship and resulting prohibited activity. Complainant provides evidence which it contends supports its factual conclusions and, ultimately, the numerous allegations.

The following analysis will first focus on the numerous factual allegations raised by complainant in support of the alleged affiliation. Next examined will be the validity of complainant's numerous allegations of violations, and any instances of other violations, pursuant to a finding of affiliation. Finally, this Office will make its recommendations.

1. The Facts

a. collusion

Addressed in the complaint and responses are numerous factors evidencing that the Thibodaux Committee and the Coalition shared an unusually close relationship. One of these factors is initially clear. The campaign and the Coalition collaborated on the publication and distribution of a Thibodaux campaign political communication entitled the "Taxpayer Alert." Attachment 1. As noted by complainant, this collaboration is evidenced by the disclaimer accompanying the "Taxpayer Alert," which stated that the communication was "[p]aid for by the American Coalition for Legislative Reform" and "[a]uthorized by

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The David Thibodaux for Congress Campaign." ⁴ Id. at 1. In content, the "Taxpayer Alert" criticized the candidate's opponent (Congressman Jimmy Hayes) for his dealings with several now defunct savings and loan banks and expressly advocated the election of David Thibodaux by exhorting the reader to "Vote Thibodaux for Congress October 6," the day of the primary election. ⁵ Id. at 4.

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The complaint and responses also establish that the Thibodaux Committee and the Coalition shared an office in Louisiana during the period of the primary election; the Coalition used a P.O. Box registered to a Thibodaux campaign volunteer (Jane Blackwell) as the return address for contributions on the "Taxpayer Alert;" and Mr. Charles R. Phillips, the Coalition's treasurer, and Mr. Richard Martin, a Thibodaux campaign consultant, shared living quarters in Lafayette, Louisiana, for the period from July to September

4. The responses also corroborate this collaboration. The Coalition's treasurer responds that because he "talked" to a Thibodaux campaign consultant (Mr. Richard Martin) concerning the "Taxpayer Alert" he asked that it contain the disclaimer, adding that this is what he understood the Regulations to require. Attachment 3, at 1. Mr. Martin in his brief response, acknowledges that the "Taxpayer Alert" was "done with [his] working knowledge" and similarly notes that this is why the disclaimer stated that it was authorized by the campaign. Attachment 4, at 2.

5. Complainant submits a four page document as representing the "Taxpayer Alert." In his response for the Committee, Mr. Thibodaux attaches only two of the four pages, but does not otherwise challenge complainant's representation.

1990.⁶ Specifically, although Mr. Thibodaux in his response on behalf of the campaign argues that only he had permission to use the campaign office, Mr. Phillips in responding for the Coalition acknowledges that he did do "some" volunteer work on behalf of the campaign, attachment 3, at 2, and Ms. Jane Blackwell in her response notes "that Mr. Phillips was often present at the campaign headquarters and worked with Mr. Martin on many projects."⁷ Attachment 7, at 2.

As concerns the use of the P.O. Box, Mr. Phillips states that he asked Mr. Martin if he could put a "back tag order" on the "Taxpayer Alert" to recover some revenue. Attachment 3, at 1. While it is somewhat unclear what is meant by a "back tag" order, presumably this refers to the inclusion of Mrs. Blackwell's P.O. Box as a method by which to collect any contributions generated by the communication. This interpretation is supported by Mrs. Blackwell's response that

6. Complainant notes that these two individuals have known each other from their involvement in Americans for Robertson, Inc., Pat Robertson's 1988 presidential campaign.

7. As evidence that the two committees shared office space, the complaint points to Mr. Phillips' inclusion of the campaign's address as the return address on a Coalition letter to a vendor and the appearance of Mr. Martin's signature on the same. See generally Attachment D to the complaint. Complainant maintains that the inclusion of the campaign's address and Mr. Martin's signature on the letter evidences that the two committees were operating out of the same office, i.e. the campaign's office. In response, Mr. Thibodaux, noting that the campaign address on the "Taxpayer Alert" was inaccurate, argues that this fact clearly evidences that the Coalition was not operating in the building. These arguments are, however, rendered moot by the available direct evidence that Mr. Phillips did in fact conduct Coalition business from the campaign's office.

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Mr. Phillips "apparently" asked if he could have use of the P.O. Box for convenience, and that she let Mr. Phillips use the P.O. Box as "a convenience in Lafayette rather than any office address he may have had in Texas." Attachment 7, at 2.

Lastly, Mr. Phillips acknowledges that he stayed with Mr. Martin for "some of the time" while he was in Louisiana. Attachment 3, at 1.

The available evidence establishes that Messrs. Martin and Phillips not only collaborated on the publication of the "Taxpayer Alert" but also shared living quarters in Louisiana during the primary election period. Irrespective of Mr. Thibodaux's representations to the contrary, it may also be concluded from Mr. Phillips' acknowledgment of having done volunteer work for the campaign and from Mrs. Blackwell's confirmation that he was often at the campaign's headquarters, that Mr. Phillips did conduct some Coalition business from the Thibodaux Committee office at 423 W. Vermilion.⁸

b. arrangement of contributions

Concerning the Coalition's receipt of contributions, the complaint points out that the Coalition did not receive a single contribution from its February 24, 1989, inception until the primary candidate filing date, August 8, 1990.⁹ Between August 8, 1990, and September 19, 1990, the Coalition did, however, receive

8. The Coalition's only registered address is 1400 N. Flores, P.O. Box 701267, San Antonio, Texas, 78270.

9. In fact, the Coalition did receive one \$50 contribution from a Texas resident prior to August 8, 1990.

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\$10,610, but none thereafter through December 31, 1990.¹⁰

The complaint additionally notes that nearly all of the Coalition's receipts are attributable to individuals residing in the 7th Congressional District in Louisiana, Thibodaux's district, despite the fact that the Coalition's disclosure reports list a Texas address. Specifically, complainant continues, \$10,000 of the Coalition's total contributions come from four Louisiana contributors, three of whom had already contributed the maximum legal limit to the Thibodaux Committee (Jack Lawton, Jr., Mrs. Jack Lawton, Sr., and John Chance), and the fourth of whom is the wife of one of the three (Mrs. John Chance).¹¹

While stating that he cannot speak directly to the allegations concerning the Coalition's contribution pattern as it is a separate committee, Mr. Thibodaux contends that "neither [he] nor any authorized agent of [his] CAMPAIGN COMMITTEE ever solicited donations for the COALITION." (emphases in original) Attachment 2, at 7. Mr. Thibodaux adds that both the Chances and the Lawtons are "as generous as they are wealthy, and it is not unusual for them to be solicited nor for them to make

10. The Coalition's latest report, 1991 Mid-Year Report, discloses that no contributions were received for the period from January 1 to May 30, 1991. In this latest report the Committee seeks to terminate. Because it is presently a respondent in an open enforcement matter, this Office has notified the Committee that it may not presently terminate.

11. In fact the contribution to the Thibodaux Committee was reattributed to Mrs. John Chance. Moreover, there is no record of any contribution to the Coalition from Mrs. Jack Lawton, Sr.

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maximum contributions to conservative causes and/or candidates."
Id. at 8.

In their responses the Chances and Lawtons acknowledge making the contributions, but argue that they were never aware or led to believe that the Coalition was engaged in activity solely for the benefit of the Thibodaux campaign and, therefore, did not violate the Act as their contributions conform with 11 C.F.R. § 110.1(h).¹² Mr. and Mrs. Chance's joint response relates that the contribution to the Thibodaux Committee from the couple's joint account was made shortly after Mr. Thibodaux announced his intention to run (the committee reported the contribution as received on 3/27/90) and that it was "sometime prior to September 9, 1990" that Mr. Chance was advised that the Coalition was a conservative political committee worthy of his

12. Both responses separately argue that the contributors were not named in the complaint as respondents and should, therefore, be dismissed. In fact, the complaint specifically alleges violations of Sections 441a and 441f by these contributors. See Complaint at 12.

The response for the Chances further argues that because the contribution checks, though drawn on the couple's joint checking account, were signed only by Mr. Chance no portion of the contributions should be attributed to Mrs. Chance. Consequently, the response continues, Mrs. Chance should be dismissed from the matter. As previously stated, the \$1000 contribution to the Thibodaux Committee originally attributed to Mr. Chance was in fact reattributed to Mrs. John E. Chance. Moreover, the Coalition equally attributes to each spouse \$2,500 of the \$5,000 contributed from the couple's joint checking account. This Office is not, however, in possession of either a signed reattribution form or copies of the contribution checks.

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support. Attachment 5, at 5. The response further notes that Mr. Chance:

does not remember who first told him about the Coalition but acknowledges that it could have been David Thibodaux. At no time, however, were Mr. and Mrs. Chance informed that the Coalition was formed to raise money for David Thibodaux or that the Coalition intended to contribute money to Mr. Thibodaux.

Id. Attached to the response are affidavits by Respondents attesting to the above. See Id. at 9-13. The response also suggests that both respondents have a history of making substantial contributions to conservative causes and candidates. Id. at 4.

The joint response for Mr. Jack Lawton, Jr., and Mrs. Jack Lawton, Sr., similarly acknowledges the contributions but argues that "at no time, were [Respondents] informed that the coalition was formed to raise money for David Thibodaux or that the Coalition intended to make contributions to Mr. Thibodaux."¹³ Attachment 6, at 12. The response specifically notes that during Mr. Lawton, Jr.'s, meeting with Mr. Phillips concerning possible contributions to the Coalition and other conservative causes, Mr. Phillips "represented affirmatively that he was not connected with the Thibodaux Campaign and that the Coalition was indeed a multicandidate Political Action Committee." Id. Both

13. The response notes that the \$2,500 contribution to the Coalition attributed in the complaint to Mrs. Jack Lawton, Sr., was drawn on a check from their joint account signed not by her but by her husband, Mr. Jack Lawton, Sr. The Coalition's 1990 April Quarterly Report does in fact attribute the contribution to Mr. Jack Lawton, Sr., and not Mrs. Jack Lawton, Sr.

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Mr. Lawton, Jr., and Mr. Thad Minaldi (the Executive Vice President and Counsel of Jack Lawton, Inc.) who was in attendance, testify in accompanying affidavits as to the substance of the meeting. See Id. at 24-28 and 29-30. Affidavits are likewise provided for Mr. and Mrs. Jack Lawton, Sr. See Id. at 20-23 and 31-35. Like the Chances, the Lawtons are also said to have a history of making substantial contributions to conservative causes and candidates. See Id. at 5-11, 22-23, 27-28, and 34-35.

Mr. Phillips in his response on behalf of the Coalition, notes that the Committee was formed a full year before the 1990 primary election.¹⁴ Mr. Phillips' response, however, fails to clarify why the Committee only received contributions during the period immediately preceding the primary election from mostly 7th district Louisiana residents.

Clearly, there appears to be every indication that the Thibodaux Committee had some role in the Coalition's solicitation of contributions to the Chances and Lawtons.¹⁵ The evidence demonstrates that the majority of the contributions received by the Coalition came from two families making

14. As previously stated, the primary election was held on October 6, 1990. The Coalition registered with the Commission on February 27, 1989.

15. Conversely, there is no evidence of anyone associated with the campaign committee being involved in the arrangement of any of the Coalition's other contributions.

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substantial earlier contributions to the Thibodaux Committee.¹⁶ Additionally, the Coalition's disclosure reports demonstrate that these contributions were made within a few days of each other, between September 5 and 8, 1990, and just prior to the the Coalition's major disbursements in late September 1990 and the primary election on October 6, 1990. Also noteworthy is the fact that while these individuals do have a history of making a substantial number of political contributions, an examination of the Commission's contributor index discloses that a disproportionate number of their federal contributions were made to candidate committees and not multicandidate political committees. One inference is that Mr. Martin, because of his contact with both committees, informed Mr. Phillips of the prospect of soliciting contributions from these individuals and/or that either Mr. Martin or, as suggested by the Chances' response, Mr. Thibodaux informed the contributors of the existence of the Coalition. Thus, while it does not appear that the campaign had any part in the Coalition's initial formation, it may be that individuals associated with the campaign had a significant role in the solicitation or arrangement of a majority of the contributions to the Coalition; in effect, a

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16. The committees' disclosure reports evidence the following contributions.

<u>Contributor</u>	<u>Coalition</u>	<u>Thibodaux Committee</u>
Mrs. John Chance	\$2,500	\$1,000
Mr. John Chance	2,500	n/a
Mr. Jack Lawton, Jr.	2,500	1,000
Mr. Jack Lawton, Sr.	2,500	1,000
Mrs. Jack Lawton, Sr.	n/a	1,000

significant role in the Coalition's only period of activity. It may likewise be that the individual contributors had some knowledge that their contributions would benefit the Thibodaux campaign. In light of how and when the contributions were solicited, it would be unreasonable to accept that these individuals had no indication that their contributions would accrue to the benefit of the candidate.

c. disbursements

The complaint next argues that the evidence demonstrates that a majority of the Coalition's expenses¹⁷ were incurred on behalf of the Thibodaux Committee in the printing and distribution of the negative campaign communication entitled the "Taxpayer Alert."¹⁸

17. The Committee reports making the following disbursements for the period from July 1 to September 30, 1990:

<u>PAYEE</u>	<u>DATE</u>	<u>PURPOSE</u>	<u>AMOUNT</u>
Jerome Gonzales	7/15/90	Polling	\$ 76.00
Hugh Shine	7/15/90	Polling	\$ 58.00
Phil Guerra	7/15/90	Polling	\$ 69.00
Joe Dial	7/15/90	Lttr. Polling	\$ 58.00
Liberty Printing	9/? /90	Printing	\$5400.00
David Beilharz	n/a	Polling	\$ 78.00
P.C. Piazza	9/11/90	Picture	\$1500.00
Martin Group	9/19/90	Printing	\$1600.00
Ben Bagert	9/14/90	Polling Lttr.	\$ 208.00
Charles R. Phillips	9/30/90	Expenses	\$ 750.00
Quorun Media Mail	9/6 /90	Letters	\$ 460.00

18. As evidence of the alleged conspiracy to keep secret the two committees' collaboration, the complaint notes that the Coalition reported as "independent" the numerous disbursements alleged to have been made in collaboration with the campaign committee. As will become clear, the Committee did misreport its disclosures to P.C. Piazza and the Martin Group as they were made in coordination with the campaign. This fact alone, however, does not evidence the existence of the alleged conspiracy.

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The complaint notes that the Coalition paid P.C. Piazza, a staff photographer for the daily newspaper The Advertiser, \$1,500 by check for a release of Mr. Piazza's copyright to a photograph used in the communication.¹⁹ This communication, complainant claims, was clearly a negative campaign tool for the Thibodaux Committee as evidenced by its disclaimer stating that it was "[p]aid for by the American Coalition for Legislative Reform and "[a]uthorized by The David Thibodaux for Congress Campaign." See Attachment 1, at 1.

It is also noted that the Coalition paid The Martin Group \$1,600 for printing. The complaint argues that as Richard Martin, the sole operator of The Martin Group, was "exclusively" employed by the Thibodaux Committee during the period of the disbursement, the disbursement is clearly attributable to Mr. Martin's activities on behalf of the Thibodaux campaign.²⁰

Likewise, the Coalition's \$5,400 disbursement to Liberty Printing is argued to be in connection with the communication and thus attributable to the Thibodaux Committee. In support of this latest contention the complaint provides what it considers compelling circumstantial evidence. Complainant initially notes that the Coalition's letter of September 17, 1990, to Mr. Piazza concerning the use of his photograph in the communication

19. Complainant additionally notes that the payment check was drawn on an account at NBC Bank in Austin Texas, but that the Committee's only disclosed depository is Texas Bank of Commerce.

20. Apparently as evidence of Mr. Martin being exclusively retained by the campaign, the complaint notes that the Thibodaux Committee paid The Martin Group a total of \$25,098.65 between the period from April 24 to December 31, 1990.

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evidences that the "Taxpayer Alert" consisted of 500,000 copies. See Attachment D to the complaint. Complainant next essentially argues that the \$5,400 disbursement disclosed by the committee as being in connection with a "brochure" must in fact have been in connection with the "Taxpayer Alert" because the Coalition's other expenses are either otherwise detailed or insufficient in amount. The complaint additionally notes that the timing of the reported disbursement coincides with the circulation of the communication (August/September 1990) and the receipt of contributions from the 7th district contributors.

The complaint lastly suggests that the Coalition's reported \$208 disbursement to the Senator Ben Bagert to Put Louisiana First Committee ("Bagert Committee") was likewise for the benefit of the Thibodaux Committee as payment for the Thibodaux Committee's portion of expenses for a campaign flier distributed jointly by the two campaign committees. Attachment M to the complaint. In support, the complaint notes that the timing of the disbursement corresponds to the distribution of the flier and that the flier's reference to "Christians for Conservative Government" suggests that this may be another of Mr. Phillips' organizations as he was once registered with the Commission as treasurer of "Coalition of Politically Active Christians" which terminated shortly before the Louisiana primary election.²¹

21. An examination of the Commission's records reveals that Mr. Phillips was registered as the treasurer of Coalition of Patriotically Active Christians. This committee registered with the Commission on August 21, 1989, and terminated on December 28, 1990. Throughout this period the committee was inactive, reporting neither receipts nor disbursements.

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Mr. Thibodaux acknowledges that the \$1,500 disbursement to P.C. Piazza was in fact for the use of a photograph in the "Taxpayer Alert" and attributable to the Thibodaux Committee. Mr. Thibodaux also acknowledges that the Coalition's \$1,600 disbursement to the Martin Group "could be connected" with the campaign. Attachment 2, at 8. Mr. Thibodaux explains that as he was not aware of this disbursement until he received a copy of the complaint and has no idea what the disbursement was for, and as Mr. Martin did work as a media consultant with the campaign, there is the possibility of some connection. Mr. Thibodaux, however, clarifies that Mr. Martin never worked exclusively for the campaign, as the complaint alleges, "for the simple reason that [the] CAMPAIGN COMMITTEE could not afford to retain his services on an 'exclusive' basis."²² (Emphasis in original). Id. at 9.

The response next notes that there are no remaining Coalition disbursements which in any way relate to the Thibodaux Committee. The response argues that contrary to the complaint's suggestions, the fact that the Coalition discloses a disbursement to the Bagert Committee "serves as clear evidence that the COALITION was operating in support of more than one candidate" and therefore "not all of the COALITION's expenditures were on [the campaign's] behalf." (emphasis in

22. The response contends that Mr. Martin was consulting with the State Republican Party, the Senate campaign of Ben Bagert, and continued to do some business in Texas, noting that the \$25,098.65 in payment to The Martin Group represents the campaign's entire media budget and paid for both actual media costs and Mr. Martin's commission.

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original) Id. Specifically addressing the complaint's allegation that the disbursement represents payment of the Thibodaux Committee's share of expenses for a joint campaign flier, Mr. Thibodaux argues that the flier's reference to "Christians for Conservative Government" suggests that any reimbursement due would be due the named committee and not the Bagert Committee, thus evidencing that the Coalition's disbursement was not in fact attributable to his campaign.

Mr. Phillips in his response acknowledges that the Coalition made a \$1,600 disbursement for the printing "only" of the "Taxpayer Alert." Attachment 3, at 1. Mr. Phillips relates that Mr. Martin showed him some research he was putting together on Congressman Jimmy Hayes and that after reviewing the research he agreed to contribute to the printing of the resulting communication. He noted that it was printed in Louisiana, by a local newspaper, and "Mr. Martin was in charge of creating, printing and distributing the Alert." Id.

As concerns the \$5,400 disbursement to Liberty Press alleged to have been in connection with the "Taxpayer Alert," Mr. Phillips contends that this disbursement was not in connection with the "Taxpayer Alert" but with a communication entitled "Project 10" which addresses the issue of gay sexual education in public schools. Mr. Phillips characterized this communication as an educational piece which he contends was distributed in several states. See Id. at 6-7.

Accompanying the response are two invoices relating to the disbursement from Liberty Mailing & Printing, Inc., totaling

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\$4,851.04.²³ Id. at 3-4. Mr. Phillips, however, provides no explanation for the difference between the invoiced amount and the disbursement amount. Mr. Phillips lastly contends that he is not familiar with "Christians for Conservative Government," the organization referenced in the flier allegedly distributed jointly by the Thibodaux and Bagert campaigns, noting that the questioned disbursement was for polling done in connection with the Bagert Committee.²⁴

There is no clear evidence supporting complainant's contention that the Coalition's \$5,400 disbursement to Liberty Mailing and Printing, Inc., was solely for the benefit of the Thibodaux Committee. An examination of the available evidence, while not dismissing all questions, suggests that in fact a portion of the Coalition's disbursement was payment for expenses associated with the publication and distribution of the "Project 10" piece referred to by Mr. Phillips in the response (\$818.08), the printing of unidentified letters and envelopes (\$1,831.57), and the printing of letterhead (\$485.04). The invoice submitted by the Coalition evidences that with the exception of a \$1,538.35 cost entry for printing and folding of an "Alert" and

23. The later invoice, dated August 27, 1990, appears to be a more comprehensive invoice incorporating the charges listed in the invoice dated July 19, 1990. Among the listed costs on the invoice is a \$1,538.35 entry for the printing and folding of an "Alert." The response does not explain whether this refers to the "Taxpayer Alert" or some other communication. As will be discussed, see infra p. 21, this entry does not appear to refer to the "Taxpayer Alert."

24. The Coalition's 1990 April Quarterly Report does in fact identify the purpose of the disbursement as "Polling Letter."

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shipping charges, the balance of invoice (\$3,134.69) was in connection with the above mentioned items.

Moreover, while Mr. Phillips fails to clarify what the "Alert" entry on the invoice relates to, an examination of the communication suggests that the entry was for something other than the "Taxpayer Alert." The "Taxpayer Alert" was a four page communication of which, as stated in the complaint and evidenced by Mr. Phillips' letter to P.C. Piazza, 500,000 copies were distributed.²⁵ See Attachment 1, and Attachment D to the complaint. The "Alert" entry on the invoice, however, is for a two page document of which only 1,000 copies were ordered.²⁶ See Attachment 3, at 3. Consequently, the invoiced document is insufficient in both number of pages per communication and number of communications printed to represent the "Taxpayer Alert."²⁷

Though it appears that the Coalition's \$5,400 disbursement was not in connection with the printing of the "Taxpayer Alert," there is some indication that the invoiced amount (\$818.08)

25. As noted, Mr. Thibodaux in his response submits only two of the four pages as representing the communication. See Attachment 2, at 22-23.

26. While it may be possible that the noted entry represents only a partial printing of the communication, i.e. only a portion of the total copies printed, there is no evidence to suggest this. Moreover, the Coalition's disclosure reports evidence no other disbursements directly by the Committee for printing.

27. A question arises as to how 500,000 copies of a four page communication can cost \$1,600 to print when 1,000 copies of a two page communication costs \$1,538.35 to print. This Office does not presently know of any explanation for this discrepancy.

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attributable to the "Project 10" piece may be attributable to the Thibodaux Committee. Specifically, accompanying the response Mr. Phillips submits what at first appears to be a two page document entitled "Project 10." Id. at 6-7. Closer examination reveals, however, that the two pages are not in fact part of the same communication. At the bottom of the first page one finds the notation "AUGUST 1988 > VALLEY MAGAZINE," indicating that that portion of the submission is a copy of an article appearing in the captioned publication. The second page, however, contains no such notation and, while maintaining the substance of the communication, does not continue the text from the first page. This lack of continuity suggests that the two pages were taken from separate communications.

Additionally, on the second page, before what appears to be the insertion of a portion of an article addressing the issue of gay sex education in California's public schools, the communication notes that the insert "is a good summary of what is going on in California and could find its way [int]o Louisiana unless we defeat candidates approved by the homosexual and lesbian groups."²⁸ Id. at 7. This direct reference to the Louisiana election, coupled with the fact that gay rights appears to have been a election issue,²⁹ in light of the

28. The insert was from an article appearing in the December 1989 issue of a publication entitled Traditional Value Report.

29. Included in the "Taxpayer Alert" is a scorecard addressing the candidates' posture on certain issues of interest. One of the issues addressed is the federal financing of gay sex education in public schools. See Attachment 1, at 4.

committees' close relationship puts into question the independent nature of the communication.

Accordingly, although there appears to be no validity to complainant's contention that the Coalition's \$5,400 disbursement served to pay costs associated with the printing and distribution of the "Taxpayer Alert," it may nevertheless be that \$818.08 of the total disbursement was for expenses attributable to the Thibodaux Committee. Moreover, because it is not clear from the submitted invoices what the unidentified letters and envelopes relate to, it may also be that the \$1,831.57 cost for these items is similarly attributable to the Thibodaux Committee.³⁰

2. Alleged Violations

Both committees are alleged to have violated 2 U.S.C. § 433(b) by failing to disclose their affiliated status in their

30. Assuming that all questionable Coalition disbursements were in fact attributable to the Thibodaux Committee, the combined total of these disbursements would be \$5,749.65. As the above discussion illustrates, some of disbursements are more clearly attributable to the campaign than others, while some (including the disbursements in connection with the "Alert" and letterhead entries in the invoice) appear not to be attributable. The chart below lists the relevant Coalition disbursements in descending order from the most clearly attributable to the campaign to the least.

<u>Amount</u>	<u>Payee</u>	<u>Purpose</u>
\$1,500	P.C. Piazza	Photograph for "Taxpayer Alert"
\$1,600	The Martin Group	Printing costs for "Taxpayer Alert"
\$ 818.08	Liberty Mailing and Printing Inc.	Printing costs for "Project 10" piece
\$1,831.57	Liberty Mailing and Printing Inc.	Printing costs for unidentified letters and envelopes
<u>\$5,749.65</u>	<u>TOTAL</u>	

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respective Statements of Organization filed with the Commission, and 2 U.S.C. § 441a(f) by accepting contributions in excess of the contribution limitation shared by affiliated political committees. See 11 C.F.R. § 110.3(a)(1). The Coalition is separately charged with violating 2 U.S.C. § 433 by using bank depositories not designated in its Statement of Organization, and by failing to amend its Statement of Organization to disclose its operating address in Louisiana; 2 U.S.C. § 441f by serving as a conduit for contributions from individuals to the Thibodaux Committee; and 2 U.S.C. § 441d by failing to provide an adequate disclaimer on the "Taxpayer Alert."³¹

Concerning the individual contributors, the complaint contends that they violated 2 U.S.C. §§ 441a and 441f by making contributions that are excessive in the aggregate and by making contributions in the name of another with the Coalition serving as conduit, respectively.

Lastly, the complaint argues that all alleged violations are knowing and willful as they resulted from a clandestine scheme designed to prevent knowledge of the Coalition's true status and goals. The response additionally notes that the Coalition's response to a Commission Request for Additional Information stating that it was an non-affiliated committee constitutes intentional fraud in violation of 18 U.S.C. § 1001.

31. As previously noted, it is also alleged that those organizations listed supra note 1, also violated 2 U.S.C. § 433 by failing to register, and if registered, by failing to identify themselves as affiliated committees.

3. Analysis

Initially, it is clear from the available evidence that the Thibodaux Committee and the Coalition had an usually close relationship as a result of the close friendship between Messrs. Martin and Phillips. There is, however, no similar indication that the two committees conspired to clandestinely violate the Act as alleged.

Mr. Thibodaux generally denies any existence of a conspiracy between his campaign committee and the Coalition, noting that the disclaimer accompany the "Taxpayer Alert" belies any notion that the two committees were engaged in any secrete conspiracy to violated the Act and Regulations. Mr. Thibodaux argues that:

If ... there was a "conspiracy" between my CAMPAIGN COMMITTEE and the COALITION to "conceal an illegal relationship," as the COMPLAINT alleges, the fact that we placed this disclaimer in a brochure that would inevitably fall into the hands of my opponent publicly announcing the cooperation of the two committees on this brochure would be evidence only that we are, indeed, the most inept conspirators in the history of political intrigue.

(emphasis in original) Attachment 2, at 9-10. Mr. Thibodaux further illustrates what he perceives as the ludicrousness of the allegation by observing that the fact that both committees clearly disclosed the names of common contributors making large donations would render the alleged conspiracy "a 'conspiracy' a la The Three Stooges." Id. at 10. Concerning Messrs. Phillips' and Martin's sharing of an apartment, Mr. Thibodaux argues that

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this fact, if true, further disparages the allegation of a conspiracy. Mr. Thibodaux contends that both individuals were aware that the person who runs Congressman Hayes' Lafayette office, Louis Perret, is also a resident of the apartment complex where they lived. Why, Mr. Thibodaux asks, in the name of common sense would these individuals associate where they knew they could be discovered if they were really involved in the alleged conspiracy?

Mr. Martin in his response is rather more succinct, arguing that the disclaimer "blows away any notion of 'conspiracy'." Attachment 4, at 2.

Clearly, the available evidence negates any conspiratorial intent on the part of the committees to keep secret their relationship. It is clear that Messrs. Martin and Phillips openly associate in Louisiana, the two committees freely disclosed their common contributors and their collaboration on the "Taxpayer Alert," and the Coalition its payment to The Martin Group, a known vendor of the campaign. Therefore, there is no basis for complainant's contention that the committees knowingly and willfully engaged in activity designed to circumvent the Act. Consequently, any resulting violations are not knowing and willful.

Irrespective of the above, there is evidence that the two committees are affiliated. Specifically, several of the circumstantial factors set out at 11 C.F.R. § 100.5(g)(4)(ii) apply. The available evidence suggests the Thibodaux Committee had a significant role in the Coalition's only period of

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activity; Mr. Phillips, the Coalition's only officer, was a volunteer for the Thibodaux Committee; and more than 90% of the Coalition's total contributions came from individuals also contributing to the Thibodaux Committee or related to Thibodaux contributors. The presence of these indicia of affiliation suggest that the Thibodaux Committee or individuals associated with the campaign had some influence in the Coalition's affairs as contemplated by 2 U.S.C. § 441a(a)(5). As previously noted, the Coalition, although formed in early 1989, was only active for the period preceding Louisiana's 1990 primary election. Because of the campaign's influence in the Coalition's only period of activity, the Coalition may be rendered an affiliated committee of the Thibodaux Committee. Accordingly, this Office recommends that the Commission find reason to believe that the Coalition and the Thibodaux Committee violated 2 U.S.C. § 433(b) by failing to disclose their affiliated status in their Statements of Organization.³²

Affiliated committees share a common contribution limit. See 11 C.F.R. § 110.3(a)(1) and MUR 2132. While most political committees may receive contributions of up to \$5,000, principal

32. Although the Coalition did not qualify as a multicandidate committee and was, therefore, limited to the \$1,000 expenditure limit at Section 441a(a)(1)(A), see generally 2 U.S.C. §§ 441a(a)(2)(A) and 441a(a)(4), the Coalition did make expenditures for the benefit of the Thibodaux Committee in excess of \$1,000. However, because the committees appear to be affiliated and transfers between affiliated committees are not subject to the Act's contribution limits, see 11 C.F.R. § 110.3(c)(1), this Office makes no recommendations concerning the Coalition's making of excessive contributions to the campaign or the Thibodaux Committee's receipt of the same.

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campaign committees of a candidate are, however, precluded from receiving contributions in excess of \$1,000. Consequently, the two committees must share the lower, \$1,000, contribution limit. As demonstrated, the two committees shared common contributors. The Coalition received approximately \$7,500 in contributions from individuals who had already contributed the \$1,000 maximum directly to the Thibodaux Committee. See supra note 16. The Coalition also received a separate \$2,500 contribution from one individual. See Id. Accordingly, this Office recommends that the Commission find reason to believe the Coalition violated 2 U.S.C. § 441a(f) by accepting excessive contributions.³³

There also appear to be violations as concerns certain individual contributors. Section 110.1(h) of the Regulations provides that persons may not contribute to a candidate's campaign committee with respect to a particular election and also to another political committee which supports that candidate if they give with the knowledge that a substantial portion of their donation to the latter committee will be

33. The Act provides that candidates may designate authorized committees in addition to their principal campaign committees, 2 U.S.C. § 432(e)(1), and that such designations shall be in writing and filed with the principal campaign committee. Id.; see also 2 U.S.C. § 431(6). Because the Commission has previously interpreted these provisions to preclude a finding that a committee is an authorized committee absent a written designation by the candidate, it appears the Coalition is a political committee affiliated with the Thibodaux Committee, but is not an authorized committee for Mr. Thibodaux's campaign. Consequently, the violations resulting from the Coalition's acceptance of excessive aggregate contributions do not transfer to the Committee. Accordingly, because it does not appear that the Committee has in fact accepted excessive contributions in the aggregate under the Act, this office makes no recommendations concerning any such allegations.

expended on behalf of the candidate. The Chances and Mr. Jack Lawton, Jr. contributed in the aggregate in excess of \$1,000 to the two committees. See supra note 16. Although these individuals assert their belief that the committees were independent, because of the Thibodaux Committee's possible involvement in the solicitation of contributions to the Coalition from the named contributors and the timing of the contributions, there is the inference that these individuals knew or had reason to know that at least a portion of their contributions would accrue to the campaign's benefit.

Accordingly, this Office recommends that the Commission find reason to believe that Mr. John Chance, Mrs. John Chance, and Mr. Jack Lawton, Jr., violated 2 U.S.C. § 441a(a)(1)(A). Conversely, because it does not appear that Mrs. Jack Lawton, Sr.'s, combined contributions exceeded \$1,000, see Id., this Office recommends that the Commission find no reason to believe Respondent violated 2 U.S.C. § 441a(a)(1)(A).³⁴

As previously noted, a review of the Commission's records demonstrates that Mr. Jack Lawton, Sr., and not Mrs. Jack Lawton, Sr., as complainant mistakenly alleges, also contributed in the aggregate in excess of \$1,000 to the two committees. See Id and supra note 13. Accordingly, this Office recommends that

34. It is also alleged that the named contributors violated 2 U.S.C. § 441f by making contributions in the name of another, and the Coalition by permitting itself to be used to effect contributions in the name of another. In light of the committees' affiliation, however, the better course is to view the contributions as excessive contributions to the Coalition. Therefore, this Office makes recommendations concerning violations of Section 441a(a) with regard to these transactions.

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the Commission likewise find reason to believe that Mr. Jack Lawton, Sr., as an internally generated respondent, violated 2 U.S.C. § 441a(a)(1)(A).

There are certain resulting violations irrespective of the committees' affiliation status. Specifically, the Act requires political committees to disclose to the Commission in their Statement of Organization all bank depositories used by them, and that they report any change in this information within 10 days of the change. See 2 U.S.C. § 433(b)(6) and (c).

Moreover, the Act generally prohibits disbursements by political committees from accounts not so disclosed. See 2 U.S.C. § 432(h)(1). Because it does appear that the Coalition was using a bank depository not disclosed in its Statement of Organization, see supra note 19, this Office recommends that the Commission find reason to believe the Coalition violated 2 U.S.C. §§ 432(h)(1) and 433(c) by making disbursements from an undisclosed depository and failing to amend its Statement of Organization to disclose all its depositories. The Act does not, however, similarly require political committees to list all addresses or operate from only their registered address. See 2 U.S.C. § 433(b)(1). Accordingly, it appears that the Coalition was not required to amend its Statement of Organization to disclose its operating address in Louisiana.

It is also clear that certain of complainant's legal allegations are without merit. Pursuant to Section 441d of the Act, a disclaimer must be provided with any communication which expressly advocates the election or defeat of a clearly

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identified candidate. For such communications the disclaimer must identify the person or persons who paid for the communication and state whether the communication is authorized by any candidate or candidate's committee. See 11 C.F.R. § 110.11(a)(1). As previously noted, the "Taxpayer Alert" expressly advocated Mr. Thibodaux's candidacy in the most direct manner by exhorting the reader to "Vote Thibodaux for Congress October 6." Attachment 1, at 4. The disclaimer accompanying the communication, however, properly disclosed that the communication was paid by the coalition and authorized by the Thibodaux Committee. See Id. at 1. Accordingly, this Office recommends that the Commission find no reason to believe that the Coalition violated 2 U.S.C. § 441d.

Similarly, there is no evidence provided in either the complaint or responses suggesting any violations of the Act by Mrs. Blackwell, the Bagert Committee, or The Martin Group. Accordingly, this Office recommends that the Commission find no reason to believe these individuals violated any provisions of the Act.³⁵

35. There is also no evidence provided demonstrating the Coalition's affirmative intent to deceive the Commission as to its affiliation status in its response of May 3, 1989, to the Commission's Request for Additional Information. Consequently, because Respondent did not make any false statements to the Commission as envisioned by the law there is no basis pursuant to 2 U.S.C. § 437d(a)(9) for reporting Respondent to the Department of Justice. See Stein v. U.S., 363 F.2d 587 (5th Cir.) (false under Section 1001 means more than simply incorrect or untrue; an intent to deceive or mislead is required), cert. denied, 385 U.S. 934 (1966).

As demonstrated, the available evidence suggests that the Thibodaux Committee and the Coalition are affiliated committees. It also appears that the individual contributors violated the Act's contribution limitations. This same evidence, however, also depicts the narrow scope of, and negligible amounts involved in, the violative activity. As previously noted, the Coalition, although formed on February 24, 1989, was mostly active for only a one month period (during which time it received a total of \$10,610 in contributions and made a total of \$10,612 in disbursements) and now seeks to terminate. Moreover, the candidate lost the election with 40% of the vote. Because of this, it appears unlikely that any of the activity at issue would be repeated and, therefore, that an admonishment letter would suffice to address the violations at issue. Accordingly, this Office recommends that the Commission take no further action against the Thibodaux Committee or the Coalition. For the same reasons, this Office also recommends that the Commission take no further action against the individual named contributors. This Office intends to send Respondents letters admonishing them that the activity they engaged in is in violation of the Act.

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III. RECOMMENDATIONS

1. Find reason to believe David Thibodaux for Congress - 1990 and Eugene N. Darnell, III, as treasurer, violated 2 U.S.C. § 433(b), but take no further action.
2. Find reason to believe American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b) and (c), and 441a(f), but take no further action.
3. Find no reason to believe American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 441d.
4. Find reason to believe Mr. John Chance, Mrs. John Chance, Mr. Jack Lawton, Jr., and Mr. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.
5. Find no reason to believe Mrs. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A).
6. Find no reason to believe American Congress for Legislative Reform and Charles R. Phillips, as treasurer, or Coalition of Patriotically Active Christians and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 433.
7. Find no reason to believe Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer, Jane Blackwell, or The Martin Group violated any provision of the Act in connection with the complaint in this matter.
8. Close the file.
9. Approve the appropriate letters.

Lawrence M. Noble
General Counsel

Date

10-8-92

BY:


Lois G. Lerner
Associate General Counsel

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Attachments:

1. Complainant's copy of the "Taxpayer Alert."
2. Thibodaux Committee's response.
3. Coalition's response.
4. The Martin Group's response
5. Mr. and Mrs. John Chance's response.
6. Jack Lawton, Jr.'s, and Mrs. Jack Lawton, Sr.'s, response.
7. Jane Blackwell's response.

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DONNA ROACH *DR*
COMMISSION SECRETARY

DATE: OCTOBER 19, 1992

SUBJECT: MUR 3313 - GENERAL COUNSEL'S REPORT
DATED OCTOBER 8, 1992

The above-captioned document was circulated to the Commission on TUES., OCTOBER 13, 1992 at 11:00 A.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner McDonald	<u>XXX</u>
Commissioner McGarry	_____
Commissioner Potter	_____
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for TUESDAY, OCTOBER 27, 1992

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3313
David Thibodaux for Congress - 1990)
and Eugene N. Darnell III, as)
treasurer;)
American Coalition for Legislative)
Reform and Charles R. Phillips,)
as treasurer;)
American Congress for Legislative)
Reform and Charles R. Phillips,)
as treasurer;)
Coalition of Patriotically Active)
Christians and Charles R.)
Phillips, as treasurer;)
Senator Ben Bagert Committee to Put)
Louisiana First and Carrol M.)
Chiasson, as treasurer;)
The Martin Group;)
Mr. John Chance;)
Mrs. John Chance;)
Jane Blackwell;)
Jack Lawton, Jr.;)
Mr. Jack Lawton, Sr.;)
Mrs. Jack Lawton, Sr.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on October 27, 1992, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 3313:

1. Find reason to believe David Thibodaux for Congress - 1990 and Eugene N. Darnell, III, as treasurer, violated 2 U.S.C. § 433(b), but take no further action.

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2. Find reason to believe American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b) and (c), and 441a(f), but take no further action.
3. Find no reason to believe American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 441d.
4. Find reason to believe Mr. John Chance, Mrs. John Chance, Mr. Jack Lawton, Jr., and Mr. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A), but take no further action.
5. Find no reason to believe Mrs. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A).
6. Find no reason to believe American Congress for Legislative Reform and Charles R. Phillips, as treasurer, or Coalition of Patriotically Active Christians and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 433.
7. Find no reason to believe Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer, Jane Blackwell, or The Martin Group violated any provision of the Act in connection with the complaint in this matter.

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8. Close the file.
9. Approve the appropriate letters are recommended in the General Counsel's report dated October 8, 1992.

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

Attest:

10-27-92
Date

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

93040924873



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

Charles R. Phillips, Treasurer
American Coalition for
Legislative Reform
P.O. Box 701267
San Antonio, TX 78270

RE: MUR 3313
American Coalition for Legislative
Reform and Charles R. Phillips,
as treasurer

Dear Mr. Phillips:

On October 27, 1992, the Federal Election Commission ("Commission") found reason to believe that American Coalition for Legislative Reform ("Committee") and you, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b) and (c), and 441a(f), and no reason to believe the Committee and you, as treasurer, violated 2 U.S.C. § 441d, provisions of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's findings, is attached for your information.

The Commission reminds you that political committees controlled or financed by the same group of persons are affiliated and failure of a committee to disclose its affiliation with another committee appears to be a violation of 2 U.S.C. § 433(b). Moreover, affiliated committees share a single contribution limit and acceptance of contributions from contributors to the affiliated committees which in the aggregate exceed the shared limit appears to be a violation of 2 U.S.C. § 441a(f). You are additionally reminded that failure of any federal political committee to amend its Statement of Organization to disclose all bank depositories used by them appears to be a violation of 2 U.S.C. § 433(c) and the making of disbursements from undisclosed bank depositories appears to be a violation 2 U.S.C. § 432(h)(1). You should take immediate steps to insure that this activity does not occur in the future.

93040924374

Charles R. Phillips, Treasurer
American Coalition for Legislative Reform
Page 2

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
General Counsel's Report

93040924875



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

Eugene N. Darnell III, Treasurer
David Thibodaux for Congress - 1990
125 Rue Beauregard
Lafayette, LA 70508

RE: MUR 3313
David Thibodaux for
Congress - 1990 and
Eugene N. Darnell III,
as treasurer

Dear Mr. Darnell:

On October 27, 1992, the Federal Election Commission found reason to believe that David Thibodaux for Congress - 1990 ("Committee") and Eugene N. Darnell III, as treasurer, violated 2 U.S.C. § 433(b), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that political committees controlled or financed by the same group of persons are affiliated and failure of a committee to disclose its affiliation with another committee appears to be a violation of 2 U.S.C. § 433(b). You should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

93040924876

Eugene N. Darnell III, Treasurer
David Thibodaux for Congress - 1990
Page 2

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
General Counsel's Report

cc: David Thibodaux

93040924877



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

The Martin Group
Mr. Richard Martin
545 Fawn Ridge
Apt. 106
Dallas, TX 75224

RE: MUR 3313
The Martin Group

Dear Mr. Martin:

On September 5, 1991, the Federal Election Commission notified The Martin Group of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended, (the "Act").

On October 27, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe The Martin Group violated any provisions of the Act in connection with the complaint in this matter. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040924878



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 18, 1992

Charles R. Phillips
P.O. Box 701267
San Antonio, TX 78270

RE: MUR 3313
American Congress for Legislative Reform
and Charles R. Phillips, as treasurer
Coalition of Patriotically Active
Christians, and Charles R. Phillips,
as treasurer

Dear Mr. Phillips:

On July 17, 1991, the Federal Election Commission notified the American Congress for Legislative Reform, the Coalition of Patriotically Active Christians ("Committees"), and you, as treasurer of these committees, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On October 27, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe the Committees and you as treasurer violated 2 U.S.C. § 433. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed

93040924879

Charles R. Phillips
Page 2

on the public record before receiving your additional materials,
any permissible submissions will be added to the public record
upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040924380



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

Carrol M. Chiasson, Treasurer
Senator Ben Bagert Committee to
Put Louisiana First
c/o Ben Bagert
601 Poydras Street, Suite 2075
New Orleans, LA 70130

RE: MUR 3313
Senator Ben Bagert Committee to Put
Louisiana First and Carrol M.
Chiasson, as treasurer

Dear Mr. Chiasson:

On October 21, 1991, the Federal Election Commission notified the Senator Ben Bagert Committee to Put Louisiana First and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended, (the "Act").

On October 27, 1992, the Commission found, on the basis of the information in the complaint that there is no reason to believe the Senator Ben Bagert Committee to Put Louisiana First and you, as treasurer, violated any provisions of the Act in connection with the complaint in this matter. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record

CLOSED

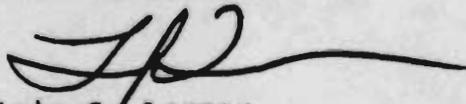
93040924881

Carrol M. Chaisson, Treasurer
Senator Ben Bagert Committee to Put Louisiana First
Page 2

before receiving your additional materials, any permissible
submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040924882



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

Richard K. Leefe, Esq.
Leefe, Gibbs & Koehler
One Lakeway Center, Suite 1470
3900 North Causeway Boulevard
Metairie, LA 70002

RE: MUR 3313
Jane Blackwell

Dear Mr. Leefe:

On May 29, 1991, the Federal Election Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended, (the "Act").

On October 27, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe your client violated any provisions of the Act in connection with the complaint in this matter. Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040924883



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Place St. Charles
201 St. Charles Avenue
New Orleans, LA 70170-5100

RE: MUR 3313
Jack Lawton, Jr.
Jack Lawton, Sr.

Dear Mr. Vance:

On October 27, 1992, the Federal Election Commission found reason to believe that your clients violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's findings, is attached for your information.

The Commission reminds you that the making of contributions of \$1,000 to a candidate's committee together with contributions of \$2,500 to another political committee which supports that candidate where the circumstances suggest knowledge that a substantial portion of the contribution to the latter committee will be expended on behalf of the candidate appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). Your clients should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

93040924384

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Page 2

If you have any questions, please contact Jose M.
Rodriguez, the attorney assigned to this matter, at (202)
219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
General Counsel's Report

93040924885



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 18, 1992

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Place St. Charles
201 St. Charles Avenue
New Orleans, LA 70170-5100

RE: MUR 3313
Mrs. Jack Lawton, Sr.

Dear Mr. Vance:

On May 29, 1991, the Federal Election Commission notified your client of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On October 27, 1992, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe your client violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

93040924886



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 18, 1992

Scott E. Rozzell, Esq.
Baker & Botts
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995

RE: MUR 3313
Mr. John E. Chance

Dear Mr. Rozzell:

On October 27, 1992, the Federal Election Commission found reason to believe that your client violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that affiliated committees share a single contribution limit and the making of contributions to any of the affiliated committees in excess of the shared limit appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). Your client should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

93040924887

Scott E. Rozzell, Esq.
Baker & Botts
Page 2

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
General Counsel's Report

93040924888



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 18, 1992

Scott E. Rozzell, Esq.
Baker & Botts
One Shell Plaza
910 Louisiana
Houston, TX 77002-4995

RE: MUR 3313
Mrs. John E. Chance

Dear Mr. Rozzell:

On October 27, 1992, the Federal Election Commission found reason to believe that your client violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The General Counsel's Report, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that the making of contributions of \$1,000 to a candidate's committee together with contributions of \$2,500 to another political committee which supports that candidate where the circumstances suggest knowledge that a substantial portion of the contribution to the latter committee will be expended on behalf of the candidate appears to be a violation of 2 U.S.C. § 441a(a)(1)(A). Your client should take immediate steps to insure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

93040924889

Scott E. Rozzell, Esq.
Baker & Botts
Page 2

If you have any questions, please contact Jose M. Rodriguez, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Joan D. Aikens

Joan D. Aikens
Chairman

Enclosure
General Counsel's Report

93040924890



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 7, 1992

CLOSED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

James J. Brady, Chairman
Democratic State Central
Committee of Louisiana
P.O. Box 4385
Baton Rouge, LA 70821

RE: MUR 3313

Dear Mr. Brady:

This is in reference to the complaint you filed with the Federal Election Commission on May 23, 1991, concerning The American Coalition for Legislative Reform and David Thibodaux for Congress - 1990.

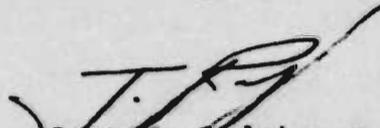
Based on that complaint, on October 27, 1992, the Commission found that there was reason to believe David Thibodaux for Congress - 1990 and Eugene N. Darnell, III, as treasurer, violated 2 U.S.C. § 433(b); American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. §§ 432(h)(1), 433(b) and (c), and 441a(f); and Mr. John Chance, Mrs. John Chance, Mr. Jack Lawton, Jr., and Mr. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A), provisions of the Federal Election Campaign Act of 1971, as amended ("Act"). However, after considering the circumstances of this matter, the Commission determined to take no further action against the above Respondents. On the same date Commission also found no reason to believe American Coalition for Legislative Reform and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 441d; Mrs. Jack Lawton, Sr., violated 2 U.S.C. § 441a(a)(1)(A); American Congress for Legislative Reform and Charles R. Phillips, as treasurer, or Coalition of Patriotically Active Christians and Charles R. Phillips, as treasurer, violated 2 U.S.C. § 433; or Senator Ben Bagert Committee to Put Louisiana First and Carrol M. Chiasson, as treasurer, Jane Blackwell, or the Martin Group violated any provision of the Act in connection with your complaint, and closed the file in this matter on October 27, 1992. This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

93040924891

James J. Brady, Chairman
Democratic State Central
Committee of Louisiana
Page 2

If you have any questions, please contact me at (202)
219-3690.

Sincerely,



Jose M. Rodriguez
Attorney

Enclosure
General Counsel's Report

93040924892



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3313

DATE FILMED 1/8/93 CAMERA NO. 4

CAMERAMAN LEW.

93040924893



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Microfilm
 Public Rcds
 Press

THE FOLLOWING DOCUMENTATION IS ADDED TO
THE PUBLIC RECORD IN CLOSED MUR 3313.

1/7/93

93040925512



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 8, 1992

R. Patrick Vance, Esq.
Jones, Walker, Waechter, Poitevent,
Carrere & Denegre
Place St. Charles
201 St. Charles Avenue
New Orleans, LA 70170-5100

RE: MUR 3313
Jack Lawton, Sr.

Dear Mr. Vance:

This is in response to your letter dated November 25, 1992, seeking clarification on the Commission's finding against Mr. Jack Lawton, Sr. Please note that the Federal Election Campaign Act of 1971, as amended, ("Act") empowers the Commission to find reason to believe a violation of the Act has occurred either upon receipt of a complaint or on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2) and 11 C.F.R. §§ 111.3, 111.8 (copies enclosed). The Commission's finding against your client was based on information on the public record discovered during initial proceedings in this matter, rather than any information or allegation contained in the complaint. It is for this reason that the General Counsel's Report refers to your client as an "internally generated respondent."

Should you have any further questions, please contact me at (202) 219-3690.

Sincerely,


Jose M. Rodriguez
Attorney

Enclosures

93040925513

§ 437g. Enforcement

(a) *Administrative and judicial practice and procedure.*

(1) Any person who believes a violation of this Act or of chapter 95 or chapter 96 of title 26 has occurred, may file a complaint with the Commission. Such complaint shall be in writing, signed and sworn to by the person filing such complaint, shall be notarized, and shall be made under penalty of perjury and subject to the provisions of section 1001 of title 18, United States Code. Within 5 days after receipt of a complaint, the Commission shall notify, in writing, any person alleged in the complaint to have committed such a violation. Before the Commission conducts any vote on the complaint, other than a vote to dismiss, any person so notified shall have the opportunity to demonstrate, in writing, to the Commission within 15 days after notification that no action should be taken against such person on the basis of the complaint. The Commission may not conduct any investigation or take any other action under this section solely on the basis of a complaint of a person whose identity is not disclosed to the Commission.

(2) If the Commission, upon receiving a complaint under paragraph (1) or on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, determines, by an affirmative vote of 4 of its members, that it has reason to believe that a person has committed, or is about to commit, a violation of this Act or chapter 95 or chapter 96 of title 26, the Commission shall, through its chairman or vice chairman, notify the person of the alleged violation. Such notification shall set forth the factual basis for such alleged violation. The Commission shall make an investigation of such alleged violation, which may include a field investigation or audit, in accordance with the provisions of this section.

93040925514

§ 111.3 Initiation of compliance matters (2 U.S.C. 437g(a)(1), (2)).

(a) Compliance matters may be initiated by a complaint or on the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities.

(b) Matters initiated by complaint are subject to the provisions of 11 CFR 111.4 through 111.7. Matters initiated on the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities are subject to the provisions of 11 CFR 111.8. All compliance matters are subject to the provisions of 11 CFR 111.3 and 111.9 through 111.23.

§ 111.8 Internally generated matters; referrals (2 U.S.C. 437g(a)(2)).

(a) On the basis of information ascertained by the Commission in the normal course of carrying out its supervisory responsibilities, or on the basis of a referral from an agency of the United States or of any state, the General Counsel may recommend in writing that the Commission find reason to believe that a person or entity has committed or is about to commit a violation of statutes or regulations over which the Commission has jurisdiction.

(b) If the Commission finds reason to believe that a violation has occurred or is about to occur the notification to respondent required by 11 CFR 111.9(a) shall include a copy of a staff report setting forth the legal basis and the alleged facts which support the Commission's action.

(c) Prior to taking any action pursuant to this section against any person who has failed to file a disclosure report required by 11 CFR 104.5(a)(1)(iii) for the calendar quarter immediately preceding the election involved or by § 104.5(a)(1)(i), the Commission shall notify such person of failure to file the required reports. If a satisfactory response is not received within four (4) business days, the Commission shall publish before the election the name of the person and the report or reports such person has failed to file.

93040925515