



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4029

DATE FILMED 12-19-64 CAMERA NO. 8

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

AUG 8 2 12 PM '94

AFFIDAVIT

COMMON WEALTH _____)

STATE OF FLORIDA _____)

as:

COUNTY OF ESCAMBIA _____)

PARRISH _____)

MUR 4029

Ref: BETHEA FOR CONGRESS
July 15 Quarterly Report

L. Ralph F. Perkins, 5545 Grande Lagoon Boulevard, Pensacola, Florida 32507

hereby solemnly swear & affirm
(swear & affirm)

that Basil Bethea, 29, Bay Drive, N.E., Fort Walton Beach, Florida 32548 a Republican Congressional Candidate in the First Congressional District of Northwest Florida appears to have allowed himself an incredulous amount for In-Kind (furniture) contributions. The total aggregate Year-to-Date amount as of the July 15 Quarterly Report is \$22,783.70.

The In-Kind (furniture) contributions are as follows:

Name/Mailing address	Name of Employer & Occupation	Date	Amount
Basil L. Bethea, Jr. 29 Bay Drive, N.E Ft Walton Bch, FL. 32548	Realty House, Inc.	5/13/94	10.020.00
	Realtor	6/15/94	12,500.00
		6/30/94	236.70
Dave Fish 131 NE Hospital Drive Ft. Walton Bch, FL. 32548	A to Z Rentals Owner	5/25/94	150.00
Jim Boswell P.O. Box 1180 Ft. Walton Bch, FL. 32549	Self-Employed	5/28/94	250.00
	Distributor	6/1/94	125.00

It must be noted that there is a question of just who Basil L. Bethea, Jr., 29 Bay Shore Drive, N.E., Fort Walton Beach, Florida 32548 is as listed in the Schedule A. Itemized Receipts, page 1 of 1. for line number 11(d). Basil Bethea the candidate and his wife

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Sally list 29 Bay Shore Drive, N.E., Fort Walton Beach, Florida 32548 as their residence too. The Bethea's have four children. They are Basil Bethea III, Mark M. Bethea, Kevin Bethea, and Eliicia Bethea.

Basil Bethea in his filing with the Florida Department of State, Division of Elections, 1994 Qualified Candidate List, United States Representative, First District is listed as...

Basil Bethea (R)
29 Bay Drive, N.E.
Fort Walton Beach, Florida 32548
Qualified: 5-13-94

Due to the amount (total: \$22,783.70) of the In-Kind (furniture) contributions by "Basil L. Bethea, Jr." this must be candidate Basil Bethea, or this would have to be considered an illegal contribution. There is a need to clarify if Basil L. Bethea, Jr. and Basil Bethea, both of 29 Bayshore Drive, N.E., Fort Walton Beach, Florida 32548 are in fact "the congressional candidate."

I preface this affidavit by acknowledging that a candidate may contribute an unlimited amount to their campaign whether it be In-Kind (furniture) or financial. What is of concern here is that no other past congressional campaign to my knowledge has even approached this sum of In-Kind (furniture) contribution by a candidate.

By what measure, such as insurance guidelines for depreciation etcetera, is Mr. Bethea allowing these In-Kind (furniture) contributions? Having visited Mr. Bethea's Headquarters with others I find it difficult to imagine the dollar and cents value he is claiming for In-Kind (furniture) contributions. There appears to be a mixture of old and second hand furniture.

Mr. Bethea should be required to submit an inventory of the furniture involved accompanied with receipts of purchase, or appraisals by a qualified appraiser. Because of the substantial amounts involved there is an appearance of being excessive.

If "Basil L. Bethea, Jr." is not candidate "Basil Bethea," then these In-Kind (furniture) contributions would have to be treated as illegal contributions.

If these are illegal or excessively inflated In-Kind (furniture) contributions there may be tax consequences that the Internal Revenue Services need to be made aware of.

I declare under penalty of perjury that this is a true statement of fact and correct.

RAP

RAP

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gment)

95
1995

Ralph F. Perkins

AFFIRMANT'S SIGNATURE
Ralph F. Perkins

The forgoing instrument was acknowledged before me this August 2, 1994 by Ralph F. Perkins who is personally known to me or who has produced his Florida Driver License, number P625-726-41-300-0 as identification

Cathy Burleigh

(Signature of Person Making Acknowledgment)

Cathy Burleigh

(Name typed, printed or stamped)

Customer Sales Specialist

(Title or Rank)

CC 11148

(Serial Number, if any)

NOTARY PUBLIC, STATE OF FLORIDA
MY COMMISSION EXPIRES: May 20, 1995
BONDED THRU NOTARY PUBLIC UNDERWRITERS

24043601416



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 15, 1994

Ralph F. Perkins
5545 Grande Lagoon Boulevard
Pensacola, FL 32507

RE: MUR 4029

Dear Mr. Perkins:

This letter acknowledges receipt on August 8, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 4029. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

24043601417



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

AUGUST 15, 1994

Basil L. Bethea, Jr.
29 Bay Drive, N.E.
Ft. Walton Beach, FL 32548

RE: MUR 4029

Dear Mr. Bethea:

The Federal Election Commission received a complaint which indicates 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 4029. 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.

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Basil L. Bethea, Jr.
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

24043601419



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUGUST 15, 1994

Steve Riggs, Treasurer
Basil Bethea for Congress
324 Eglin Parkway N.E.
Ft. Walton Beach, FL 32548

RE: MUR 4029

Dear Mr. Riggs:

The Federal Election Commission received a complaint which indicates that Basil Bethea for Congress ("Committee") 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 4029. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, 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.

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Steve Riggs, Treasurer
Basil Bethea for Congress
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

24043601421

BETHEA

FOR CONGRESS

Ms. Mary L. Taksar
Federal Elections Commission
Washington, D.C. 20463

5 September 1994
re MUR 4029
Identification Number C00294686

Dear Ms. Taksar:

The Basil L. Bethea, Jr. who lives at 29 Bay Dr., N. E., Fort Walton Beach, Florida 32548 is the candidate. The \$10,020.00 listed on our quarterly report is a direct contribution from the candidate to the committee and is plainly listed as a disbursement for the candidate's filing fee.

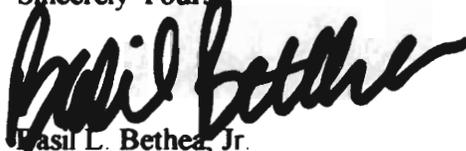
The \$12,500.00 is a direct contribution from the candidate, not an in-kind contribution of furniture.

The \$150.00 in-kind contribution from Dave Fish is for tables used during a campaign event. This amount is below the itemization requirement of 2 U.S.C. 434 (b) (3).

Mr. Jim Boswell's in-kind is for \$125.00, also below the threshold for itemization.

If there are any further questions, please do not hesitate to call.

Sincerely Yours



Basil L. Bethea, Jr.

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
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FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE
SEP 12 8 01 AM '94

"Never give in, never, never, never, never." - Winston Churchill

324 Eglin Parkway Suite A • Fort Walton Beach, FL 32547 • Ph: 862-8100 • Fax 862-3239

PU Pol Ads Bethea for Congress (R)



24043601422

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
) Enforcement Priority
)

GENERAL COUNSEL'S MONTHLY REPORT

SENSITIVE

I. INTRODUCTION

This report is the second Enforcement Priority System Monthly Report. The purpose of this September Monthly Report is to recommend that the Commission no longer pursue the identified lower priority and stale cases.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

Having evaluated incoming matters, this Office has identified 44 cases which do not warrant further pursuit

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relative to the other pending cases.¹ A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this report. See Attachments 1-44. For the Commission's convenience, the narratives for the externally-generated matters are immediately followed by the complaint and response(s) and the narrative for the internally-generated matter is immediately followed by the referral.

B. Stale Cases

Investigations are severely impeded and require relatively more resources when the activity and evidence are old. Consequently, the Office of General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 2 cases that have remained inactive and assigned to the Central Enforcement Docket for one year and which it believes do not warrant further investment of significant Commission resources.² Since the recommendation not to pursue the identified cases is

1. These matters are: PM 299; MUR 3856; MUR 3859; MUR 3860; MUR 3861; MUR 3863; MUR 3864; MUR 3865; MUR 3868; MUR 3869; MUR 3870; MUR 3871; MUR 3872; MUR 3873; MUR 3874; MUR 3875; MUR 3877; MUR 3878; MUR 3880; MUR 3881; MUR 3882; MUR 3883; MUR 3884; MUR 3885; MUR 3887; MUR 3888; MUR 3889; MUR 3897; MUR 3900; MUR 3901; MUR 3906; MUR 3909; MUR 3910; MUR 3913; MUR 3914; MUR 3915; MUR 3916; MUR 4029; MUR 4030; MUR 4034; MUR 4035; MUR 4038; MUR 4039; and MUR 4040.

2. These matters are RAD 93L-66 and RAD 93L-69.

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based on staleness, this Office has not prepared separate narratives for these cases. However, the referrals for these internally-generated matters are attached. See Attachments 45-46.

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This Office recommends that the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective November 14, 1994. By closing the cases effective November 14, 1994, CED and the Legal Review Team will respectively have the additional time necessary for preparing the closing letters and the case files for the public record for this fairly large number of cases.

III. RECOMMENDATIONS

A. Decline to open a MUR and close the file effective November 14, 1994 in RAD 93L-66 and RAD 93L-69.

B. Decline to open a MUR, close the file effective November 14, 1994, and approve the appropriate letter in PM 299.

C. Take no action, close the file effective November 14, 1994, and approve the appropriate letter in the following matters:

- 1) MUR 3856
- 2) MUR 3859
- 3) MUR 3860
- 4) MUR 3861
- 5) MUR 3863
- 6) MUR 3864
- 7) MUR 3865
- 8) MUR 3868
- 9) MUR 3869
- 10) MUR 3870
- 11) MUR 3871
- 12) MUR 3872
- 13) MUR 3873
- 14) MUR 3874
- 15) MUR 3875
- 16) MUR 3877
- 17) MUR 3878
- 18) MUR 3880
- 19) MUR 3881
- 20) MUR 3882
- 21) MUR 3883
- 22) MUR 3884
- 23) MUR 3885
- 24) MUR 3887
- 25) MUR 3888
- 26) MUR 3889
- 27) MUR 3897
- 28) MUR 3900
- 29) MUR 3901
- 30) MUR 3906
- 31) MUR 3909
- 32) MUR 3910
- 33) MUR 3913
- 34) MUR 3914
- 35) MUR 3915

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- 36) MUR 3916
- 37) MUR 4029
- 38) MUR 4030
- 39) MUR 4034
- 40) MUR 4035
- 41) MUR 4038
- 42) MUR 4039
- 43) MUR 4040

10'26'94
Date

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Attachments

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Bethea for Congress) MUR 4029
Committee.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 2, 1994, the Commission decided by a vote of 6-0 to take no action, close the file in MUR 4029 effective November 14, 1994, and approve the appropriate letter, as recommended in the General Counsel's Report dated October 26, 1994.

Commissioners Aikens, Elliott, McDonald, McGarry, Potter, and Thomas voted affirmatively for the decision.

Attest:

11-3-94
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Oct. 27, 1994 3:16 p.m.
Circulated to the Commission: Fri., Oct. 28, 1994 2:00 p.m.
Deadline for vote: Wed., Nov. 02, 1994 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

NOV 21 1994

Ralph F. Perkins
5545 Grande Lagoon Boulevard
Pensacola, FL 32507

RE: MUR 4029

Dear Mr. Perkins:

On August 8, 1994, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994. This matter will become part of the public record within 30 days.

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

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043601429

MUR 4029

BETHEA FOR CONGRESS COMMITTEE

The complainant, Ralph F. Perkins, alleges that the \$22,783.70 that the Bethea for Congress Committee reported as in-kind contributions for furniture appears to be an inordinate amount of money for furniture and that if the in-kind contributions of furniture from Basil Bethea are not from the candidate but rather from the candidate's son, the contributions are excessive. The complaint states that the Committee accepted in-kind contributions for furniture in the amount of \$22,756.70 from Basil L. Bethea Jr. and \$150 and \$375 from two other individuals.

In response to the complaint, Mr. Bethea states that the contributions reported from Basil L. Bethea Jr. are from the candidate himself and thus, are not subject to contribution limits. Mr. Bethea states that the \$22,756.20 which the Committee reported as contributions from the candidate to the Committee consisted of a \$10,020 contribution from the candidate to the Committee for the candidate's filing fee and a \$12,500 direct contribution from the candidate, not an in-kind contribution of furniture. Mr. Bethea states that the smaller in-kind contributions received from individuals were properly reported and are not excessive.

This matter involves less significant issues relative to other matters pending before the Commission.

24043601430



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

NOV 21 1994

Basil L. Bethea, Jr.
29 Bay Drive, N.E.
Ft. Walton Beach, FL 32548

RE: MUR 4029

Dear Mr. Bethea:

On August 15, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against you. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043601431

**MUR 4029
BETHEA FOR CONGRESS COMMITTEE**

The complainant, Ralph F. Perkins, alleges that the \$22,783.70 that the Bethea for Congress Committee reported as in-kind contributions for furniture appears to be an inordinate amount of money for furniture and that if the in-kind contributions of furniture from Basil Bethea are not from the candidate but rather from the candidate's son, the contributions are excessive. The complaint states that the Committee accepted in-kind contributions for furniture in the amount of \$22,756.70 from Basil L. Bethea Jr. and \$150 and \$375 from two other individuals.

In response to the complaint, Mr. Bethea states that the contributions reported from Basil L. Bethea Jr. are from the candidate himself and thus, are not subject to contribution limits. Mr. Bethea states that the \$22,756.20 which the Committee reported as contributions from the candidate to the Committee consisted of a \$10,020 contribution from the candidate to the Committee for the candidate's filing fee and a \$12,500 direct contribution from the candidate, not an in-kind contribution of furniture. Mr. Bethea states that the smaller in-kind contributions received from individuals were properly reported and are not excessive.

This matter involves less significant issues relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

NOV 21 1994

Steve Riggs, Treasurer
Basil Bethea for Congress
324 Eglin Parkway N.E.
Ft. Walton Beach, FL 32548

RE: MUR 4029

Dear Mr. Riggs:

On August 15, 1994, the Federal Election Commission notified Basil Bethea for Congress ("Committee") and you, as treasurer, of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and to take no action against the Committee and you, as treasurer. See attached narrative. Accordingly, the Commission closed its file in this matter on November 14, 1994.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Alva E. Smith at (202) 219-3400.

Sincerely,

Mary L. Taksar

Mary L. Taksar
Attorney

Attachment
Narrative

24043601433

**MUR 4029
BETHEA FOR CONGRESS COMMITTEE**

The complainant, Ralph F. Perkins, alleges that the \$22,783.70 that the Bethea for Congress Committee reported as in-kind contributions for furniture appears to be an inordinate amount of money for furniture and that if the in-kind contributions of furniture from Basil Bethea are not from the candidate but rather from the candidate's son, the contributions are excessive. The complaint states that the Committee accepted in-kind contributions for furniture in the amount of \$22,756.70 from Basil L. Bethea Jr. and \$150 and \$375 from two other individuals.

In response to the complaint, Mr. Bethea states that the contributions reported from Basil L. Bethea Jr. are from the candidate himself and thus, are not subject to contribution limits. Mr. Bethea states that the \$22,756.20 which the Committee reported as contributions from the candidate to the Committee consisted of a \$10,020 contribution from the candidate to the Committee for the candidate's filing fee and a \$12,500 direct contribution from the candidate, not an in-kind contribution of furniture. Mr. Bethea states that the smaller in-kind contributions received from individuals were properly reported and are not excessive.

This matter involves less significant issues relative to other matters pending before the Commission.

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

THIS IS THE END OF MUR # 4029.

DATE FILMED 12-19-61 CAMERA NO. 2

CAMERAMAN JMN

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