

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

JUN 03 1977

Mr. William Alan McNeil
P.O. Box 3945
Beaumont, Texas 77704

Re: MR 355 (76)

Dear Mr. McNeil:

On May 5, 1977, the Commission voted to terminate its inquiry into the alleged violation of 2 U.S.C. §434 (e) and §434(a) by the Jefferson County Democratic Women's Club of Port Arthur. On March 4, 1977, the Club filed reports on the expenditures about which you complained. In the Commission's view, there has thus been substantial albeit tardy, voluntary compliance with the Act.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions please contact Leland Prince, (telephone no. 202/523-4000), the staff member assigned to this matter.

Sincerely yours,

William Oldaker
General Counsel

Enclosures

WO/LP7etg 6-3-77

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040031271

JUN 23 1977

Ms. Bettie Ford, President
Jefferson County Democratic
Women's Club
5207 14th Street
Fort Arthur, Texas

Re: NUM 355 (76)

Dear Ms. Ford:

On May 3, 1977, the Commission voted to terminate its inquiry into the alleged violation of 2 U.S.C. §434(a) and §434(a) by the Jefferson County Democratic Women's Club of Fort Arthur. A copy of the Commission's determination that no action should be taken against you is enclosed for your information. If you have any questions please contact Leland Prince, (telephone no. 202/523-4073), the staff member assigned to this matter.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

WO/LP/etg 6-3-77

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040031273

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The Jefferson County Democratic)
Womens Club)

MUR 355 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on May 5, 1977, the Commission determined by a vote of 6-0 to find there was no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file has been closed.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

77040061274

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF LEGAL COUNSEL

April 19, 1977

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Jefferson County Democratic) MUR 355 (76)
Womens Club)

GENERAL COUNSEL'S REPORT

I. Summary of Allegations

7704003127 ;
In a notarized complaint, filed December 27, 1976 William Alan McNeil the complainant, alleged that the Jefferson County Democratic Women's Club of Port Arthur, failed to report an expenditure of approximately \$500, for a newspaper advertisement, which advocated the election of Carter - Mondale and thereby violated the reporting requirements of 2 U.S.C. §434(e). Alternatively, complainant alleged that respondent is a part of the official party structure for the county, and as such, and as a result of the expenditure for the newspaper advertisement, the total expenditure for the county and the club, exceeds the limitations on expenditures for the presidential election. In this event, there would be a reporting violation of 2 U.S.C. §434(a). The newspaper advertisement appeared in the Beaumont Enterprise on November 1, 1976, and showed a list of names of the East Texas Women for Carter.

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OFFICE OF GENERAL COUNSEL

II. Evidence

77040731275
In response to the Commission's preliminary inquiry, Ms. Bettie K. Ford, the President of the Jefferson County Democratic Womens Club, in a notarized statement, stated that the Democratic Women's Club of Port Arthur is "a fair and independent club" that is "not maintained and/or controlled by any party unit." She stated; "We do not make contributions in cooperation, consultation or concert with, or at the request, or suggestion of anyone outside our group. We are not an affiliate of the County, State or National Democratic Party." Respondent also completed and attached the Commission's Form #5, Report of Independent Expenditures of Contributions by Persons, on March 4, 1977.^{1/}

III. Analysis

The affidavit to Ms. Ford (cited supra) indicating that the Jefferson Democratic Club is an independent group controverts complainant's unsubstantiated allegation that the

^{1/} The master file in this case was misplaced, and the draft reason to believe report was apparently not forwarded to the Commission, as indicated by our check with the Office of the Commission Secretary. Inquiry letter, and telephone calls, to Ms. Ford elicited the responses on which this report is based. (See Attachments).

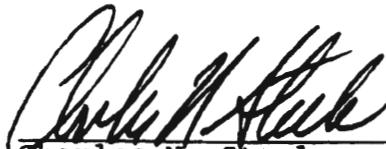
club may be a part of the official Democratic Party structure for Texas. Although, as an independent group, the club had not fulfilled its reporting obligations, this has now been corrected.

IV. Recommendation

On the basis of the information received in this matter we recommend that no further action be taken and that the file be closed; send attached letters.

William Oldaker
General Counsel

DATE: 4/19/77


Charles N. Steele
(Acting General Counsel)

77040031277

April 5, 1977

Burkhart

BEFORE THE FEDERAL ELECTION COMMISSION

EXECUTIVE SESSION

In the Matter of)
The Jefferson County Democratic)
Womens Club)

APR - 7 1977

MUR 355 (76)

General Counsel's Report

I. Summary of Allegations

In a notarized complaint, William Alan McNeil the complainant, alleged that the Jefferson County Democratic Women's Club of Port Arthur, failed to report an expenditure of approximately \$500, for a newspaper advertisement, which advocated the election of Carter - Mondale and thereby violated the reporting requirements of 2 U.S.C. §434(e). Alternatively, complainant alleged that respondent is a part of the official party structure for the county, and as such, and as a result of the expenditure for the newspaper advertisement, the total expenditure for the county and the club, exceed the limitations on expenditures for the presidential Elections. In this event, there would be a reporting violation of 2 U.S.C. §434(a). The newspaper advertisement appeared in the Beaumont Enterprise on November 1, 1976, and showed a list of names of the East Texas Women for Carter.

II. Evidence

In response to the Commission's preliminary report, Ms. Bettie K. Ford, the President to the Jefferson County Democratic Womens Club, in a notarized statement, stated that the Democratic Women's club of Port Arthur is " a fair and independent club" that is "not maintained and/or controlled by any party unit." Respondent

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: William Alan McNeil

Respondent's Name: Jefferson County Democratic Womens Club of Fort Arthur

Relevant Statute: Sections 434(a) and 434(e)

Internal Reports Checked: no reports filed

Federal Agencies Checked: NONE

SUMMARY OF ALLEGATION

7 0 4 0
Complainant alleges that respondent's failure to report an expenditure for approximately \$500, for a newspaper advertisement which advocated the election of Carter-Mondale is an unreported independent expenditure. Alternatively, complainant alleges that respondent is a part of the official party structure for this the county, and as such, and as a result of the newspaper advertisement the total expenditure of the county and the club, exceeds the limitation on expenditures for the presidential election. In this event, there will also (cont'd)

PRELIMINARY LEGAL ANALYSIS

7 0 4 0
The Jefferson County Democratic Womens Club [JCWDC] is not a political committee, [see §110.14 of the Commission's Proposed Regulations] their failure to report the expenditures for the \$500 newspaper advertisement violates §434(e) which provides that : "every person [other than a political committee] who makes a contribution or expenditure expressly advocating the election of a clearly identified candidate which exceeds \$100. . . shall file (cont'd)

RECOMMENDATION

and reason to believe a violation of §434(a) or 434(e) has occurred
attached letters

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

SUMMARY OF ALLEGATIONS CONT'D

be a reporting violation.

PRELIMINARY LEGAL ANALYSIS

with the Commission. . . " Since the newspaper advertisement allegedly cost approximately \$500 and advocated the election of Carter-Mondale, JCDWC would be within the ambit of §434(e), if they are not a political committee. In the alternative, if JCDWC is a subordinate committee to the state or local political committee, the entire party organization has a combined limitation of \$1,000 for expenditures in connection with the presidential election. [110.7 (b) (2) (5) of the Commission's proposed regulations]. The subordinate Committee is required to register and report to the Commission as if it were a political committee, if its expenditures exceed \$100, and shall register as a political committee if its expenditures exceed \$1,000 [110.7(b) (2) (iii) of the Commission's proposed regulations]. Thus, if JCDWC is a subordinate committee, their failure to report the expenditure, constitutes a reporting violation of §434(a).

77040031280



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Alan McNeil
P.O. Box 3945
Beaumont, Texas 77704

Re: MUR 355 (76)

Dear Mr. McNeil:

On March , 1977, the Commission voted to terminate its inquiry into the alleged violation of 2 U.S.C. §434 (e) and §434(a) by the Jefferson County Democratic Women's Club of Port Arthur. On March 4, 1977, the Club filed reports on the expenditures about which you complained. In the Commission's view, there has thus been substantial albeit tardy, voluntary compliance with the Act.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions please contact Leland Prince, (telephone no. 202/523-4000), the attorney assigned to this matter.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

7704001281



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bettie Ford, President
Jefferson County Democratic
Women's Club
5287 14th Street
Port Arthur, Texas

Re: MUR 355

Dear Ms. Ford:

This letter is to notify you that the Federal Election Commission has received a complaint against you which alleges certain violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered this matter MUR 355. A copy of the complaint is enclosed.

The Commission has reason to believe that a violation of either 2 U.S.C. §434(e) or 434(a) depending on your club's relationship to the State party committee and/or its subordinate committee, has occurred because of your Club's failure to report the cost of the newspaper advertisement appearing in the Beaumont Enterprise and Journal on November 1, 1976. If your club is independent of the Democratic Party structure it must report the cost of the newspaper ad as an independent expenditure pursuant to §434(a). If your club is affiliated with the party structure according to (A) and (B) below, then it must register and report its expenditures pursuant to §434(a).

If the Jefferson County Democratic Women's Club of Port Arthur either;

(A) receives funds from any other political committee established, financed, maintained, or controlled by any other party unit, or

(B) makes its contributions in cooperation, consultation or concert with, or at the request or suggestion of any other party unit or political committee established, financed, maintained or controlled by another party unit;

then the Jefferson County Democratic Women's Club of Port Arthur



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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would be regarded by the Commission as a subordinate State party committee and must register and report to the Commission as if it were a political committee if its expenditures for federal candidates exceed \$100 in a calendar year. (See §§110.3(b)(2)(ii) and 110.7(C)(2)(iii) of the Commission's Proposed Regulations). Failure to do so results in violation of §434(a).

Furthermore if either (A) or (B) applies, please be advised that your Club may share a single contribution limitation with another party unit, and may be in violation of 2 U.S.C. §441a(a)(5)(B) if the combined expenditures exceed \$1,000. (\$5,000 if a multicandidate committee) to a federal candidate for each election.

On the other hand, if neither (A) nor (B), above, applies to the Jefferson County Democratic Women's Club of Port Arthur, and the \$500 expenditure on behalf of Jimmy Carter was not made by your Club in cooperation, consultation, or concert, with, or at the request or suggestion of the candidate, his authorized political committees, or their agent, [2 U.S.C. §441a(a)(7)(B)(i)], then the advertisement is considered an independent expenditure. If this is the case, your Club's failure to report an independent expenditure over \$100 which expressly advocates the election of a clearly identified candidate results in a violation of §434(e).

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. 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. As part of your submission please complete the enclosed forms. I would appreciate it if you would also submit an affidavit indicating the relationship of the Jefferson County Democratic Women's Club of Port Arthur to the State and local Democratic Parties using the criteria set forth in (A) and (B) above.

The Commission is under a duty to investigate this matter expeditiously; therefore, your response should be submitted within ten days after receipt of this notification. You will be sent copies or summaries of all correspondence received by the Commission from the complainant concerning this matter. If you have any questions, please contact David Spiegel (telephone no. 202/523-4060), the attorney assigned to this case.

FEDERAL ELECTION COMMISSION
ORIGINAL FILE COPY
OFFICE OF GENERAL COUNSEL

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This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

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FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: William Alan McNeil

Respondent's Name: Jefferson County Democratic Womens Club of Port Arthur

Relevant Statute: Sections 434(a) and 434(e)

Internal Reports Checked: no reports filed

Federal Agencies Checked: NONE

SUMMARY OF ALLEGATION

Complainant alleges that respondent's failure to report an expenditure for approximately \$500, for a newspaper advertisement which advocated the election of Carter-Mondale is an unreported independent expenditure. Alternatively, complainant alleges that respondent is a part of the official party structure for this the county, and as such, and as a result of the newspaper advertisement the total expenditure of the county and the club, exceeds the limitation on expenditures for the presidential election. In this event, there will also (cont)

PRELIMINARY LEGAL ANALYSIS

If the Jefferson County Democratic Womens Club [JCWDC] is not a political committee, [see §110.14 of the Commission's Proposed Regulations] their failure to report the expenditures for the \$500 newspaper advertisement violates §434(e) which provides that : "every person [other than a political committee] who makes a contribution or expenditure expressly advocating the election of a clearly identified candidate which exceeds \$100. . . shall file (cont'd)

RECOMMENDATION

and reason to believe a violation of §434(a) or 434(e) has occurred as stated in attached letters

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

SUMMARY OF ALLEGATIONS CONT'D

be a reporting violation.

PRELIMINARY LEGAL ANALYSIS

with the Commission. . . " Since the newspaper advertisement allegedly cost approximately \$500 and advocated the election of Carter-Mondale, JCDWC would be within the ambit of §434(e), if they are not a political committee. In the alternative, if JCDWC is a subordinate committee to the state or local political committee, the entire party organization has a combined limitation of \$1,000 for expenditures in connection with the presidential election. [110.7 (b) (2) (5) of the Commission's proposed regulations]. The subordinate Committee is required to register and report to the Commission as if it were a political committee, if its expenditures exceed \$100, and shall register as a political committee if its expenditures exceed \$1,000 [110.7(b) (2) (iii) of the Commission's proposed regulations]. Thus, if JCDWC is a subordinate committee, their failure to report the expenditure, constitutes a reporting violation of §434(a).

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 OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Alan McNeil
P.O. Box 3945
Beaumont, Texas 77704

Re: MUR 355 (76)

Dear Mr. McNeil:

On March , 1977, the Commission voted to terminate its inquiry into the alleged violation of 2 U.S.C. §434 (e) and §434(a) by the Jefferson County Democratic Women's Club of Port Arthur. On March 4, 1977, the Club filed reports on the expenditures about which you complained. In the Commission's view, there has thus been substantial albeit tardy, voluntary compliance with the Act.

A copy of the Commission's determination and the General Counsel's Report is enclosed for your information. If you have any questions please contact Leland Prince, (telephone no. 202/523-4000), the attorney assigned to this matter.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7704001287



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bettie Ford, President
Jefferson County Democratic
Women's Club
5287 14th Street
Port Arthur, Texas

Re: MUR 355

Dear Ms. Ford:

This letter is to notify you that the Federal Election Commission has received a complaint against you which alleges certain violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered this matter MUR 355. A copy of the complaint is enclosed.

The Commission has reason to believe that a violation of either 2 U.S.C. §434(e) or 434(a) depending on your clubs relationship to the State party committee and/or its subordinate committee, has occurred because of your Club's failure to report the cost of the newspaper advertisement appearing in the Beaumont Enterprise and Journal on November 1, 1976. If your club is independent of the Democratic Party structure it must report the cost of the newspaper ad as an independent expenditure pursuant to §434(a). If your club is affiliated with the party structure according to (A) and (B) below, then it must register and report its expenditures pursuant to §434(a).

If the Jefferson County Democratic Women's Club of Port Arthur either;

(A) receives funds from any other political committee established, financed, maintained, or controlled by any other party unit, or

(B) makes its contributions in cooperation, consultation or concert with, or at the request on suggestion of any other party unit or political committee established, financed maintained or controlled by another party unit;

then the Jefferson County Democratic Women's Club of Port Arthur



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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would be regarded by the Commission as a subordinate State party committee and must register and report to the Commission as if it were a political committee if its expenditures for federal candidates exceed \$100 in a calendar year. (See §§110.3(b)(2)(ii) and 110.7(c)(2)(iii) of the Commission's Proposed Regulations). Failure to do so results in violation of §434(a).

Furthermore if either (A) or (B) applies, please be advised that your Club may share a single contribution limitation with another party unit, and may be in violation of 2 U.S.C. §441a(a)(5)(B) if the combined expenditures exceed \$1,000. (\$5,000 if a multicandidate committee) to a federal candidate for each election.

On the other hand, if neither (A) nor (B), above, applies to the Jefferson County Democratic Women's Club of Port Arthur, and the \$500 expenditure on behalf of Jimmy Carter was not made by your Club in cooperation, consultation, or concert, with, or at the request or suggestion of the candidate, his authorized political committees, or their agent, [2 U.S.C. §441a(a)(7)(B)(i)], then the advertisement is considered an independent expenditure. If this is the case, your Club's failure to report an independent expenditure over \$100 which expressly advocates the election of a clearly identified candidate results in a violation of §434(e).

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. 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. As part of your submission please complete the enclosed forms. I would appreciate it if you would also submit an affidavit indicating the relationship of the Jefferson County Democratic Women's Club of Port Arthur to the State and local Democratic Parties using the criteria set forth in (A) and (B) above.

The Commission is under a duty to investigate this matter expeditiously; therefore, your response should be submitted within ten days after receipt of this notification. You will be sent copies or summaries of all correspondence received by the Commission from the complainant concerning this matter. If you have any questions, please contact David Spiegel (telephone no. 202/523-4060), the attorney assigned to this case.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040031287

This matter will remain confidential in accordance with 2 U.S.C. §437g(a) (3) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosures

7704001290

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

JEFFERSON COUNTY DEMOCRATIC WOMEN'S CLUB

cc# 1314

RECEIVED
FEDERAL ELECTION
COMMISSION

'77 MAR 7 4 18 1977
March 4 1977

Mr. William C. Oldaker, Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D.C. 20463

770732

Dear Mr. Oldaker:

Re: MUR355 (76)

On March 3, 1977 one of your staff called me and explained how I should fill out your Form 5. I have done so and hereby enclose same even though I do not feel that said Form 5 fits this situation.

Your staff member asked that I explain our committee and what we did. I am, therefore, complying with her request:

"The Jefferson County Democratic Women's Club sold items of political costume jewelry to raise all of the funds spent to pay for the complained ad. This was our only campaign expenditure in this campaign."

We regret that we did not know to fill out such forms in the first case and that we did not give enough information on February 11, 1977 in our reply.

Very truly yours,

Bettie K. Ford

Bettie K. Ford

BKF:mb
Encl.

FEDERAL ELECTION COMMISSION
OFFICIAL COPY
OFFICE OF THE CLERK

77040061291

Memo to Jefferson County Womens
Democratic Club File
MUR 355

from Carol Davis
March 3, 1977

77040051293
I called Mrs. Bettie Ford
President of JC WDC to explain
to her that she need to
fill out a "form 5" re: Independent
expenditures, since she had
replied to our RTB letter
that her club was independent
& their expenditures for a \$500
ad for Jimmy Carter exceeded
the \$500 threshold.

She said she would
either fill out the form or
submit the same information
in a letter by this weekend.

her #. 713/982-5254

CC#1597

JEFFERSON COUNTY DEMOCRATIC WOMEN'S CLUB

FEDERAL ELECTION COMMISSION

'77 FEB 23 287 - 14th St.
Port Arthur, Texas 77640
February 11, 1977

Mr. William C. Oldaker, Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

770618

Dear Mr. Oldaker:

Re: MUR 355 (76)

I have, herewith, enclosed my notarized statement with regard to the independence of our Democratic Women's Club. Examination of it will show that we are clearly an independent group and acted as such in this campaign.

You requested that I fill out Form #5 if our club is not a subordinate committee. This we have not done since our examination of Form #5 shows that it does not at all apply to us. We are not a subordinate committee, nor did I, as president, contribute as an individual.

We suspect that the word "club" in our name may have caused some confusion. We could have used the word "committee" just as well; the main thing is that we are a group of organized volunteers.

I call your attention to the fact that the complainant is incorrect in the third paragraph of his letter when he said that our club is not a registered political committee. We are a registered political committee under the laws of the State of Texas and have registered with and reported to the said Secretary of State of the State of Texas. Further, we have filed all financial reports required under Texas law.

Kindly advise me if any further information is required.

Very truly yours,

Bettie K. Ford

Bettie K. Ford, President
Jefferson County Democratic
Women's Club

BKF:mb
Encl.

77041051291

AFFIDAVIT

Port Arthur
Jefferson County, Texas

I, Bettie Ford, in accordance with a request made by the Federal Election Commission make this statement. The Jefferson County Democratic Women's Club is a free and independent club. We do not receive funds, are not maintained and/or controlled by any party unit. We do not make contributions in cooperation, consultation or concert with, or at the request, or suggestion of anyone outside our group. We are not an affiliate of the County, State or National Democratic Party.

Bettie Ford

BETTIE FORD

STATE OF TEXAS
County of JEFFERSON

Sworn to and subscribed BEFORE me on this 11th day of February, 1977.

Waring Branton

Notary Public in and for Jefferson
County, Texas.

77040061297

5287 14th St.
Port Arthur, TX 77640

77 FEB 23 11 4:14



Mr. William C. Oldaker, Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

77 11 4:14

CC#1284

THE REPUBLICAN PARTY OF JEFFERSON COUNTY

"The American Republic . . . of the people, by the people, for the people."

February 14, 1977

FEDERAL ELECTION COMMISSION
FEB 18 AM 11:03

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

770570

Re: MUR 355 (76)

Dear Sirs:

Receipt of your letter dated February 7, 1977, was had on February 10, 1977. Pursuant to its terms the following is submitted as additional evidence.

The Texas Election Code creates the County Executive Committee composed of the chairman of each voting precinct in the County. In Jefferson County there are some 80 voting precincts, although two have no registered voters in them at this time. Accordingly, the Democratic Executive Committee would be made up of a maximum of 78 precinct chairmen and the other statutory officers as provided for by the Texas Election Code. Said Executive Committee has statutory duties such as holding meetings, making financial reports and disclosures, canvassing returns, and conducting a primary election. The officers are public officials, and they, with the precinct chairman, hold party offices, elected every two years in the primary.

There is no interlocking relationship between the County Executive Committee and the Democratic Women's Club. The women's club is an autonomous group as any other club or organization sponsoring a political candidate, candidates or issues. There is no connecting link, no ex officio representative to the County Executive Committee, and the membership of the two are completely separate with separate membership requirements, separate elections, and separate finances.

The County Executive Committee exercises no control over budget, finance, officers, fund-raising or other of the activities of the women's club.

Therefore, the women's club is an autonomous organization, independent of the County Executive Committee, and the club operates as

FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

7704105120

Federal Election Commission
February 14, 1977
Page 2

do most clubs -- without State authority or requirements -- by its own
by-laws.

Very truly yours,



Alan McNeill

AM:les

77040061291

P. O. BOX 3333
BEAUMONT, TEXAS 77704

704105118

SEP 19 10:49



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

RECEIVED
FEDERAL ELECTION COMMISSION
SEP 19 1977
WASHINGTON, D.C.

001



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ms. Bettie Ford, President
Jefferson County Democratic
Women's Club
5287 14th Street
Port Arthur, Texas

2-7-77

Re: MUR 355

Dear Ms. Ford:

This letter is to notify you that the Federal Election Commission has received a complaint against you which alleges certain violation of the Federal Election Campaign Act of 1971, as amended ("the Act"). We have numbered this matter MUR 355. A copy of the complaint is enclosed.

The Commission has reason to believe that a violation of either 2 U.S.C. §434(e) or 434(a) depending on your club's relationship to the State party committee and/or its subordinate committee, has occurred because of your Club's failure to report the cost of the newspaper advertisement appearing in the Beaumont Enterprise and Journal on November 1, 1976. If your club is independent of the Democratic Party structure it must report the cost of the newspaper ad as an independent expenditure pursuant to §434(a). If your club is affiliated with the party structure according to (A) and (B) below, then it must register and report its expenditures pursuant to §434(a).

If the Jefferson County Democratic Women's Club of Port Arthur either;

- (A) receives funds from any other political committee established, financed, maintained, or controlled by any other party unit, or
 - (B) makes its contributions in cooperation, consultation or concert with, or at the request on suggestion of any other party unit or political committee established, financed maintained or controlled by another party unit;
- then the Jefferson County Democratic Women's Club of Port Arthur



MISSION
COPY
COUNSEL

would be regarded by the Commission as a subordinate State party committee and must register and report to the Commission as if it were a political committee if its expenditures for federal candidates exceed \$100 in a calendar year. (See §§110.3(b)(2)(ii) and 110.7(C)(2)(iii) of the Commission's Proposed Regulations). Failure to do so results in violation of §434(a).

Furthermore if either (A) or (B) applies, please be advised that your Club may share a single contribution limitation with another party unit, and may be in violation of 2 U.S.C. §441a(a)(5)(B) if the combined expenditures exceed \$1,000. (\$5,000 if a multicandidate committee) to a federal candidate for each election.

On the other hand, if neither (A) nor (B), above, applies to the Jefferson County Democratic Women's Club of Port Arthur, and the \$500 expenditure on behalf of Jimmy Carter was not made by your Club in cooperation, consultation, or concert, with, or at the request or suggestion of the candidate, his authorized political committees, or their agent, [2 U.S.C. §441a(a)(7)(B)(i)], then the advertisement is considered an independent expenditure. If this is the case, your Club's failure to report an independent expenditure over \$100 which expressly advocates the election of a clearly identified candidate results in a violation of §434(e).

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. 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. As part of your submission please complete the enclosed forms. I would appreciate it if you would also submit an affidavit indicating the relationship of the Jefferson County Democratic Women's Club of Port Arthur to the State and local Democratic Parties using the criteria set forth in (A) and (B) above.

The Commission is under a duty to investigate this matter expeditiously; therefore, your response should be submitted within ten days after receipt of this notification. You will be sent copies or summaries of all correspondence received by the Commission from the complainant concerning this matter. If you have any questions, please contact David Spiegel (telephone no. 202/523-4060), the attorney assigned to this case.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

770400130

This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(3) unless you notify the Commission in writing that you wish the investigation to be made public.

If you intend to be represented by counsel in this matter, please have such counsel so notify us in writing.

Sincerely yours,

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William C. Oldaker
General Counsel

Enclosures

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FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77041031303

NO FORM 3821, MAR. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

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

Show to whom and date delivered..... 15¢

Show to whom, date, & address of delivery.. 35¢

RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

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

2. ARTICLE ADDRESSED TO:

Ms. Bettie Ford

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>438208</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Mrs. Bettie Ford

4.

DATE OF DELIVERY	POSTMARK
<i>2/10/78</i>	

5. ADDRESS (Complete only if registered)

5287-14. ~~10200~~

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1978-O-200-456

FEDERAL POSTAL COMMISSION
OFFICIAL USE ONLY
OFFICE OF ENCLAVE SERVICE



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. William Alan McNeil
P.O. Box 3945
Beaumont, Texas 77704

FEB 07 1977

Re: MUR 355 (76)

Dear Mr. McNeil:

We have completed a preliminary review of your complaint and have numbered it as MUR 355. Please refer to this number in any further correspondence.

A copy of your complaint has been forwarded to respondent. If you have any further evidence you wish to make available to us, please submit it within five days of your receipt of this letter.

Please note that 2 U.S.C. §437g(a)(3) enjoins any person from making public the fact of "any notification or investigation" by the Commission until the respondent agrees in writing to make public the investigation. The attorney assigned to this matter is David Spiegel (telephone no. 202/382-4055). Please do not hesitate to write or call if you have any further questions.

Sincerely yours,

|2/

William C. Oldaker
General Counsel

770400315



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
GENERAL COUNSEL

77040051305

26 355

PS Form 3811, Rev. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

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

2. ARTICLE ADDRESSED TO:

Mr. William Alan McNeil

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	939202	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY *2-10-77*

POSTMARK *FEB 10 1977*

5. ADDRESS (Complete only if requested)

Mans

6. UNABLE TO DELIVER BECAUSE:

OFFICE OF GENERAL COUNSEL



☆ GPO: 1976-O-203-488

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

CC 1021
MUR

THE REPUBLICAN PARTY OF JEFFERSON COUNTY

"The American Republic . . . of the people, by the people, for the people."

December 27, 1976 '76 DEC 30 AM 1:50

Mr. David Spiegel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

761322

Re: CC 1021

Dear Sirs:

Thank you for your letter of December 7, 1976. Please consider this letter as a complaint under 2 U. S. C. Section 437g(a)(2). My name is William Alan McNeill, P. C. Box 3945, Beaumont, Texas 77704, telephone (713) 833-6474.

I have previously furnished you with a copy of the newspaper advertisement from the Beaumont Enterprise and Journal dated November 1, 1976. This ad cost in the neighborhood of \$500, give or take a little.

The Jefferson County Democratic Women's Club of Port Arthur is not a registered political committee, is not a part of the official party structure for the county district, and in the alternative, if it is a part of the official party structure for the county, then the total expenditure of the county and the women's club exceeded the allowable \$1,000 limit. This violation is a result of the placement and dissemination of said newspaper ad.

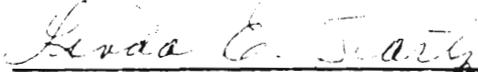
It is also my information, although I do not know of my own personal investigation, that the Jefferson County Democratic Party is not a registered committee. If I can be of further assistance do not hesitate to call upon me.

Very truly yours,


Alan McNeill
County Chairman

STATE OF TEXAS)
COUNTY OF JEFFERSON)

SWORN TO AND SUBSCRIBED, BEFORE ME, on this 27th day of December, 1976.


Notary Public in and for
Jefferson County, Texas

FEDERAL ELECTION COMMISSION
OFFICIAL FILE # 76-1322

770417301

FEDERAL ELECTION COMMISSION
 OFFICIAL FILE COPY
 OFFICE OF GENERAL COUNSEL

EAST TEXAS WOMEN FOR CARTER

WE, the UNDERSIGNED WOMEN, residing in the East Texas area, are wholeheartedly supporting Jimmy Carter for President. We feel that the Carter-Mondale ticket will provide the FAIR, HONEST and RESPONSIVE leadership that is desperately needed in AMERICA.

- Maryne Brent
- Cess
- Mrs. Kenneth Ford
- Mary Richardson
- Mary K. Ford
- Betty Shannon
- D. Fern Shannon
- Bessie Eddis
- Charlene Hubbard
- Jewell Katleg
- Theresa Redman
- Betty Evans
- Mary Jane
- Virgin Mary
- Bonnie
- Shirley
- Delia
- Bessie
- Chandrew
- Jamie
- Sue
- Lynn
- Beverly
- C.A. Lick
- Josephine
- Virginia
- Mrs. Kate
- Mary Naizer
- Mrs. M. Z. Richardson
- Mable Harrett
- Ola Humberger
- Margie Long
- Bloupe
- in Cowles
- Mrs. J. M. Nables
- Shirley Lee
- Donald S. Clark
- Bill Appelman
- in Alta
- Merton
- Alvin
- James
- Staker
- Foran
- Reeves
- Earl Thompson
- Buckley
- Dwight
- E. Murphy
- Lewis

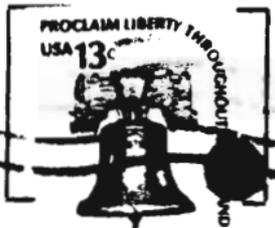
OFFICE OF GENERAL COUNSEL

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P. O. BOX 3333
BEAUMONT, TEXAS 77704

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Mr. David Spiegel
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

OFFICE OF ELECTRONIC MAIL



FEDERAL ELECTION COMMISSION

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

December 7, 1976

Alan McNeill
County Chairman
Republican Party of Jefferson County
P.O. Box 3333
Beaumont, Texas 77704

Re: CC 1021

Dear Mr. McNeill:

We have received your letter of November 16, inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended, by the Jefferson County Democratic Women's Club of Port Arthur, Texas.

The Federal Election Campaign Act, as amended, requires that all complaints be signed, sworn, and notarized by the person making the complaint. (See 2 U.S.C. Section 437g(a)(2).) Under Section 111.2 of the Commission's proposed regulations it is also required that a complaint contain: (1) the full name, address and telephone number of the complaint; (2) a clear and concise statement of the acts which are alleged to constitute a violation of the Federal Election Campaign Act of 1971; and (3) copies of any evidence available to the complainant which sustain the allegations of the complaint. In the event you wish to file a complaint, please comply with these requirements.

In the interests of complying with the above procedures, I think it would be helpful for you to consult 2 U.S.C. Section 433 of the Act, which deals with the registering of political committees, and Section 110.7 of the Commission's proposed rules and regulations (please note Section 110.7 (b)(5), dealing with party committee expenditures). In August, 1976, Commissioner Vernon Thomson sent a letter to the Carter-Mondale Campaign which responded to several questions regarding party/committee expenditures. This, too, might be of interest. I have enclosed these materials for your review.

I hope that an examination of these materials will answer most of your questions and will enable you to be specific in any assertions or allegations you might make, in the event you wish to file a complaint with the Commission.



FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL

7774131313

Please feel free to contact us if you have any further questions. The attorney assigned to this matter is David Spiegel (202/382-4055).

Sincerely yours,



William Oldaker
Assistant General Counsel

Enclosures

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FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

CC 1021

THE REPUBLICAN PARTY OF JEFFERSON COUNTY

COUNTY HEADQUARTERS P. O. BOX 3333 BEAUMONT, TEXAS 77704 PHONE: 713 838-4376

November 16, 1976

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

763717

Dear Sirs:

I enclose an advertisement and the page on which it ran from the Beaumont (Texas) Enterprise, November 1, 1976 issue. You will see that on page 4-B there was a large ad, cost of which is approximated at \$400, placed by the Jefferson County Democratic Women's Club, Bettie Ford, President, 5287 14th Street, Port Arthur, Texas.

It is my understanding of the Federal Campaign Act in your regulation that "no other local party unit" is authorized to spend up to \$1000 in the general election for a presidential nominee, other than the state, county, city or congressional district party committee.

I would appreciate your investigating this, based upon this complaint, and taking the necessary legal steps. Please advise if I can be of assistance.

Very truly yours,



Alan McNeill
County Chairman

AM:les

Enclosure

cc: Mr. Ray Hutchison, Chairman
Republican Party of Texas
1011 Congress Avenue, Suite 520
Austin, Texas 78701
(w/enc.)

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
CHARGE BY SERIALIZED COUNSEL