



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF TUB # 421

Date Filmed 4/21/81 Camera No. --- 2

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APR 21 1981

FEDERAL ELECTION COMMISSION

Internal Memo

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed

date

R. F. [Signature]
3/23/87

FEC 9-21-77



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 24, 1980

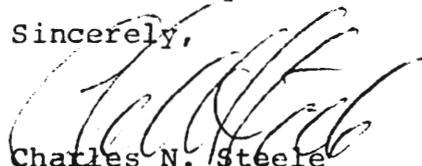
Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
23 2nd Street, N.E. #18
Washington, D.C. 20002

RE: MUR 421

Dear Ms. Meehan:

On July 23, 1980, the Commission determined to take no further action in this matter. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,



Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
23 2nd Street, N.E. #18
Washington, D.C. 20002

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Sincerely,

Charles N. Steele
General Counsel

RB
7/24/80

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 421
Committee for a Constitutional)
Presidency (CCP))
McCarthy '76)

CERTIFICATION

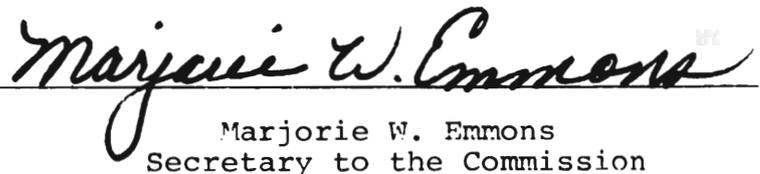
I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 23, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 421:

1. Take no further action in this matter.
2. Notify respondent.
3. CLOSE THE FILE.

Voting for this determination were Commissioners Aikens, Friedersdorf, Harris, McGarry, Reiche, and Tiernan.

Attest:

7/24/80
Date


Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 7-21-80, 12:35
Circulated on 48 hour vote basis: 7-21-80, 4:00

July 21, 1980

MEMORANDUM TO: Marjorie W. Emmons
FROM: Jane Colgrove
SUBJECT: MUR 421

Please have the attached General Counsel's Report
on MUR 421 distributed to the Commission on a 48 hour
tally basis.

Thank you.

RECEIVED
 THE
 CLERK

In the Matter of)
)
)
 Committee for a)
 Constitutional Presidency (CCP))
 McCarthy '76)

80 JUL 21 P12: 35
 MUR 421(76)

General Counsel's Report

On August 25, 1977, the Commission found probable cause to believe that McCarthy '76, the principal campaign committee of Eugene McCarthy, had violated 2 U.S.C. § 432(e)(3) by failing to receive all reports from authorized committees and to compile and file such reports together with its own reports with the Commission.

On September 20, 1978, the Commission decided to defer initiation of a civil action on this matter pending an audit of both CCP and McCarthy '76. An audit of these committees has been completed, and a decision of whether or not a lawsuit should be filed is now before the Commission.

Legal Analysis

2 U.S.C. §432(e)(3) states:

It shall be the duty of each principal campaign committee to receive all reports and statements required to be filed with it under paragraph (2) of the subsection and to compile and file such reports and statements together with its own reports and statements with the Commission in accordance with the provisions of this title.

Subsequent to the Commission's finding of probable cause, McCarthy '76 filed an amended consolidated report of

receipts and expenditures for the year-end 1976 and a 3b report for the April and July quarterlies. The remaining quarterly reports have been filed via 3a postcards.

The auditors have determined that the filing of these reports discloses the activity of a portion of McCarthy '76's authorized state committees. Officials of the Committee stated to the auditors that attempts were made to gather the outstanding information from the state committees, but that these attempts were not successful.

It is the opinion of the Office of General Counsel that a principal campaign committee has a responsibility to obtain the requisite reports from its authorized state committees on the basis of an agency theory. The relationship between the principal campaign committee and its authorized state committees is one of principal to agents, thereby imposing the responsibility of the principal for its agents. Therefore, McCarthy '76 is responsible for its authorized state committees sending it the required reports. However it is the opinion of this Office that the Commission take no further action in this matter in light of the auditor's findings coupled with the actions taken by McCarthy '76 after the Commission's finding of probable cause. Committee attempts to obtain the requisite reports and the Committee's amending of its reports are mitigating factors that the Commission should take into account.

In the analysis of the Harris audit, the Commission accepted the audit recommendation that the national committee's

failure to itemize all contributors who gave over \$100 on account of its failure to get necessary information from all authorized committees should be deemed acceptable since it apparently tried unsuccessfully to do so.

For the foregoing reasons the Commission should take no further action in this matter.

Recommendation

1. Take no further action in this matter.
2. Notify respondent.
3. Close the file.

Date

Charles N. Steele
General Counsel

Attachment

Letter to respondent



FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
23 2nd Street, N.E. #18
Washington, D.C. 20002

RE: MUR 421

Dear Ms. Meehan:

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Sincerely,

Charles N. Steele
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE *MWE*
FROM: MARJORIE W. EMMONS/MARGARET CHANEY *mc*
DATE: JULY 9, 1980
SUBJECT: MURs 421/485 - Interim Investigative Report #2,
dated 7-3-80: Received in OCS 7-8-80, 10:01

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 4:00, July 8, 1980.

There were no objections to the Interim Investigative Report at the time of the deadline.

RECEIVED
OFFICE OF THE
COMMISSIONER

BEFORE THE FEDERAL ELECTION COMMISSION

80 JUL 8 AIO: 01

In the Matter of)	
)	
Eugene McCarthy)	
Committee for a Constitutional)	MUR 421 (77)
Presidency)	485 (77)
McCarthy '76)	
Shrikumar Poddar)	
The Washington Watch)	
Educational Subscription)	
Service)	
APP's Advertising Agency)	

INTERIM INVESTIGATIVE REPORT #2

On August 25, 1977, the Commission found probable cause to believe that McCarthy '76 violated 2 U.S.C. § 432(e)(3) by failing to file "at the very least a consolidated 1976 year-end report and a 1977 first quarter report..." (General Counsel's Report August 18, 1977).

On February 15, 1978, the Commission found reason to believe that Mr. Shrikumar Poddar and his three businesses, The Washington, Watch, Educational Subscription Service and APP's Advertising Agency, made a series of illegal campaign contributions to the 1976 Presidential campaign of Eugene McCarthy and that Mr. McCarthy and the Committee for a Constitutional Presidency accepted these contributions knowing that they were either in excess contribution limitations or were illegal corporate contributions.

On September 20, 1978, the Commission voted to defer any further action on these MURs until after a complete audit

of the C.C.P., McCarthy '76 and twelve authorized committees. The Audit Division had mixed results in its attempt to audit the authorized committees. Audit Reports for those audits the Audit Division undertook were completed by the end of 1979.

At this time this Office is re-evaluating whether the Commission should proceed with its lawsuit in MUR 421, and whether there are any substantive violations in MUR 485. This review and evaluation should be complete in three weeks.

3 July 1980
date


Charles N. Steele
General Counsel

July 8, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Jane Colgrove

SUBJECT: MBB 421/485

Please have the attached Interim Investigative Report on MUR 421/485 distributed to the Commission on a 24 hour no-objection basis.

Thank you.



FEDERAL ELECTION COMMISSION

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

MEMORANDUM TO CHARLES STEELE *mwe*
FROM: MARJORIE W. EMMONS
DATE: JUNE 4, 1979
SUBJECT: MUR 421 (77) & MUR 485 (77) - Interim
Investigative Report dated 5-31-79:
Received in OCS 6-1-79, 7:40

The above-named document was circulated on a 24
hour no-objection basis at 11:45, June 1, 1979.

The Commission Secretary's Office has received
no objections to the Interim Investigative Report as
of 12:00 this date.

May 31, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Carr
SUBJECT: MURs 421 and 485

Please have the attached Interim Invest Report
on MURs 421 and 485 distributed to the Commission.

Thank you.

31710140113

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Eugene McCarthy)
Committee for a Constitutional) MUR 421 (77)
Presidency) 485 (77)
McCarthy '76)
Shrikumar Poddar)
The Washington Watch)
Educational Subscription)
Service)
APP's Advertising Agency)

70 JUN 1 A 7: 40

INTERIM INVESTIGATIVE REPORT

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On February 15, 1978, the Commission found reason to believe that Mr. Shrikumar Poddar and his three businesses, The Washington Watch, Educational Subscription Service and APP's Advertising Agency, made a series of illegal campaign contributions to the 1976 Presidential campaign of Eugene McCarthy and that Mr. McCarthy and the Committee for a Constitutional Presidency accepted these contributions knowing that they were either in excess of the contribution limitations or were illegal corporate contributions.

On September 20, 1978, the Commission voted to defer any further action on these MURs until after a complete audit

of the C.C.P., McCarthy '76 and twelve authorized committees. At this time the auditors inform us that they have completed an audit of the C.C.P. and McCarthy '76 and two of the authorized committees. The remainder of the audits are to be completed by August. Upon completion of these audits, we will review the audit report and make the appropriate recommendations.

5/31/79
Date

William C. Oldaker
William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 12, 1980

MEMORANDUM

TO: Bob Costa/Craig Russell

THROUGH: Orlando B. Potter
Staff Director

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: Referral and Supplement to Referral
of Matters Noted during the Audit
of the Committee For The Survival
of a Free Congress

The Office of General Counsel has reviewed your memorandums of October 5, 1979, and January 29, 1980, concerning matters noted during the audit of the Committee For The Survival Of A Free Congress ("the Committee") ("CSFC"), such matters having been referred to this Office for further consideration and legal opinion. Based on the information in this referral, we have opened a file numbered MUR 1201 for all matters therein concerning the receipt of corporate funds and the making of an excessive contribution. In response to your request for legal opinion as to some of the issues presented in this referral, we make the following comments:

A. RECEIPTS FOR CAMPAIGN WORKSHOPS CONDUCTED BY THE COMMITTEE

The first issue presented in your referral concerns receipts from several corporations [representing payment for employee attendance at a workshop] (i.e., education seminar) conducted by CSFC. With regard to these corporate receipts, your referral poses two questions:

- 1) May these receipts be deposited into the campaign depository or must they be separated and not commingled with voluntary contributions?
- 2) Are campaign workshops conducted by the Committee considered federal activity which would require disclosure on the committee reports?

Memorandum to the Commission

Page 2

Committee for the Survival of A Free Congress

In answer to your first question, these funds may not be deposited into the Committee's campaign depository. They must be separated and not commingled with voluntary contributions.

Since the CSFC is a political committee functioning in connection with federal elections, the prohibitions of 2 U.S.C. § 441b apply and bar CSFC from receiving corporate contributions for the purpose of defraying its costs of organizing or conducting the campaign workshops. (See AOs 75-87 and 79-76). 2 U.S.C. § 441b defines corporate contributions as "any direct or indirect payment. . . to any candidate, campaign committee, . . . in connection with any election. . ." and those funds received by CSFC would be commingled with funds available for use in connection with federal elections. See also FEC v. AFL-CIO, no. 77-2147 CD. cc. June 18, 1978.

A response to your second question has placed the responsibility upon this Office to seek further information regarding: 1) the status of CSFC, 2) the nature of the workshops conducted by CSFC, 3) the participants at these workshops, and 4) costs incurred as a result of conducting these workshops. Our review revealed the following:

The CSFC is a multicandidate political committee which supports conservative members and candidates for the House of Representatives and Senate. 1/ It frequently conducts a campaign workshop (i.e., educational seminar) which focuses its instruction in the mechanics of an election. Participants at the workshop include candidates for Congress or local offices, their campaign staffs, corporate representatives and interested members of the general public. Participants attend and take part in courses covering a variety of topics dealing with election campaigns. These have included, according to the Committee's response to a 1978 surface violation notice, discussions on identification and registration of unregistered voters, organization of a precinct or other voting unit, communication and fundraising. The utility of such instruction, according to CSFC Counsel, "is applicable equally to federal, state and local elections." (See Attachment #1).

1/ Disclosure reports reveal expenditures made in connection with federal elections. No expenditures have been made, outside of workshop expenditures, in connection with state and local elections.

All participants must pay in advance a registration fee to cover the expenses incurred by CSFC in organizing the campaign workshops. 2/ Between the period of May, 1973 and October, 1973 these fees were deposited into CSFC's campaign depository and later transferred to CSFC's Inc. account (containing commingled funds). Prior to and after this period, all fees were directly deposited into the CSFC Inc. account. From the CSFC Inc. account, expenditures were made to cover the costs of the campaign workshops.3/

With regard to the above information, your office asks: Are campaign workshops conducted by CSFC considered federal activity which would require disclosure on the Committee's reports?

In view of the above information, it appears that payments to CSFC (registration fees), even if to defray a workshop expense incurred by CSFC, are contributions to CSFC under the act and the Commission's regulations, and therefore, are reportable as such by CSFC. Included within the definition of contribution is "an advance . . . of money" to a political committee. 2 U.S.C. § 431(e) and 11 C.F.R. § 100.4(a)(1). Those who pay the registration fee to CSFC upon registering for the CSFC workshops are making such an "advance of money" by helping to defray the costs of a "promotional" or "goodwill" expenditure. 4/ See MUR 1095 (open). The Commission has previously recognized that the mere fact that a person receives something of value in return (in this case an education) does not, in and of itself, render a payment made to a political committee a commercial sale rather than a political contribution. See Advisory Opinions 1979-17, 1978-46, 1975-14. Moreover, the Commission has stated "As a general matter, a person who transmits money to a political committee or candidate - any portion of which is available to be spent for the purpose of influencing a Federal election - has made a contribution in the full amount of funds transmitted." AO 1975-15.

2/ Bruce Shelton of your Office revealed that the fees varied for no apparent reason; however, the fees paid by candidates and members of Congress did match the amounts paid by other participants.

3/ Auditors were unable to gather information concerning the particulars of the workshop expenditures. Bank records for the CSFC Inc. account were not made available to the Audit Staff.

4/ Evidence revealed through an analysis of solicitation materials used to promote the workshops, would definitely support this finding, however, the auditors were unable to obtain solicitation materials.

Memorandum to the Commission
Page 4
Committee For The Survival of A Free Congress

C. Reimbursement from the Free Congress Research and Education Foundation, Inc.

The audit of the Committee For the Survival of a Free Congress revealed the receipt of \$5,079.62 as reimbursement from the Free Congress Research and Education Foundation, Inc. for rent, office supplies, equipment usage, etc. This organization shares the facilities and occupies the second floor of the building leased by the Committee. With regard to these receipts, your referral poses the following question:

May these receipts be deposited into the campaign depository or must they be separated and not commingled with voluntary contributions.

As stated previously, such payments, even as repayments for goods and services rendered, are considered contributions. See AO 75-14 and 75-22. Since CSFC is a political committee functioning in connection with federal elections, the prohibitions of 2 U.S.C. § 441b apply and bar CSFC from receiving corporate contributions into its campaign depository unless made by a separate segregated fund established by the corporation.

Attachment

I - Letter to Potter from Marion E. Harrison

LAW OFFICES

HARRISON, LUCEY & SAGLE

SUITE 500

1701 PENNSYLVANIA AVENUE, N. W.

WASHINGTON, D. C. 20006

TELEPHONE 202 298-9030

CABLE "MEHLAW"

MARION EDWYN HARRISON
 CHARLES EMMET LUCEY
 ROBERT F. SAGLE
 GREGORY W. ALTSCHUH

September 16, 1978

806363

Mr. Orlando B. Potter
 Staff Director
 Federal Election Commission
 Washington, D. C. 20463

Re: Committee for Survival of a Free Congress
Your reference: 2SV1/78-69

Dear Mr. Potter:

Our client the Committee for Survival of a Free Congress ("CSFC"), 6 Library Court, S.E., Washington, D. C. 20003, has referred to us your letter of September 6, 1978, reference as above.

Your letter attaches an excerpt from a CSFC report which shows CSFC receipt from several corporations of payment for employee attendance at a workshop conducted by CSFC and denominated on the report the "March workshop". Your letter states that "Corporate *contributions* are prohibited . . . unless . . . made by a separate segregated fund established by the corporation . . ." and recommends that if CSFC has accepted prohibited contributions that it return them. [*Italics supplied.*]

On infrequent occasion CSFC does receive corporate contributions and returns them without negotiating the check. On an even more infrequent occasion CSFC, in spite of the exercise of due diligence, inadvertently has negotiated a corporate check. On each such occasion CSFC, upon imminent discovery of the error, has refunded the full amount of the corporate contribution. As CSFC's reports to the Federal Election Commission indicate, there has been no problem in this regard.

However, the monies at issue herein are payments in the nature of fees, uniformly charged corporate and non-corporate students, and are not contributions.

3790301830P2

Mr. Orlando B. Potter
September 16, 1978
Page two

The "March workshop" is one of a series of seminars consisting of courses of instruction in the mechanics of election - for example, how one identifies unregistered voters, how one registers unregistered voters, how one organizes a precinct or other voting unit, how one communicates, how one raises funds. The utility of such instruction is applicable equally to a federal, state or local election. The basic principles and modes of operation essentially are the same, subject, of course, to variations for the type of office, type of constituency, local political climate, local demography and the like. The workshop is one of generalized instruction, unrelated to a particular election. A collegiate political science instructor, teaching (as some occasionally do) a practicum rather than theory, would teach the same subjects and/or kinds of subjects.

"It is unlawful for . . . any corporation . . . to make a contribution or expenditure *in connection with* any [federal] election . . ." 2 USC §441(b). [Italics supplied.]

For the reasons previously discussed, the subject corporate expenditures are not "contributions". See also 2 USC §431(e); 11 CFR §301(e).

In addition to not constituting generally a contribution, these payments also fail to constitute a contribution for the same reason they fail to constitute an "expenditure".

A "'contribution' . . . means a . . . deposit of money or anything of value made for the purpose of . . . influencing [a federal] election . . ." 2 USC §431(e)(1)(A); 11 CFR §301(e)(1)(A). Similarly, an "'expenditure' . . . means a . . . payment . . . made for the purpose of . . . influencing [a federal] election . . ." 2 USC §431(f)(1)(A); 11 CFR §301(f)(1)(A). Because the March workshop is unconnected with any federal - or other - election, a payment by a corporate employer for the tuition of a corporate employee constitutes neither a contribution nor an expenditure but a payment for a prescribed fee - a direct quid pro quo.

3 178 1978 9 16 3 18 1 3

Mr. Orlando B. Potter
September 16, 1978
Page three

CSFC would be glad to furnish additional information should you seek it.

Sincerely,



MARION EDWYN HARRISON

MEH:kg
cc Ms. Peggy Sims

183503314



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

A-691

January 24, 1980

MEMORANDUM

TO: CHARLES N. STEELE
GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER *OBP*
STAFF DIRECTOR

FROM: BOB COSTA *BC*

SUBJECT: FINAL AUDIT REPORT - MCCARTHY '76-CA

Attached please find a copy of the final audit report of the McCarthy '76-CA.

Since matters relating to the report have been referred to your office, this report is being forwarded for your review prior to circulation to the Commission.

Attachment as stated



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

REPORT OF THE AUDIT DIVISION ON THE MCCARTHY '76-CA

I. Background

A. Overview

This report is based on an audit of the McCarthy '76-CA ("the Committee"), undertaken by the Audit Division of the Federal Election Commission in accordance with the Commission's audit policy to determine whether there has been compliance with the provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). The audit was conducted pursuant to Section 438(a)(8) of Title 2 of the United States Code which directs the Commission to make from time to time audits and field investigations with respect to reports and statements filed under the provisions of the Act.

The Committee registered with the Federal Election Commission on June 30, 1978, as an authorized state committee of Senator Eugene J. McCarthy. The Committee maintained its headquarters in Burbank, California.

The audit covered the period January 1, 1976, through December 31, 1976, 1/ the final coverage date of the last report filed by the Committee. The Committee reported a beginning cash balance on January 1, 1976, of \$113.62, total receipts for the period of \$24,265.50, total expenditures for the period of \$24,386.25 and a closing cash balance on December 31, 1976 of (\$7.13).

1/ The Committee's bank records indicated that it's initial activity occurred on July 21, 1975, and ended on April 18, 1977, therefore, the scope of the audit was expanded to include these dates.

This audit report is based on documents and working papers which support each of the factual statements. They form part of the record upon which the Commission based its decisions on the matters in the report and were available to the Commissioners and appropriate staff for review.

B. Key Personnel

The principal officers of the Committee at the time of the audit were Alice Mahoney, Chairperson and Barbara Barron, Treasurer.

C. Scope

The audit included such tests as verification of total reported receipts and expenditures and individual transactions; review of required supporting documentation and analysis of Committee debts and obligations; and such other audit procedures as deemed necessary under the circumstances.

II. Audit Findings and Recommendations

Due to the Committee's non-compliance with the Audit Division's recommendations, the following matters have been referred to the Commission's Office of General Counsel:

- A. Disclosure of contributions (2 U.S.C. 434(b)(2)(3) and (7)).
- B. Disclosure of expenditures 2 U.S.C. 434(b)(9) and (11)).
- C. Disclosure of transfers (2 U.S.C. 434 (b)(4)).
- D. Disclosure of debts and obligations (2 U.S.C. 434(b)(12)).



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 16, 1980

MEMORANDUM

TO: Robert J. Costa

THROUGH: Orlando B. Potter
Staff Director

FROM: Charles N. Steele *CS*
General Counsel

SUBJECT: Various Audit Reports of McCarthy '76 and
Committee for a Constitutional Presidency
A-605, A-628, A-630

We are in receipt of your memoranda dated October 11, 1979, November 13 and 14, 1979, and December 19, 1979 with respect to the McCarthy campaign for the Presidency in 1976. This memorandum is to advise you that our Office is taking appropriate action based on the above-cited audit reports, and that most of the information will be incorporated into General Counsel's Reports in MURs 421 and 485.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 16, 1980

MEMORANDUM

TO: Robert J. Costa

THROUGH: Orlando B. Potter
Staff Director

FROM: Charles N. Steele *CNS*
General Counsel

SUBJECT: Various Audit Reports of McCarthy '76 and
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A-605, A-628, A-630

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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General Counsel

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A-605, A-628, A-630

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

A-628
MUR 421 + 485

December 19, 1979

MEMORANDUM

TO: CHARLES STEELE
GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER *OBP*
STAFF DIRECTOR

FROM: BOB COSTA *BC*

SUBJECT: AUDITS OF THE COMMITTEE FOR A CONSTITUTIONAL
PRESIDENCY AND MCCARTHY '76 (CCP/MCCARTHY '76)

This is an addendum to our memorandum on the above subject, dated November 13, 1979.

A. The audit did not provide any additional information concerning MUR 485 in following areas:

1. The \$51,000 transaction between Eugene McCarthy and The Washington Watch, or the alleged in-kind services provided to CCP by The Washington Watch.
2. The alleged extension of credit and in-kind services provided to CCP/McCarthy '76 by the Educational Subscription Service.
3. The alleged extension of credit and in-kind services provided to CCP/McCarthy '76 by the App's Advertising Agency.

However, the Audit staff concurs with your office's analysis on these matters.

B. In regards to MUR 421 and the principal campaign committee's (PCC) failure to disclose the activity of its authorized state committees on FEC form 3b, the PCC amended its reports on September 16, 1977, to disclose the activity of a portion of its authorized state committees. CCP/McCarthy '76 officials stated that attempts to contact the remaining state committees were unsuccessful. Therefore, we recommend no further action on this matter.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 13, 1979

MEMORANDUM

TO: CHARLES STEELE
ACTING GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER
STAFF DIRECTOR

FROM: BOB COSTA *BC*

SUBJECT: AUDITS OF THE COMMITTEE FOR A CONSTITUTIONAL
PRESIDENCY AND MCCARTHY '76

During the audits of the above committees matters were noted which are being referred to your office for possible MUR treatment.

The audits covered the period from January 1, 1975, through September 30, 1978, the coverage date of the latest reports filed by the Committees at the time of the audits.

The Committee for a Constitutional Presidency (CCP) registered with the United States General Accounting Office on August 15, 1974. On January 22, 1975, CCP amended its statement of organization to change its name (effective 1-12-75) to the Committee for a Constitutional Presidency/McCarthy '76 (CCP/McCarthy '76), and named Senator Eugene J. McCarthy as its candidate for the office of President of the United States. CCP/McCarthy '76 functioned as Senator McCarthy's (the candidate) principal campaign committee through August 31, 1976. According to the General Counsel's report, the candidate withdrew his authorization of CCP/McCarthy '76 as his principal campaign committee on September 1, 1976.

On September 7, 1976, Committee officials submitted an advisory opinion request (AOR) asking the Commission to comment on its desire to split CCP/McCarthy '76 into separate committees, in order for CCP to function as a political party and McCarthy '76 to function as the candidate's principal campaign committee. On October 4, 1976, the Candidate designated McCarthy '76 as his principal campaign committee.

On November 26, 1976, the Commission in response to the AOR stated:

"... the issue of whether the Committee may be treated as a national committee of a political party does not require a response at this time since there is no indication that it anticipates engaging in activities which are traditionally conducted by political party organizations."

However, since September 1, 1976, CCP has maintained that it is a national party committee and indicated such in its October 10, 1976, disclosure report. The report covered the period from September 1, 1976, through September 30, 1976, and included the financial activity (cash on hand, debts, etc.) of the dissolved CCP/McCarthy '76. McCarthy '76 also filed its initial disclosure report (\$ -0- in beginning cash, no debts) as of September 1, 1976.

Since the CCP has been operating as a national party and the Commission has not made a final determination on the status (national party committee vs. principal campaign committee) of CCP, the Audit Division is unable to make final recommendations concerning the matters listed in A and B below.

A. If CCP is determined to be a national party committee, the following violations have occurred:

1. Excessive Contributions Made by CCP

Section 441a(a)(1)(A) of Title 2 of the United States Code states, that no person shall made contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$1,000.

Section 431(h) of Title 2 of the United States Code defines, in part, a person as an individual, partnership, committee, association, and any other organization or group of persons.

The final report filed by CCP/McCarthy '76 (through 8-31-76) disclosed \$48,385.40 in outstanding debts owed by CCP/McCarthy '76. However, due to reporting errors, CCP/McCarthy '76 failed to disclose eight (8) additional debts, totaling \$15,178.59 and overstated the balance of one (1) debt by \$217.65. Therefore, debts outstanding as of August 31, 1976, totaled approximately \$63,346.34. 1/

As previously stated, CCP's initial report (9-1-76/9-30-76) continued with the disclosure of the financial activity of the dissolved CCP/McCarthy '76, debts included. Therefore, it is our opinion that the assumption of the debts by CCP represents an in-kind contribution to either the dissolved CCP/McCarthy '76 or the current principal campaign committee, McCarthy '76.

Additionally, on September 7, 1976, CCP transferred \$1,502 to the McCarthy '76 New York 6th CD, an authorized state committee.

A national party committee, without multi-candidate status, can only contribute \$1,000 per candidate, per election. 2/ CCP's contributions to the candidate's principal campaign committee and authorized committee totaled \$64,848.34 (\$63,346.34 + \$1,502), which exceed the appropriate limitation by \$63,848.34.

2. Excessive Contributions Received by CCP

Section 441a(a)(1)(B) of Title 2 of the United States Code states, in part, that no person shall make contributions to the political committee established and maintained by a national political party which are not the authorized political committee of any candidate, in any calendar year which, in the aggregate exceed \$20,000.

1/ Included in this figure are loans from the candidate totaling \$50,000.

2/ On October 26, 1976, CCP established the primary election date by nominating Senator Eugene McCarthy.

For the period September 6, 1976 through November 11, 1976, CCP reported \$25,000 in loans received from the candidate. When advised that the loans were \$5,000 in excess of the appropriate limitation, the treasurer stated that she was not aware that such limitations applied to a candidate.

It is our opinion that CCP has violated Sections 441a(a)(1)(A) and (B) and 441a(f) by making and receiving contributions in excess of the applicable limitations.

B. If CCP is determined not to be a national party committee, the following violation exist:

Excessive Contributions Received by CCP

Section 441a(a)(1)(A) of Title 2 of the United States Code states that no person shall make contributions to any candidate and his authorized political committee with respect to any election for Federal office which, in the aggregate, exceed \$1,000.

During the course of the audit, it was determined that 13 individuals each contributed in excess of the applicable limitation. The excessive portions of the contributions totaled \$50,901.09. ^{3/} Committee officials contend that CCP is a national party committee and therefore, it is permissible to accept contributions up to \$20,000 from an individual per calendar year.

It is our opinion that the Committee has violated Sections 441a(a)(1)(A) and 441a(f) by accepting contributions in excess of the applicable limitation.

^{3/} Includes excessive contributions from Shrikumar Poddar (respondent in MUR 485) totaling \$20,975 (\$21,975 - \$1,000 allowable). However, \$1,975 was contributed to McCarthy '76 and affiliated committees prior to the primary election. Therefore, even if CCP is determined to be a national party committee, Mr. Poddar's contributions exceed a contributor's primary election limitation by \$975.

C. Reporting of Debts and Obligations

Section 434(b)(12) of Title 2 of the United States Code states that each report shall disclose the amount and nature of debts and obligations owed by or to the committee, in such form as the Commission may prescribe and a continuous reporting of their debts and obligations after the election at such periods as the Commission may require until such debts and obligations are extinguished, together with a statement as to the circumstances and conditions under which any such debt or obligation is extinguished and the consideration therefore.

Section 104.8(b) of Title 11 of the Code of Federal Regulations state that a debt, obligation, or promise to make an expenditure of \$500 or less, shall be reported as of the time payment is made or no later than 60 days after incurrance, whichever comes first. A loan of money in the ordinary course of business and any debt or obligation over \$500 shall be reported as of the time of the transaction.

From our review of the vendor files maintained by CCP/McCarthy '76 ("the Committee"), it was determined that legal services provided to the Committee, totaling \$63,330 (\$8,910 + \$48,000 + \$6,420), have neither been paid nor reported as debts owed by the Committee. The law firm of Mills & Wilcox, has billed McCarthy '76 for services rendered totaling \$10,390.01. CCP has made two (2) payments, totaling \$1,480.01, reducing the balance to \$8,910. The law firm of Armor & Marcus has billed McCarthy '76 for services totaling \$48,000. 4/ In addition, Martin C. Gideonse, Attorney at Law, has billed McCarthy '76 for services totaling \$6,675.98. CCP made two (2) payments totaling \$255.98 to the payee, reducing the balance to \$6,420. The legal services were apparently performed during the period May 1, 1976, through October 26, 1976 (See Attachment I).

Committee officials stated that these services were performed "pro bono" and therefore, the Committee is not obligated for payment.

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In addition to the above matters a significant number of reporting and recordkeeping findings as well as a small amount of possible prohibited contributions were noted during the audit. The findings would normally prompt the issuance of a letter of audit findings and recommendations, which would require the Committee to file amended reports and submit additional documentation. However, considering the time and effort expended by the Commission to date, the potential time and financial burden that would be placed on the Committee to achieve compliance with such a letter and the time elapsed since the activity occurred, it is our opinion that the audit letter would be meandrous and subsequently hinder the conciliation process. Therefore, the Audit staff recommends that a letter of audit findings and recommendations not be prepared for this audit.

Furthermore, incorporating the matters noted in this memorandum with those matters in the existing MUR and the disposition of same should satisfy the objectives of this particular audit.

If you have any questions concerning these matters, please do not hesitate to contact Ray Lisi or Tom Nurthen on extension 3-4155.

Attachment as stated

MUR 11/13/79
425



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 13, 1979

MEMORANDUM

TO: CHARLES STEELE
ACTING GENERAL COUNSEL

THROUGH: ORLANDO B. POTTER ^{B.L. for O.B.P.}
STAFF DIRECTOR

FROM: BOB COSTA *BC*

SUBJECT: AUDITS OF THE COMMITTEE FOR A CONSTITUTIONAL
PRESIDENCY AND MCCARTHY '76

During the audits of the above committees matters were noted which are being referred to your office for possible MUR treatment.

The audits covered the period from January 1, 1975, through September 30, 1978, the coverage date of the latest reports filed by the Committees at the time of the audits.

The Committee for a Constitutional Presidency (CCP) registered with the United States General Accounting Office on August 15, 1974. On January 22, 1975, CCP amended its statement of organization to change its name (effective 1-12-75) to the Committee for a Constitutional Presidency/McCarthy '76 (CCP/McCarthy '76), and named Senator Eugene J. McCarthy as its candidate for the office of President of the United States. CCP/McCarthy '76 functioned as Senator McCarthy's (the candidate) principal campaign committee through August 31, 1976. According to the General Counsel's report, the candidate withdrew his authorization of CCP/McCarthy '76 as his principal campaign committee on September 1, 1976.

On September 7, 1976, Committee officials submitted an advisory opinion request (AOR) asking the Commission to comment on its desire to split CCP/McCarthy '76 into separate committees, in order for CCP to function as a political party and McCarthy '76 to function as the candidate's principal campaign committee. On October 4, 1976, the Candidate designated McCarthy '76 as his principal campaign committee.

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A. If CCP is determined to be a national party committee, the following violations have occurred:

1. Excessive Contributions Made by CCP

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Attachment as stated

JOHN C. ARMOR, P.A.

Eller

ATTACHMENT I

JOHN C. ARMOR
PHILIP L. MARCUS
ATTORNEYS AT LAW

25 October 1976

Mary Meehan
McCarthy '76
1440 N Street, N.W.
Washington, D.C. 20005

Re: Enclosed statement for services to be rendered

Dear Mary:

Don't panic. As previously discussed, this statement does not refer to any work done, or to be done, prior to the election.

It is solely for legal issues that are closely related to the campaign and may be appropriately brought after the election. If the magic 5% is reached, the Senator can decide which, if any, of these should be done, and we will proceed as directed.

I should mention one contingent possibility. If the votes cast for McCarthy and voluntarily counted by the states are close to 5%, and it seems likely that compelling Connecticut and other states to count write-ins will make the critical difference, we will bring those cases for costs plus what fees can be afforded, recognizing that payment in full must depend on reaching the 5% and getting federal funds. We would handle the challenge to the FEC, if needed, on the same basis.

Call me if there are any questions.

Cordially,


John C. Armor

JCA:SBK

THE ROTUNDA, SUITE 425
711 WEST 40th STREET
BALTIMORE, MARYLAND 21211
(301) 235-6175

*Critic of the state that
this cost you not
warranted (see base)
up to 100*

Law Offices Of

ARMOR & MARCUS, P.A.

(301) 235-6175

25 October 1976

McCarthy '76
1440 N Street, N.W.
Washington, D.C. 20005

STATEMENT OF PROFESSIONAL SERVICES RENDERED

Statement is due when presented. Interest at rate of 1.5% per month (18% APR) charged on balance not paid by end of month.

For cases begun before the November, 1976, election, but not completed until afterwards.

McCarthy v. Briscoe (Texas) - Petition for Certiorari, Briefs and argument in the Supreme Court (including \$1,000 for costs, primarily printing)	\$ 4,000
McCarthy v. FCC (Debate case) - Petition for Certiorari, Briefs, and argument in the Supreme Court (including \$1,500 for costs)	\$ 6,500
Suits in Federal District Court in each state which refuses to count and certify write-in votes for McCarthy (assuming 10 such states, including costs and including \$500 for <u>local</u> counsel fees in each state)	\$ 8,500
Defense against State of Nebraska and any other state that seeks review by Supreme Court of cases we have won (assumes	

THE ROTUNDA, SUITE 325
711 WEST 40th STREET
BALTIMORE, MARYLAND 21211

Law Offices Of
ARMOR & MARCUS, P.A.

(301) 235-6175

25 October 1976

McCarthy '76

Page 2

STATEMENT OF PROFESSIONAL SERVICES RENDERED

Statement is due when presented. Interest at rate of 1.5% per month (18% APR) charged on balance not paid by end of month.

only three such states and \$800 in costs, each)\$ 9,000
Suit against FEC, if necessary to obtain ruling that McCarthy's campaign is entitled to federal funding for drawing greater than 5%\$ 1,500
Test case in Federal Court to compel the holding of primaries in which only independents can vote, and run as candidates, on grounds of Equal Protection Clause (target state to be selected based on regis- tration figures - includes \$1,000 for local counsel and \$1,000 for costs)\$ 3,500
Test case to compel IRS to include check-off box for Independents on the income tax form, and in alterna- tive for finding that the Federal Election Funding Act is unconstitutional for failing to provide pre- election funding for independent candidates (case	

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BALTIMORE, MARYLAND 21211

Law Offices Of
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(301) 235-6175

25 October 1976

McCarthy '76

Page 3

STATEMENT OF PROFESSIONAL SERVICES RENDERED

Statement is due when presented. Interest at rate of 1.5% per month (18% APR) charged on balance not paid by end of month.

to be handled from trial court all the way to Supreme
Court -- includes \$3,000 for expenses). \$15,000

Total for post-election legal work \$48,000*

*all these figures would be decreased to the extent that the
bringing or defending of any suits became unnecessary.

THE ROTUNDA, SUITE 425
711 WEST 40th STREET
BALTIMORE, MARYLAND 21211

MARTIN C. GIDEONSE
ATTORNEY AT LAW

51 BRATTLE STREET, SUITE 37
CAMBRIDGE, MASSACHUSETTS 02138

per copy

September 29, 1976

McCarthy '76

To Whom It May Concern:

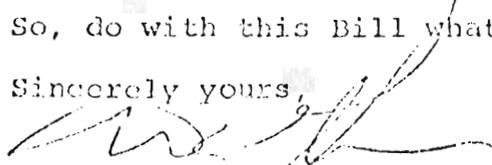
I am submitting herewith a bill for services, etc., rendered in connection with McCarthy v. Guzzi, a case which I believe (perhaps more accurately, hope) is terminated.

When I was contacted by John Anwar with respect to anticipated litigation in Massachusetts, I agreed to help out, knowing fully your precarious financial situation and the constraints of the federal campaign financing act, and having a realistic assesment of the chance of improvement of that situation. I have no regrets about having jumped in, and, in fact, had a grand time.

Nevertheless, I have no regrets about submitting this bill either. It is a bizarre world where candidates must pay - up front - for TV time on air waves which are a public good, yet, to get on the ballot, a candidate is forced to rely on pro bono inclinations of lawyers, whose time and expenses are private costs.

So, do with this Bill what you will, or can. And good luck.

Sincerely yours,


Martin C. Gidonse

MCG/tm

Combs
John Anwar
and the other
for

MARTIN C. GIDEONSE
ATTORNEY AT LAW

51 BRATTLE STREET, SUITE 37
CAMBRIDGE, MASSACHUSETTS 02138

September 29, 1976

To: McCarthy '76
Washington, D.C.

BILL FOR SERVICES AND EXPENSES

Services Rendered

160.5 Hours (See attached breakdown), @ \$40.00 . . . \$6420.00

Expenses to Date

(See attached itemization) 530.98
\$6950.98

Received to Date

July 9, 1976 (from J. Amor) \$150.00
August 15, 1976 (refund of State
Ballot Law Commission Filing Fee).. 25.00
September 15, 1976 (on or about, from
J. Hochberg) 100.00
September 15, 1976 (on or about, from
McCarthy '76 National) 200.00

Total Credits \$475.00

NET BALANCE DUE \$6475.98

CR 275
275
\$6475.98
paid \$55.98 w/ check 11-22-76
1976
CCF

o/s 2120

⊕ PD by CCF

** All costs paid*

Billed	6,420.00
Payments by CCF	475.00
Outstanding	6,950.98

MARTIN C. GIDEONSE
ATTORNEY AT LAW

51 BRATTLE STREET, SUITE 37
CAMBRIDGE, MASSACHUSETTS 02138

McCarthy '76

Professional Services:

July 7, 1976	.5 hr.	(tel. conf. w/Amor)
July 8	1 hr.	(research)
July 9	8 hrs.	(conf. w/Amor, w/Sec. of St., etc.)
July 11	3 hrs.	(conf. w/McInerney, prep. of factual basis)
July 15	6 hrs.	(prep. of factual base, conf. w/statistician, etc.)
July 19	8 hrs.	(conf. w/Ballot Law Commission, prep. of TRO, prep. of factual base)
July 20	4.5 hrs.	(Hrg. re TRO, hearing State Ballot Law Commission)
July 21	4 hrs.	(Prep. for St. Ballot Commission hrg., research re statistical evidence)
July 22	6 hrs.	(Preparation of Statement of Case, Proposed findings, etc., for Ballot Law Commission)
July 23	4 hrs.	(Hearing, State Ballot Law Commission)
July 24	2.5 hrs.	(Preparation and research for Mandatory Injunction and Petition for Review)
July 27	4 hrs.	(Same as above)
July 28	6 hrs.	(Filing of Complaint, Hearing re Short Order of Notice)
July 31	7 hrs.	(Research, preparation of factual basis)
August 1	8 hrs.	(Preparation of trial brief)
August 2	1 hr.	(")
August 3	6 hrs.	(Hearing, Suff. Sup. Ct.)
August 11	2 hrs.	(Conf. w/Ass't.A.G., w/Ass't Corp. Counsel)
August 12	2 hrs.	(Hearing, Suff. Sup. Ct.)
August 12-21	2 hrs.	(spot consulting w/McInerney, etc.)
August 22	5 hrs.	(Preparation for tr.)
August 23	4 hrs.	(Hearing, Suff. Sup. Ct.)
August 25	10 hrs.	(" " " ")
August 26	4.5 hrs.	(Prep. of Agreed Facts.)
Sept. 7	4 hrs.	(Prep. of brief re Motion for Stay)
Sept. 9	3.5 hrs.	(Hearing, Appeals Court)
Sept. 15	1 hr.	(Conf. re stay)
Sept. 16	4 hrs.	(Prep. of Motion to Reconsider, etc., prep. of Application for Single Justice)
Sept. 17	4 hrs.	(hrg, Appeals Court, conf. w/Ass't A.G. re Application for Direct Review)
Sept. 18-22	29 hrs.	(Research, prep. of Appellees Brief)
Sept. 23	4 hrs.	(Conf. w/clerk of Court, with Ass't A.G., hearing before Single Justice SSC)

MARTIN C. GIDEONSE
ATTORNEY AT LAW

51 BRATTLE STREET, SUITE 37
CAMBRIDGE, MASSACHUSETTS 02138

Professional Services (cont.)

Sept. 24, 1976 2 hrs. (Conf. w/Amor, with co-counsel
re prep. for steps following
anticipated SJC action.)

July 7 - Sept. 24, 1976 160.5 Hours.

MARTIN C. GIDEONSE
ATTORNEY AT LAW

51 BRATTLE STREET, SUITE 37
CAMBRIDGE, MASSACHUSETTS 02138

McCarthy '76

EXPENSES

\$25.00	Filing Fee, State Ballot Law Commission
248.77	Xerox and copying
50.00	To M. McInerney, used for photocopying petitions.
5.00	Entry fee (temporary restraining order)
10.00	Entry fee (Injunctive Complaint and Petition for Review)
5.00	Entry fee (Single Justice S.J.C.)
19.50	Cab fares (4)
99.00	Services of special typist (on 4 occasions)
34.14	Stationery supplies (large clips, etc.)
5.88	Postage
28.69	Toll telephone calls (to August 20, 1976)
<u>\$530.98</u>	

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

235 MONTGOMERY STREET, SUITE 1243
SAN FRANCISCO, CALIFORNIA 94104

CHARLES K. MILLS
JONATHAN J. WILCOX

TELEPHONE
(415) 788-8000
CABLE: LAWSFO

September 21, 1976

McCarthy '76
1440 N Street, N. W.
Washington D. C. 20005

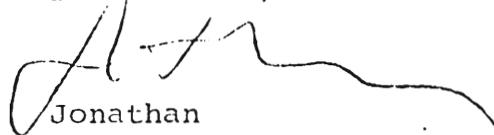
Attention: Jerome Eller

Dear Jerry,

Sorry to be so late in billing. I well understand the circumstances of campaigning when it comes to fees, but I will much appreciate prompt reimbursement of the costs advanced.

The total of costs advanced through August 31, 1976, is \$920.72. I will be prompt with the September month-end billing, and expect it to show an additional \$375.00, unless more costs are incurred in the next ten days.

Best wishes,



Jonathan

JJW:aj
Encs.

*File 3/10
Parker
not all right
to make payment
m*

P. 10

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

238 MONTGOMERY STREET, SUITE 1243
SAN FRANCISCO, CALIFORNIA 94104

CHARLES K MILLS
JONATHAN J WILCOX

TELEPHONE
[415] 788-8000
CABLE: LAWYFO

STATEMENT

DATE: September 21, 1976

McCarthy '76
1440 N Street, N.W.
Washington, D. C. 20005

Attention: Jerome Eller

To Professional Services:

Legal services rendered May 1 to May 30, 1976, respecting determining requirements for independent nomination of electors favoring Eugene J. McCarthy to be placed on California ballot for November general election, including telephone conferences with office of California Secretary of State on May 12, 14, 24, and 27, 1976, and numerous local telephone conferences with campaign supporters regarding organization of petition drive and including legal research on Elections Code and review of pending and recently-decided litigation.

	6 hours	\$360.00
To Reimbursement of Costs Advanced:		
Long distance telephone		11.16
		<hr/>
	TOTAL	\$371.16

Pu

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

235 MONTGOMERY STREET, SUITE 1243

SAN FRANCISCO, CALIFORNIA 94104

CHARLES K MILLS
JONATHAN J WILCOX

TELEPHONE
[415] 788-8000
CABLE: LAWSFO

STATEMENT

DATE: September 21, 1976

McCarthy '76
1440 N Street, N.W.
Washington, D. C. 20005

Attention: Jerome Eller

To Professional Services:

Legal services rendered June 1 to June 30, 1976, respecting determining requirements for independent nomination of electors favoring Eugene J. McCarthy to be placed on California ballot for November general election and respecting advice to local campaign organizers regarding legal requirements for printing, circulation, and deposit of independent nomination petitions, including telephone conferences with office of California Secretary of State on June 8, 10, 11, 23, 28, and 29, 1976, and telephone conferences with national campaign officer Barbara Barron on June 18 and 25, 1976, and numerous local telephone conferences with local supporters, including Richmond Young, and including legal research, and supervision of preparation of list of presidential elector candidates, verification of elector candidates' qualifications, and arrangements for printing of petition form to be recommended by Secretary of State, and reporting by telephone to Washington, D.C. McCarthy office re campaign status.

14.5 hours \$870.00

To Reimbursement for Costs Advanced:

Long Distance telephone 34.01

TOTAL \$904.01

Pia

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

238 MONTGOMERY STREET, SUITE 1243
SAN FRANCISCO, CALIFORNIA 94104

CHARLES K. MILLS
JONATHAN J. WILCOX

TELEPHONE
(415) 788-8000
CABLE: LAWSFO

STATEMENT

DATE: September 21, 1976

McCarthy '76
1440 N Street, N.W.
Washington, D. C. 20005

Attention: Jerome Eller

To Professional Services:

Legal services rendered July 1 to July 30, 1976, respecting final design and approval of legal form for independent nomination petition, supervision of printing and proof reading, instructions to campaign organization respecting legal requirements for circulation of petitions, including telephone conferences with B. Barron or F. Mattei on July 1, 6, 20, 21, 25, and 29, 1976, and with J. Eller or M. Meehan on July 6, 20, 21, 27, 28, and 29, 1976, and with office of California Secretary of State on July 6, 7, and 9, 1976, letters to California Secretary of State on July 9, and 21, 1976, letter to all elector candidates on July 20, 1976, conference in Sacramento, California, on July 9, 1976, with counsel for California Secretary of State regarding approval of amendments to official proposed form of independent nomination petition, and numerous local telephone conferences and office meetings regarding legal questions from campaign workers, presidential elector candidates, and verification deputies regarding circulation of petitions.

	22.5 hours	\$1,350.00
To Reimbursement of Costs Advanced:		
Long distance telephone		42.16
Mileage to Sacramento and return (190 miles)		19.00
Cost of mailing to 45 electors (stationery & postage)		19.80
Secretarial cost for preparation of mailing list and conducting mailing - 3 days' time		150.00
		<hr/>
	TOTAL	\$1,580.96

Pis

July 20, 1976, Mailing to Electors:

1 sheet at \$.10	\$.10
1 return envelope	.04
postpaid	.13
1 outside envelope	.04
postpaid	.13

\$.44

45 Sets

\$19.80

*included in recap
page 13*

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

235 MONTGOMERY STREET, SUITE 1243

SAN FRANCISCO, CALIFORNIA 94104

CHARLES K. MILLS
JONATHAN J. WILCOX

TELEPHONE
[415] 788-8000
CABLE: LAWSFO

STATEMENT

DATE: September 21, 1976

McCarthy '76
1440 N Street, N.W.
Washington, D. C. 20005

Attention: Jerome Eller

To Professional Services:

Legal services rendered August 1 to August 31, 1976, respecting compliance of campaign with legal requirements in petition circulation, particularly in written appointment of verification deputies by each of 45 electors for each of approximately 300 verification deputies in 23 counties of California, including conferences with Registrars of Voters and office of California Secretary of State, and mailings to verification deputies, elector candidates, and bus express packages to county campaign coordinators; telephone conferences with D. Barron or F. Mattei on August 3, 4, 12, 15, 24, 27, 28, 29, 30, and 31, 1976, with J. Eller or M. Meehan on August 3, 24, and 30, 1976, and various local telephone conferences and office meetings with local campaign workers including R. Young and M. Peterson; legal research on effect of pending litigation brought by other campaign organizations on McCarthy campaign; answering legal questions by telephone to various presidential elector candidates, campaign workers and verification deputies, respecting petition circulation, solicitation of signatures, appointment of deputies, and deposit of petitions with state officials.

54.5 hours \$3,270.00

P.15

Statement
McCarthy '76
page 2.

\$3,270.00

To Reimbursement of Costs Advanced:

Long distance telephone	\$ 22.70
August 20 to 25, 1976, mailing to 300 verification deputies (stationery and postage)	192.00
August 24, 1976, mailing to elector candidates (stationery and postage)	249.84
August 27, 1976, package express to 23 county coordinators (stationery and express charges)	90.05
Secretarial cost for preparation of mailing list and conducting above mailings - 5 days' time	250.00
	<hr/>
	\$ 804.59

Less credit for postage purchased and supplied on August 26, 1976, by San Francisco campaign office	- 160.00
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Net Costs \$ 644.59

TOTAL \$3,914.59

P16

August 20-25, 1976, Mailing to Verification Deputies:

3 sheets 8-1/2 x 11	\$.30
1 Return envelope	.04
postpaid	.13
1 Outside Envelope	.04
postpaid	.13
	<hr/>
	\$.64

Mailed to 300 Deputies

\$192.00

*included a copy
P 16*

P11

August 24, 1976 Mailing to Electors (Verification Deputies
Appointments)

1 Set of Cover Letter, Appointment Papers for 23 Counties, and Duplicate Powers of Attorney--see Copy Copia Bill dated 9-1-76	\$111.69
45 Return Manila Envelopes at \$.13 postage paid at .90	5.85 40.50
45 Outside Manila Envelopes at \$.13 postage prepaid at \$1.91	5.85 85.95
	<hr/> <u>\$249.84</u>

*include
Receipt*

P.13

August 27, 1976, Dispatch to County Coordinators:

4 Attorney Appointment Forms at \$.10	\$.40
4 Elector Appointment Forms at \$.10	.40
2 Sheets Instruction Letter at \$.10	.20
1 Manila Envelope	.13
	<hr/>
	\$ 1.13
45 Sets	\$50.85
Greyhound Bus Delivery Charges	39.20
	<hr/>
	<u>\$90.05</u>

12/21/76

MILLS & WILCOX

ATTORNEYS AT LAW

RUSS BUILDING

235 MONTGOMERY STREET, SUITE 1243

SAN FRANCISCO, CALIFORNIA 94104

CHARLES K. MILLS
JONATHAN J. WILCOX

TELEPHONE
[415] 788-8000

CABLE: LAWSFO

STATEMENT

DATE: October 28, 1976

McCarthy '76
1440 N Street, N. W.
Washington, D. C. 20005

Attention: Jerome Eller

To Professional Services:

Legal services rendered September 1 to September 30, 1976, respecting compliance of campaign with legal requirements of independent nominations, including preparation and filing of separate declarations of candidacy by 45 elector candidates, and respecting litigation against California Secretary of State and Los Angeles Registrar of Voters seeking extension of time to circulate and file petitions, including preparation, service and filing in court of affidavits, petition for Writ of Mandate, and supporting briefs, and argument at hearing on September 8, 1976, and subsequent original Writ proceeding in California Supreme Court seeking same relief, together with various conferences with campaign workers regarding preparation for litigation and conduct of petitioning; the foregoing includes long-distance telephone conferences with John Armor, Barbara Barron, Frank Mattei, Jerry Eller or Mary Meehan on 9/1, 9/2, 9/3, 9/6, 9/7, 9/8, 9/10, 9/13, 9/14, 9/15, 9/16, 9/20, 9/21.

51 hours

\$3,060.00

Costs Advnaced:

Long-distance telephone	\$ 109.95
Sept. 3, 1976, mailing to 45 electors (stationery and postage)	\$ 46.80
Secretarial cost for preparing mailing - 4 hours	\$ 25.00
Airfare - 2 trips to Los Angeles	\$ 102.00
Taxifare in Los Angeles, 9/3/76	\$ 12.00

*\$ 559.29
of Costs
Paid w/
Check # 1594
3-2-77*

*19
10/28/76*

*total
\$ 357.75*

Pso

September 3, 1976, Mailing to Electors (Candidates' Declarations)

4 sheets at \$.10 each	\$.40
2 return envelopes	.08
postpaid at \$.13	.26
1 outside envelope	.04
postpaid at \$.26	.26

\$ 1.04

45 Sets x \$1.04

\$46.80

*included in
Receipt p. 20*

Costs Advanced (cont.)

Parking, SF Airport, 9/3/76	\$	4.00
Parking, SF Airport, 9/7/8/76	\$	11.00
Filing fee for McCarthy vs. Eu, Los Angeles Superior Court, 9/3/76	\$	50.00
Photocopies of Superior Court pleadings at Los Angeles Law Library	\$	3.90
Hotel, Sept. 7, 8, 1976, in Los Angeles	\$	70.00
Filing fee for McCarthy vs. Eu, California Supreme Court, 9/10/76	\$	50.00
Photocopies of Supreme Court pleadings (23 copies per court rules)	\$	66.70
Blue covers for Supreme Court pleadings	\$	4.14
Binding tape for Supreme Court pleadings	\$	3.80

TOTAL OF COSTS ADVANCED: \$ 559.29

3000.00
2440.71

3170011133

P11 511.104
 P12 911.118
 P13 1.000.000
 P14 3.001.119
 P20 3.000.000
 P21 500.000
 Total 11.524.441

Billed

Poo



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 14, 1979

MEMORANDUM

TO: CHARLES STEELE

THROUGH: ORLANDO B. POTTER
STAFF DIRECTOR *OBP:*

FROM: BOB COSTA *BC*

SUBJECT: AUDIT OF MCCARTHY '76 CA

Attached is a copy of the letter of audit findings and recommendations which resulted from the audit of the McCarthy '76 CA ("the Committee"). The letter was mailed to the Committee on September 11, 1979, requiring a response within 30 days of receipt.

The Post Office notified the treasurer on September 14th and 19th that it was in receipt of a certified document. In a phone conversation, on October 9, 1979, the treasurer acknowledged that she received a final notice from the Post Office to pick up the document, but she had not done so. The treasurer was advised that the Committee's response would be due on November 5, 1979, and a copy of the original audit letter of findings and recommendations would be sent to her via regular mail.

The Audit staff has made numerous unsuccessful attempts to contact the treasurer by phone, always leaving recorded messages for the treasurer to contact the staff. However, the treasurer has not returned our calls and, as of this date, has not complied with our recommendations. 1/ Therefore, this matter is being referred to your office for further consideration.

1/ On November 9, a staff member contacted the treasurer concerning the Committee's response to the audit letter. After the staff member identified himself, the treasurer made no response and hung up the telephone.

Attachment as stated

Handwritten mark



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

September 11, 1979

Ms. Barbara Barron, Treasurer
McCarthy '76 CA
711 E. Elmwood Avenue
Burbank, California 91501

Dear Ms. Barron:

The attached is to formally advise you of the findings and recommendations of the Audit staff resulting from the audit of the McCarthy '76 CA (the Committee). These matters were discussed with you at the conclusion of the fieldwork in Glendale, California on July 11, 1979.

You are requested to comply with the stated recommendations within 30 days of receipt of this letter. After expiration of the 30 day period and receipt of your response, the Audit staff will present a final audit report to the Commission for approval and subsequent public release. Efforts to comply with the recommendations will be noted in the report when presented.

Should you not respond adequately to these recommendations within the time specified above, in accordance with Commission policy, the matter will be referred to the Commission's Office of General Counsel with a recommendation that an order or subpoena be prepared requiring compliance with the staff recommendations.

If you have any questions regarding these matters, please do not hesitate to contact Mr. Raymond Lisi or Mr. Thomas Nurthen at (202) 523-4155 or toll free at (800) 424-9530.

Sincerely,

Robert J. Costa
Assistant Staff Director
for the Audit Division

Attachment as stated

CERTIFIED MAIL:
RETURN RECEIPT REQUESTED



cc: Senator Eugene J. McCarthy
Mary Mehan

Findings and Recommendations

A. Disclosure of Contributions

Section 434(b) (2) (3) and (7) of Title 2 of the United States Code state, in part, that each report shall disclose the full name and mailing address (occupation and the principal place of business, if any) of each person who has made one or more contributions to such committee within the calendar year in an aggregate amount or value in excess of \$100, together with the amount and date of such contributions. The report should also include the total sum of individual contributions made to or for such committee or candidate during the reporting period and refunds or other receipts in excess of \$100 not otherwise listed under paragraph (2).

It was determined that the Committee did not report approximately 73 contributions, totaling \$2,753.23. This represents 13.5% of the dollar value of individual contributions received. Additionally, the Committee did not report the receipt of nine (9) refunds totaling \$2,840.25. This represents 90% of the number and 97% of the dollar value of refunds received. Six (6) of the refunds totaling 2,729.51, were in excess of \$100 and required itemization.

The treasurer agreed to file an amended report properly disclosing the contributions.

Recommendation

The Audit staff recommends that the Committee file an amended report disclosing the contributions as required within 30 days of receipt of this letter.

B. Disclosure of Expenditures

Section 434(b) (9) and (11) of Title 2 of the United States Code state, in part, that each report shall disclose the identification of each person to whom expenditures have been made by such committee within the calendar year in an aggregate amount or value in excess of \$100, together with the amount, date, and purpose of each expenditure and; the total sum of expenditures made by such committee or candidate during the calendar year.

Our review of the expenditures records disclosed that the Committee did not report 67 expenditures totaling \$4,759.41, representing 19.4% of expenditures made by the Committee. Nine (9) of the expenditures totaling \$3,193.89, were in excess of or aggregated in excess of \$100 and required itemization. This represents 10.3% of the number and 20.4% of the dollar of expenditure requiring itemization.

When informed, the treasurer agreed to file amended reports.

Recommendation

It is the recommendation of the Audit staff that the Committee file the necessary amendments to properly disclose the expenditures, within 30 days of receipt of this letter.

C. Disclosure of Transfers

Section 434(b)(4) of Title 2 of the United States Code states, in part that each report shall contain the name and address of each political committee from which the reporting committee received any transfer of funds, together with the amounts and dates of all transfers.

Our review of contributor records and reports revealed that the Committee did not report two (2) transfers totaling \$1,300. The transfers represent approximately 15.4% of the number and 11.4% of the total dollar value of transfers received by the Committee.

The treasurer agreed to file an amended report disclosing the transfers.

Recommendation

The Audit staff recommends the Committee amend its reports to disclose the transfers within 30 days of receipt of this letter.

D. Disclosure of Debts and Obligations

Section 434(b)(12) of Title 2 of the United States Code requires the disclosure in a continuous manner of debts and obligations owed by or to the Committee until such debts and obligations are extinguished, together with the circumstances and conditions under which any such debt is extinguished and the consideration therefor.

During the course of the audit, it was determined that the Committee failed to report the final disposition of two (2) outstanding debts prior to the Committee's termination. The debts totaled \$626.17 and represented unreimbursed campaign expenditures to two (2) individuals (one (1) being the treasurer).

The treasurer stated that the two (2) outstanding debts were forgiven.

Recommendation

The Audit staff recommends that the Committee file an amendment, disclosing the disposition of the debts and the in-kind contributions resulting from the debts being forgiven within 30 days of receipt of this letter.



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

October 11, 1979

MEMORANDUM:

TO: BILL OLDAKER

THROUGH: ORLANDO B. POTTER *OB.P.*
STAFF DIRECTOR

FROM: *RC* BOB COSTA/RAY LISI *R/L*

SUBJECT: McCARTHY '76 STATE COMMITTEE AUDITS

In January 1979, the Commission approved the audit staff's recommendation that 12 of 34 authorized state committees affiliated with the Committee for a Constitutional Presidency/McCarthy '76 (CCP/McCarthy '76) be audited.

In a memorandum to the Office of General Counsel (OGC) dated August 28, 1979, the Audit Division recommended that the audits of four (4) State committees be cancelled. On September 13, 1979, the OGC concurred with the staff's recommendation. The committees involved were: McCarthy '76 Massachusetts, McCarthy '76 Minnesota, McCarthy '76 New York 6th Congressional District and McCarthy '76 Oklahoma.

The following is an update of the current status and/or recommendations for the remaining eight (8) audits:

McCarthy '76 Michigan (Detroit Area) - Final report issued to the Committee on September 10, 1979.

Write-In McCarthy '76 Committee - Final report issued to the Committee on September 10, 1979.

McCarthy '76 Michigan (Lansing Area) - Letter of audit findings and recommendations issued August 28, 1979. The Committee is due to respond on October 30, 1979. 1/

1/ Initial response date was 9-30-79, however, upon the Committee's request a 30 day extension was granted.



McCarthy '76 CA - Letter of audit findings and recommendations issued September 11, 1979. The Committee is due to respond on November 5, 1979.

McCarthy '76 Wisconsin 8th C.D. - This committee was recommended for audit because it did not disclose receiving a transfer (\$175.00) from CCP/McCarthy '76. The Committee reported receipts totaling \$1,085.00. The audit was originally scheduled to begin on August 29, 1979, however, the treasurer asked that it be rescheduled since he would be out of town. As of this date, the audit has not been rescheduled.

Based on the insignificant findings uncovered during the completed audits and since the Committee was not mentioned in MUR 485 and the Committee reported only \$1,085.00 in receipts, the Audit staff recommends that this audit not be rescheduled but cancelled.

McCarthy '76 Illinois Steering Committee - This Committee was recommended for audit because it was one (1) of the four (4) largest affiliated state committees. The Committee reported total receipts of \$22,564.00.

The Audit staff has been unsuccessful in scheduling the audit. The initial audit notification letter, mailed on June 29, 1979, was returned. The Treasurer's current address was obtained and the notification letter was received by the treasurer on July 13, 1979. However, several attempts to contact the treasurer by phone have been unsuccessful. Therefore, on August 15, 1979, the treasurer was again notified by letter that we would like to begin the audit on August 30, 1979, and that he should contact a staff member to confirm the commencement date of the audit. The letter has been returned, as it was unclaimed by the treasurer.

Based on the unsuccessful attempts to contact the treasurer, the insignificant findings uncovered during the completed audits, and since the Committee was not mentioned in MUR 485, we recommend that this audit be cancelled.

McCarthy '76 Wisconsin 2nd District Committee - This Committee was mentioned in MUR 485 and, therefore, recommended for audit. On August 23, 1979, the Audit Division notified the treasurer by letter that the committee had been selected for audit. In a subsequent phone conversation, the treasurer requested that a copy of the FECA and a copy of the Audit Policy be sent to him, before he would agree to an audit. These documents were mailed to the treasurer on August 30, 1979.

On September 17, 1979, the treasurer notified the Audit Division by letter (See Attachment I) that he was unwilling to consent to an audit.

Based on the above, additional efforts have not been made to schedule the audit. Therefore, this matter is being referred to your office for appropriate action.

McCarthy '76 California 5th Congressional District - This Committee was recommended for audit because it did not disclose receiving approximately \$11,500 in transfers from CCP/McCarthy '76. The Committee reported \$4,034 in receipts and \$2,646.26 in expenditures. We have not been able to contact the treasurer of the Committee, however, the Treasurer of CCP/McCarthy '76 has provided the staff with some of the Committee's cancelled checks (totaling \$12,704.83), and an individual employed by the Committee has been attempting to obtain from the bank copies of the Committee's bank statements. This individual has stated that he does not know if any other Committee records exist.

Based on the obvious reporting problems, the apparent lack of records and the inability to contact the Committee officials, this matter is being referred to your office for appropriate action.

If you have any questions regarding these matters, please do not hesitate to contact Ray Lisi or Tom Nurthen on extension 3-4155.

Attachments as stated

S: 4113

September 12, 1979

Costa:

Messrs. Nuy inform you that, at least for the time being, I am writing you an invitation to an audit of the various papers of the Cousin 2nd District Committee.

I am writing you an invitation to an audit of the various papers of the Cousin 2nd District Committee. I must reject your place, late Summer & early Autumn is always the busiest time needed for my business activities. To devote the considerable time needed for this audit would prove an unacceptable burden for me.

Beyond the temporal restraints on auditing, I must also have considered several areas of concern before I shall consent to this you are.

I have twice asked for answers to the following:

- A. Why do you wish to conduct this audit?
- B. What, if anything, has our campaign been accused of?
- C. What does the audit consist of? Am I to be under oath?
- D. What possible punishments do I face for offenses I may have unknowingly committed 3 or 4 years ago?

You have refused to answer these questions. I conclude that you are asking me to voluntarily waive my freedom from self-incrimination without telling me what offenses are being searched for. Until I know exactly what I'm letting myself in for I can't allow an audit that for all I know may be nothing more than a fishing expedition.

II. When I last spoke with Thomas Nurthen, I asked him about the unknown acceptance of illegal contributions. He replied that "you would be asked to pay them back." If the "you" means the McCarthy Committee, that would be an impossibility since the group has disbanded, and its members have dispersed around the country. If the "you" means me, then I see a predicament. Assuming I have the money to pay back such contributions, then might I not break the \$1000.00 limit myself and thus commit one crime to rectify another? Is this not a Catch-22 from which I might never be able to extricate myself?

III. Shortly before I first heard from you regarding the proposed audit, I wrote and had published in a local daily paper (Madison Press Connection) an article highly critical of the FEC. In earlier years (particularly in the "solicitation materials, brochures and other publications" you've requested) I've been highly critical of the FEC; such criticism has also been attached to reports I sent you and were quoted in part by Eugene McCarthy in an article highly critical of the FEC. Indeed, McCarthy—as you well know—is so highly critical of the FEC that he is planning another massive legal assault on the legitimacy of the FECA and the FEC. And now, the statute of limitations is almost up for 1976 "offenses."

Well, I may not be a lawyer or a private detective, but I know whereof I speak when I say that it's all just a little bit FISHY!! Do you have a justifiable reason for auditing me, or is this just part of a harassment campaign against your strongest critics? Is our committee suspected of being part of election law violations, or is the proposed audit merely an opportunity for you folks to get in your last licks on Eugene McCarthy and those who had the audacity to support him in 1976??? Until I am satisfied that your proposed audit is more than just a form of political vindictiveness, I shall not take part.

y

d

defunct)

September 12, 1979

Messrs. Nurthen & Costa:

I am writing to inform you that, at least for the time being, I must reject your invitation to an audit of the various papers of the McCarthy '76, Wisconsin 2nd District Committee.

In the first place, late Summer & early Autumn is always the busiest time of year for my business activities. To devote the considerable time needed for this audit would prove an unacceptable financial burden for me.

But beyond the temporal restraints on auditing, I must also have you address several areas of concern before I shall consent to this procedure.

I. I have twice asked for answers to the following:

- A. Why do you wish to conduct this audit?
- B. What, if anything, has our campaign been accused of?
- C. What does the audit consist of? Am I to be under oath?
- D. What possible punishments do I face for offenses I may have unknowingly committed 3 or 4 years ago?

You have refused to answer these questions. I conclude that you are asking me to voluntarily waive my freedom from self-incrimination without telling me what offenses are being searched for. Until I know exactly what I'm letting myself in for I can't allow an audit that for all I know may be nothing more than a fishing expedition.

II. When I last spoke with Thomas Nurthen, I asked him about the unknowing acceptance of illegal contributions. He replied that "you would be asked to pay them back." If the "you" means the McCarthy Committee, that would be an impossibility since the group has disbanded, and its members have dispersed around the country. If the "you" means me, then I see a predicament. Assuming I have the money to pay back such contributions, then might I not break the \$1000.00 limit myself and thus commit one crime to rectify another? Is this not a Catch-22 from which I might never be able to extricate myself?

III. Shortly before I first heard from you regarding the proposed audit, I wrote and had published in a local daily paper (Madison Press Connection) an article highly critical of the FEC. In earlier years (particularly in the "solicitation materials, brochures and other publications" you've requested) I've been highly critical of the FEC; such criticism has also been attached to reports I sent you and were quoted in part by Eugene McCarthy in an article highly critical of the FEC. Indeed, McCarthy—as you well know—is so highly critical of the FEC that he is planning another massive legal assault on the legitimacy of the FECA and the FEC. And now, the statute of limitations is almost up for 1976 "offenses."

Well, I may not be a lawyer or a private detective, but I know whereof I speak when I say that it's all just a little bit FISHY!! Do you have a justifiable reason for auditing me, or is this just part of a harassment campaign against your strongest critics? Is our committee suspected of being part of election ~~act~~ violations, or is the proposed audit merely an opportunity for you folks to get in your last licks on Eugene McCarthy and those who had the audacity to support him in 1976??? Until I am satisfied that your proposed audit is more than just a form of political vindictiveness, I shall not take part.

I do not deny your basic legal right to audit financial records of Federal campaigns ("brochures and other publications" are something else, of course). But although I can't afford the advice of an expensive elections lawyer, I suspect that you lack an absolute right to audit. If there is no fair reason for the audit, if it's merely a form of harassment or revenge, if it's conducted in an arbitrary and capricious manner, then I strongly doubt that you can audit indiscriminately.

So, until I'm assured that there's a valid reason for your audit request, and until I'm given an explanation of what I'm letting myself in for by participating, there will be no records, etc. submitted by yours truly.

Very Sincerely,

Andy Boehm

Andy Boehm

EX-Treasurer,

McCarthy '76, Wisconsin 2nd District (now defunct)

cc; Ms. Mary Meehan
Eugene McCarthy
Madison Press Connection

rec'd OGC
9-27-78



FEDERAL ELECTION COMMISSION

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

September 25, 1978

MEMORANDUM

TO : BILL OLDAKER

THROUGH : ORLANDO B. POTTER
STAFF DIRECTOR

FROM : *RPC* BOB COSTA/RAY *OPB*
Lisi

SUBJECT : AUDITS OF THE COMMITTEE FOR A CONSTITUTIONAL
PRESIDENCY AND McCARTHY '76 COMMITTEE

Enclosed are copies of the proposed letters notifying the McCarthy Committees of the forthcoming audits. Per the request of Biz Van Gelder, reference to Section 437(g) of Title 2 has been incorporated into the letter. This addition represents the only change from the standard audit letter sent to committees selected for audit.

Please let us know if you have any problems with this as soon as possible. If you have any questions, please contact Ray Lisi on extension 3-4155.

Enclosures





FEDERAL ELECTION COMMISSION

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

Mr. George R. Laney, Treasurer
McCarthy '76
1420 N Street, N.W.
Washington, D.C. 20005

Dear Mr. Laney:

The Commission wishes to advise you that the McCarthy '76 Committee and its affiliated committees have been selected for audit pursuant to the Commission's Audit policy, and in order to assist in the resolutions of MUR's 421 and 485. The audit will be conducted under the authority of Section 438 (a) (8) and 437(g) of Title 2 of the United States Code and will cover the period January 1, 1975 through the last report filed by the Committee.

A member of the Commission audit staff will contact you within a few days by telephone to agree upon a date to begin the audit. If your Committee should be unable to provide convenient work space for three auditors, the staff person will arrange for adequate work space at Commission expense. All financial records, including bank statements, together with deposit slips and cancelled checks, contribution records, invoices or receipted bills, journals and/or ledgers maintained by the Committee, as well as the Committee's solicitation materials, brochures and other publications should be available for inspection when the audit begins.

Should you have any questions concerning any of the matters discussed above, please do not hesitate to contact Mr. Raymond Lisi or Mr. Thomas Nurthen at (202) 523-4155.

Sincerely,

Robert Costa
Assistant Staff Director
for the Audit Division

CERTIFIED MAIL
RETURN RECEIPT REQUESTED





FEDERAL ELECTION COMMISSION

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

Ms. Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
1420 N Street, N.W.
Washington, D. C. 20005

Dear Ms. Meehan:

The Commission wishes to advise you that the Committee for a Constitutional Presidency and its affiliated committees have been selected for audit pursuant to the Commission's Audit policy, and in order to assist in the resolution of MUR's 421 and 485. The audit will be conducted under the authority of Section 438(a)(8) and 437(g) of Title 2 of the United States Code and will cover the period January 1, 1975 through the last report filed by the Committee.

A member of the Commission audit staff will contact you within a few days by telephone to agree upon a date to begin the audit. If your Committee should be unable to provide convenient work space for three auditors, the staff person will arrange for adequate work space at Commission expense. All financial records, including bank statements, together with deposit slips and cancelled checks, contribution records, invoices or receipted bills, journals and/or ledgers maintained by the Committee, as well as the Committee's solicitation materials, brochures and other publications should be available for inspection when the audit begins.

Should you have any questions concerning any of the matters discussed above, please do not hesitate to contact Mr. Raymond Lisi or Mr. Thomas Nurthen at (202) 523-4155.

Sincerely,

Robert Costa
Assistant Staff Director
for the Audit Division

CERTIFIED MAIL
RETURN RECEIPT REQUESTED





FEDERAL ELECTION COMMISSION

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

September 21, 1978

Memorandum to:
Through:
From:
Re:

Bob Costa
Orlando Potter
William Oldaker
McCarthy Audit

A handwritten signature in cursive script, appearing to be "B. Costa", written over the typed name "Bob Costa".

Pursuant to the Commission action
taken on September 20, 1978, I am referring
MURS 421 and 485 to the audit division.



FEDERAL ELECTION COMMISSION

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

September 20, 1978

Memorandum To: Marjorie Emmons

From: William C. Oldaker *WCO*

Re: MUR 421

Date: September 20, 1978

As recommended by Commissioner Springer today, the attached is a replacement for the final page of the General Counsel's Report for MUR 421. The only change has been the deletion of the paragraph discussed in today's Commission meeting.

September 20, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 421 - Revised Page

Attached is the revised last page of the General
Counsel's Report on MUR 421 for distribution.

Thank you.

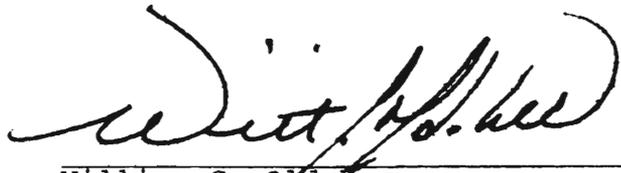
In addition, there would be factual problems which would arise in litigation of this issue. At the time the compliance action was initiated there were 34 authorized committees, each with its own treasurer. Each entity filed its disclosure reports separately from McCarthy '76 and the Commission always accepted the reports directly from the authorized committees rather than requiring submission through the principal campaign committee. There are now seven affiliated committees left, the remainder having terminated with Commission approval.

V. RECOMMENDATION

Accordingly, the Office of General Counsel recommends that the Commission authorize a full audit of both CCP and McCarthy '76.

Date

9/18/78



William C. Oydaker
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Committee for a Constitutional) MUR 421 (76)
Presidency)
)
McCarthy '76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that the Commission determined by a vote of 6-0 on September 20, 1978 to authorize a full audit of both the Committee for a Constitutional Presidency and McCarthy '76.

Attest:

9/20/78
Date

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

BEFORE THE FEDERAL ELECTION COMMISSION
August 25, 1978

IN THE MATTER OF:)
)
COMMITTEE FOR A CONSTITUTIONAL) MUR 421(76)
PRESIDENCY)
)
McCARTHY '76)

GENERAL COUNSEL'S REPORT

I. SUMMARY

This matter arose upon review of reports of receipts and expenditures of candidate authorization statements by the Disclosure Division. The matter was referred to the Office of General Counsel after a finding of reasonable cause to believe that the above-mentioned committees violated the provisions of 2 U.S.C.432(e) by failing to file consolidated reports on form 3b with respect to authorized committees.

On August 25, 1977, the Commission determined that there was probable cause to believe that McCarthy '76 had violated 2 U.S.C. 432(e)(3) by failing to file "at the very least a consolidated 1976 year-end report and a 1977 first quarter report..." (General Counsel's Report 8/18/77).

On October 6, 1977, the Commission deferred the institution of suit upon representations of respondents that they were trying to achieve substantial compliance with the Act (Interim Report 9/29/77).

Since that time however, action by the

Commission and the McCarthy '76 committee warrant a reevaluation of the statutory premise which underlies the Commission decision.

II. STATUTORY FRAMEWORK

The applicable statutory provisions in this matter are 2 U.S.C. § 432(e)(2) &(3) which directs the authorized committees to file their reports with the principal campaign committee ("pcc") and further states that the pcc should receive and file consolidated reports. This section implies that the pcc has the primary duty to get information from the authorized committees, since there would be no other way for them to comply with certain of the Act's requirements, e.g., identify persons who may have contributed over \$100 for the purpose of itemizing pursuant to 434(b); or insuring that individuals do not exceed the contribution limitations by contributing to more than one authorized committee.

However, nowhere in the Act or regulations is there an explicit requirement that a principal campaign committee actively solicit the information from all authorized committees in order to file consolidated reports. It may be equally implied that the authorized committee has the burden of forwarding the information and the sole duty of the pcc is to "receive, compile, and file" the forwarded information. In fact, the Commission has taken an approach closer to the later view in the Harris Audit Report.

III. THE HARRIS AUDIT REPORT

In the analysis of the Harris audit, the Commission accepted the audit recommendation that the national committee's failure to itemize all contributors who gave over \$100 on account of its failure to get necessary information from all authorized committees should be deemed acceptable since it apparently tried unsuccessfully to do so. The legal analysis of that report noted that "consideration should be given (to) an amendment of the regulations to require the centralization of financial recordkeeping with the principal campaign committee." (Memorandum from Oldaker to Costa, 1/24/78). Indeed, it was noted that the Commission is not totally without redress in this situation as it could still go after the authorized committee as they did with MUR 452 (Harris).

IV. SUBSEQUENT ACTIONS BY MCCARTHY

After its determination of probable cause, the Commission offered McCarthy '76 an opportunity to "outline in writing the extent of the problems encountered in obtaining the necessary information and (to) propose a deadline for compliance. " (Interim Report, 9/29/77). At that time, the Commission requested that McCarthy '76 file "at the very least a consolidated 1976 year-end report and a 1977 first quarter report..." (Id).

On September 16, 1977, McCarthy '76 filed an amended

consolidated report of receipts and expenditures for the year-end 1976 and a 3b report for the April and July quarterlies. (Tab A-D). The remaining quarterly reports have been via 3a postcards.

V. ANALYSIS

It may be argued, on the basis of the Harris Audit analysis, that in the absence of specific statutory language, the imposition of any additional burden on the pcc to consolidate reports is a matter for regulation rather than adjudication. Moreover, it was made clear by the treasurers of these committees that, should the Commission institute suit in this matter, the question of the duty of the principal campaign committee to secure the information will be raised as a defense. An additional defense available to the committees is premised upon 2 U.S.C. §434(b)(14) which states that when committee treasurers and candidates show that best efforts have been used to obtain and submit the information required by this sub-section they shall be deemed to be in compliance. See also 11 C.F.R. §§102.9(e), 104.1(c)(4) and 104.2(c)(1). It may be argued that McCarthy's amended consolidated reports represent the best efforts of their committee to achieve voluntary compliance with the Act.

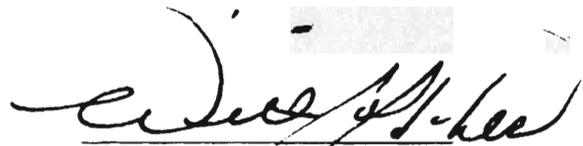
In addition, there would be factual problems which would arise in litigation of this issue. At the time the compliance action was initiated there were 34 authorized committees, each with its own treasurer. Each entity filed its disclosure reports separately from McCarthy '76 and the Commission always accepted the reports directly from the authorized committees rather than requiring submission through the principal campaign committee. There are now seven affiliated committees left, the remainder having terminated with Commission approval.

V. RECOMMENDATION

Any litigation of this matter would be complex and prolonged. If consolidated disclosure is the final result, that could be achieved more readily through the McCarthy audit. Of course any request for information from McCarthy may involve the use of compulsory process, but, at least the issue in a subpoena enforcement case would be more straightforward than an action to enforce 2 U.S.C. 432(e)(3). Accordingly, the Office of General Counsel recommends that the Commission

Authorize a full audit of both CCP and McCarthy '76.

9/15/78
Date


William C. Oldaker
General Counsel

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

2b.
976
Election Commission
A Street, N.W.
Washington, D.C. 20463

Name of Principal Campaign Committee

Report Covering Period
From: To:

116030412822

Committee Name		(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliated comm.
A	MA		77000			
B	MA	112000				
C	MA		112000			
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					
(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number 23(b) Total transfer out to other comm.
	77000	172000				
	112000	112000				
A						
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M						
N						
(m) Line Number 24 Total expenditures (Total columns (h) through (l))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)		
172000	112000			Receipts and expenditures, net of transfers to and from affiliated committees:		
				1 Total receipts (from column (g)) \$		
				2 Less total transfers in (from column (e)) \$		
				3 Net receipts \$		
				4 Total expenditures (from col. (m)) \$		
				5 Less total transfers out (from column (k)) \$		
				6 Net expenditures \$		
				Expenditures subject to limitation summary:		
				7 Total operating expenses (from column (h)) \$		
				8 Less total refunds and rebates (from column (d)) \$		
				9 Total expenditures subject to limitation \$		

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: To:

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc	(e) Line Number Total trans from affilia comm.	
A							
B							
C							
D		366.12*	3277.60*	2005.75*		500	
E							
F							
G							
H							
I							
J							
K							
L							
M	Column Total this Page						
N	Column Total Last Page Only						
	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total trans to other co
A							
B							
C							
D		6583.11*	6508.77*				
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							
(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)			
				Receipts and expenditures, net of transfers to and from affiliated committees:			
				1 Total receipts (from column (g)) \$			
				2 Less total transfers in (from column (e)) \$			
				3 Net receipts \$			
				4 Total expenditures (from col. (m)) \$			
				5 Less total transfers out (from column (k)) \$			
				6 Net expenditures \$			
				Expenditures subject to limitation summary:			
				7 Total operating expenses (from column (h)) \$			
				8 Less total refunds and rebates (from column (d)) \$			
				9 Total expenditures subject to limitation \$			

76030442823

3b
1976

Federal Election Commission
1100 K Street, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee
75

Report Covering Period
From: *7/1/76* To: *12/31/76*

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfer from affiliate comm.
A	<i>MA</i>	<i>271.36</i>	<i>37.00</i>			
B	<i>NY</i>					
C	<i>MA</i>	<i>240.76</i>	<i>137.00</i>			<i>200.00</i>
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total transfer to other com.
A		<i>416.00</i>	<i>416.00</i>				
B		<i>172.36</i>	<i>172.36</i>				
C		<i>337.00</i>	<i>115.88</i>				
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							

	(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)
A	<i>416.00</i>	<i>172.36</i>			Receipts and expenditures, net of transfers to and from affiliated committees:
B	<i>172.36</i>	<i>172.36</i>			1 Total receipts (from column (g)) \$
C	<i>115.88</i>	<i>161.88</i>			2 Less total transfers in (from column (a)) \$
D					3 Net receipts \$
E					4 Total expenditures (from col. (m)) \$
F					5 Less total transfers out (from column (k)) \$
G					6 Net expenditures \$
H					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
I					7 Total operating expenses (from column (h)) \$
J					8 Less total refunds and rebates (from column (d)) \$
K					9 Total expenditures subject to limitation \$
L					
M					
N					

76030442824

Form 3b
1976

Federal Election Commission
1100 K Street, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: 7-1-76 to 8-31-76

76030442825

	Committee Name		(a)	(b)	(c)	(d)	(e)
			Line Number 7 Cash on hand at beginning of period	Line Number 15 Total Contributions	Line Number 16 Total loans, loan repayments	Line Number 17 Total Refunds Rebates, etc.	Line Number Total trans- fers from affilia- comm
A	76 11A		16,100	12,796			
B							
C							
D							
E							
F							
G							
H							
I							
J							
K							
L							
M	Column Total this Page						
N	Column Total Last Page Only						
	(f)	(g)	(h)	(i)	(j)	(k)	(l)
	Line Number 18(b) Total transfers from other comm.	Line Number 19 Total Receipts (Total columns (b) through (f))	Line Number 20 Total operating expenditures	Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	Line Number 22 Total fundraising expenditures	Line Number 23(a) Total transfer out to affiliated comm.	Line Number Total trans- fers to other cc
A		12,796	12,600				
B							
C							
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							
	(m)	(n)	(o)	(p)	Computation of Net Receipts and Expenditures for all Committees (last page only)		
	Line Number 24 Total expenditures (Total columns (h) through (i))	Line Number 10 Cash on hand at end of period	Line Number 25 Debts and obligations owed to comm.	Line Number 26 Debts and obligations owed by comm.	Receipts and expenditures, net of transfers to and from affiliated committees:		
A	12,600	10,900			1 Total receipts (from column (g))	\$	
B					2 Less total transfers in (from column (e))	\$	
C					3 Net receipts	\$	
D					4 Total expenditures (from col. (m))	\$	
E					5 Less total transfers out (from column (k))	\$	
F					6 Net expenditures	\$	
G					Expenditures subject to limitation summary:		
H					7 Total operating expenses (from column (h))	\$	
I					8 Less total refunds and rebates (from column (d))	\$	
J					9 Total expenditures subject to limitation	\$	
K							
L							
M							
N							

3b
1976

Federal Election Commission
1100 K Street, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: To:

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliated comm.
A	MA		5.00 ✓	5.00 ✓		
B	CA		100.00 ✓	100.00 ✓		
C	CA				10,000.00	
D	MA	50.90	274.41 ✓	1450.31 ✓		
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number 23(b) Total transfer to other cor
A			77.00 ✓				
B				100.00 ✓			
C		10,000.00 ✓	9879.82 ✓				
D		1724.41 ✓	1450.31 ✓				
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							

	(m) Line Number 24 Total expenditures (Total columns (h) through (l))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	77.00 ✓	4177.00 ✓			1 Total receipts (from column (g)) \$
B					2 Less total transfers in (from column (e)) \$
C	9879.82 ✓	121.19 ✓			3 Net receipts \$
D	1450.31 ✓	325.00 ✓			4 Total expenditures (from col. (m)) \$
E					5 Less total transfers out (from column (k)) \$
F					6 Net expenditures \$
G					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (n)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N					

76030442826

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Election Commission
 Street, N.W.
 Washington, D.C. 20463

Name of Principal Campaign Committee

Report Covering Period

From: 10/1/77 To: 12/31/77

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total transfer from affiliat- comm.
A	16-02	416.25	1083.92	250.00		
B	" 117		2032.92	1250.00	52.05	
C	" 110	41.79	50.00			
D	" 015	287.11	1215.50	26.50		
E	" 022	252.50	993.50			
F	" 04 cl.					
G	" 112	325.00	571.00			
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Num 24(b) Total tran- sfer out to ot- her comm.
A	233.11	147.80	1239.50		200.00			
B		4032.12	3200.50				1,000.00	
C		50.00	50.00					
D		1280.00	1280.00					
E		993.50	406.50		26.50			
F		287.11						
G		571.00	229.49					
H								
I								
J								
K								
L								
M								
N								

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	1239.50	177.25		200.00	1 Total receipts (from column (g)) \$
B	4032.12		1239.50	1238.92	2 Less total transfers in (from column (e)) \$
C	50.00				3 Net receipts \$
D	1280.00	229.49			4 Total expenditures (from col. (m)) \$
E	993.50	26.50			5 Less total transfers out (from column (k)) \$
F	287.11				6 Net expenditures \$
G	571.00				Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N					

76030412827

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Form 3b
1976
Federal Election Commission
350 K Street, N.W.
Washington, D.C. 20463

Name of Principal Campaign Committee

Report Covering Period
From: 11/1/77 To: 11/30/77

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliate comm.
A	MO	411.79	17-			
B	"	25-	109-			
C	"	20.12				
D	"					
E	"	285.00				
F	"		774.35			
G	"	88.70				
H	"	206.30	1025.00			
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm	(m) Line Num- ber 24(b) Total tran- sfer out to oth- er comm.
A		27-	72.12					
B								
C								
D								
E								
F		2114.55	655.90					
G		904.20	209.80					
H		1025.00	1159.70					
I								
J								
K								
L								
M								
N								

	(n) Line Number 25 Total expenditures (Total columns (h) through (l))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A					
B					1 Total receipts (from column (j)) \$
C					2 Less total transfers in (from column (e)) \$
D					3 Net receipts \$
E					4 Total expenditures (from col. (m)) \$
F					5 Less total transfers out (from column (k)) \$
G					6 Net expenditures \$
H					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
I					7 Total operating expenses (from column (h)) \$
J					8 Less total refunds and rebates (from column (d)) \$
K					9 Total expenditures subject to limitation \$
L					
M					
N					

76030412828

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee: **McCarthy 76**
Report Covering Period: From: **12/1/76** to: **12/31/76**

77030472100

	Committee Name		(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total trans- fers from affilia- comm.
	A	McCarthy '76 Minnesota		34.45	1,452.36	-	-
B	McCarthy '76 Massachusetts		82.87	470.35	-	-	-
C	McCarthy '76 California		-7.13	-0-	-	-	-
D							
E							
F							
G							
H							
I							
J							
K							
L							
M	Column Total this Page						
N	Column Total Last Page Only		110.19	1,922.71			
	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total transfe- rs to other co
A	-	1,452.36	1,452.90	-	-	-	-
B	-	470.35	536.72	-	-	-	-
C		XXXXXX					
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N		1,922.71	1,989.62				
	(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)		
A	1,452.90	33.91	-	-	Receipts and expenditures, net of transfers to and from affiliated committees:		
B	536.72	15.90	-	-	1 Total receipts (from column (g)) \$ 1,922.7		
C		-7.13			2 Less total transfers in (from column (e)) \$ -		
D					3 Net receipts \$ 1,922.7		
E					4 Total expenditures (from col. (m)) \$ 1,989.6		
F					5 Less total transfers out (from column (k)) \$ -		
G					6 Net expenditures \$ 1,989.6		
H					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)		
I					7 Total operating expenses (from column (h)) \$ -		
J					8 Less total refunds and rebates (from column (d)) \$ -		
K					9 Total expenditures subject to limitation \$ -		
L							
M							
N	1,989.62	110.19					

HAND DELIVERED

AMEIDED REPORT

3b

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Director Commission, Street, N.W., ngton, L.C. 20463

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From 1/1/76 To 12/31/76

Table with columns (a) through (f) for Committee Name, Line Number 7, Line Number 15, Line Number 16, Line Number 17, and Line Number 18. Rows include McCarthy '76 - Arizona, McCarthy '76 - CA (Burbank), etc.

Table with columns (f) through (m) for Line Number 18(b) through Line Number 24(b). Rows include McCarthy '76 - Arizona, McCarthy '76 - CA (Burbank), etc.

Table with columns (n) through (q) for Line Number 25, Line Number 10, Line Number 26, Line Number 27, and Computation of Net Receipts and Expenditures for all Committees.

AMENDED REPORT

Consolidation Report of Receipts and Expenditures

13b
Election Commission
4 Street, N.W.
Washington, D.C. 20463

(To Be Used By A Principal Campaign Committee)

Name of Principal Campaign Committee: **McCarthy '76**
Report Covering Period: From: **1/1/76** To: **12/31/76**

77030531535

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliate comm.
A	McCarthy '76-OH (Morain Co.)	46.26	1905.52	850.	160.81	299.4
B	McCarthy '76-PA	-0-	497.	-0-	-0-	300.
C	McCarthy '76-WI 8th CD	-0-	885.50	50.	-0-	-0-
D	McCarthy '76-National	-0-	2,901.04	-0-	-0-	1,200.
E	CCP-McCarthy '76 (thru 8/31/76 only; transfers to & from affiliated committees - and corresponding contributions only)	n.a.	30,252.46	n.a.	n.a.	4,325.
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	729.99	83,075.90	15,542.38	3,046.01	15,549.4

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Num- ber 24(b) Total trans- fer out to other comm.
A	-0-	3215.81	2317.69	-0-	650.	n.a.	93.	-0-
B	-0-	797.	694.23	-0-	-0-	n.a.	-0-	-0-
C	150.	1085.50	1085.41	-0-	-0-	n.a.	-0-	-0-
D	-0-	4101.04	2641.04	-0-	-0-	n.a.	-0-	-0-
E	n.a.	30,252.46	n.a.	-0-	n.a.	n.a.	30,252.46	n.a.
F								
G								
H								
I								
J								
K								
L								
M								
N	150.	82,196.31	72,975.20		2,249.17	n.a.	34,210.64	1,709.4

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	3110.69	151.38	-0-	200.	1 Total receipts (from column (g)) \$ 82,196.31
B	694.23	102.77	-0-	-0-	2 Less total transfers in (from column (e)) \$ 15,549.4
C	1085.41	.09	-0-	-0-	3 Net receipts \$ 71,646.8
D	2641.04	1460.	-0-	5,703.12	4 Total expenditures (from column (h)) \$ 116,144.5
E	30,252.46	n.a.	n.a.	n.a.	5 Less total transfers out (from column (l)) \$ 34,210.6
F					6 Net expenditures \$ 81,933.5
G					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N	116,144.21	2,093.20	415.25	7,621.46	
					9.15.77

AD DELIVERED

Consolidation Report of Receipts and Expenditures

Commission N.W. D.C. 20463

(To Be Used By A Principal Campaign Committee)

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From 1/1/77 To 3/31/77

Table with 6 columns: Committee Name, Line Number 7 Cash on hand at beginning of period, Line Number 15 Total Contributions, Line Number 16 Total loans, loan repayments, Line Number 17 Total Refunds Rebates, etc., Line Number 18(a) Total transfers from affiliated comm.

Summary row for Column Total this Page and Column Total Last Page Only.

Table with 8 columns: Line Number 18(b) Total transfers from other comm., Line Number 19 Total Receipts, Line Number 20 Total operating expenditures, Line Number 21 Independent Expenditures, Line Number 22 Loans, Loan Repayments, & Contribution Refunds, Line Number 23 Total fundraising expenditures, Line Number 24(a) Total transfer out to affiliated comm., Line Number 24(b) Total transfer out to other comm.

Table for Computation of Net Receipts and Expenditures for all Committees, including columns for Line Number 25 Total expenditures, Line Number 10 Cash on hand at end of period, Line Number 26 Debts and obligations owed to comm., Line Number 27 Debts and obligations owed by comm., and a detailed breakdown of receipts and expenditures.

3b HAND DELIVERED

Consolidation Report of Receipts and Expenditures

Election Commission
Street, N.W.
Washington, D.C. 20463

(To Be Used By A Principal Campaign Committee)

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From 4/1/77 To 6/30/77

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 8 Total Contributions	(c) Line Number 9 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total transfers from affiliated comm.
A	McCarthy '76 - MA	15.90	-0-	-0-	-0-	-0-
B	McCarthy '76 - National	1194.46	621.	-0-	-0-	434.9
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	1,210.36	621.	-0-	-0-	434.9

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Number 24(b) Total trans- fer out to other comm.
A	-0-	-0-	2.95	-0-	-0-	n.a.	12.95	-0-
B	-0-	1,055.95	2,073.10	-0-	-0-	n.a.	-0-	-0-
C								
D								
E								
F								
G								
H								
I								
J								
K								
L								
M								
N	-0-	1,055.95	2,076.05	-0-	-0-	n.a.	12.95	-0-

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	15.90	-0-	-0-	-0-	1 Total receipts (from column (g)) \$ 1,055.95
B	2,073.10	177.31	-0-	265.87	2 Less total transfers in (from column (e)) \$ 434.9
C					3 Net receipts \$ 621.0
D					4 Total expenditures (from column (h)) \$ 2,089.0
E					5 Less total transfers out (from column (l)) \$ 12.9
F					6 Net expenditures \$ 2,076.0
G					Expenditures subject to limitation summary: (Presidential Campaigns Raising Federal Funds)
H					7 Less operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N	2,089.00	177.31	-0-	265.87	

George J. ... 9.15.77

77030581559



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

MEMORANDUM

DATE: JUNE 12, 1978

TO: WILLIAM OLDAKER/BIZ VAN GELDER/OGC

THROUGH: ORLANDO B. POTTER *OBP*

FROM: TOM HASELHORST *TJH*

SUBJECT: MJR 421 - CONSOLIDATED REPORTS OF RECEIPTS AND EXPENDITURES FOR McCARTHY '76

This memorandum is in response to a telephone request by Biz Van Gelder on June 1, 1978.

As required by 2 U.S.C. 423(e) (3), FEC form 3b must be filed with every report of expenditures of a principal campaign committee if the candidate has authorized committees other than his principal campaign committee to receive contributions and make expenditures on his behalf.





FEDERAL ELECTION COMMISSION

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

MEMORANDUM

DATE: JUNE 9, 1978

FROM: LUCIA SAFRAN

SUBJECT: STATUS OF THE MCCARTHY '76 COMMITTEE'S FILING OF CONSOLIDATED REPORTS (3b)

YEAR END, 1976

On September 16, 1978 McCarthy '76 Committee filed an amended consolidated report of receipts and expenditures for the Year End, 1976. At that time there were twenty-eight committees that should have been reported. See tabs A and B.

April 10 Quarterly, 1977

The April 10 Quarterly, 1977, 3b report was filed on September 16, 1978. This report included seven authorized committees, one less than the Year End '76 due to a termination. See tab C.

July 10 Quarterly, 1977

The July 10 Quarterly, 1977 3b report was filed on September 16, 1978 only one authorized committee was reported. This report should have been filed for twenty authorized committees. See tab D.

In a letter to the Commission, McCarthy '76 stated that it would file a FEC 3b form by October, 1977 for these ten committees:

McCarthy '76	California	McCarthy '76	Wisconsin
McCarthy '76	Colorado	Students for McCarthy - PSGU	
McCarthy '76	Iowa 4th		
McCarthy '76	Maryland 8th		
McCarthy '76	Minnesota		
McCarthy '76	Missouri (Kansas City)		
McCarthy '76	Ohio		
McCarthy '76	Oregon		



2b.

1976

Election Commission
4500 Reservoir Road, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period

From To

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliated committees
A	MA	11,501	112,000			
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						

M Column Total this Page

N Column Total Last Page Only

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number 23(b) Total transfer out to other comm.
A							
B							
C							
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							

	(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)
A					Receipts and expenditures, net of transfers to and from affiliated committees:
B					1 Total receipts (from column (g)) \$
C					2 Less total transfers in (from column (e)) \$
D					3 Net receipts \$
E					4 Total expenditures (from col. (m)) \$
F					5 Less total transfers out (from column (k)) \$
G					6 Net expenditures \$
H					Expenditures subject to limitation summary:
I					7 Total operating expenses (from column (h)) \$
J					8 Less total refunds and rebates (from column (d)) \$
K					9 Total expenditures subject to limitation \$
L					
M					
N					

171600304128272

MEMORANDUM
JUNE 9, 1978
PAGE 2

Of these ten, only two - McCarthy'76 California and McCarthy'76 Missouri (Kansas City) were included on the 3b filed for the amended Year End report. None of the above ten committees were reported on the April 10 or July 10 Quarterly reports for 1977. To date, there are twenty-one authorized committees that have been terminated, leaving seven with activity to be reported.

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From To

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc	(e) Line Number Total trans- fers from affil- iated comm.
A						
B			✓ 1000.00 ✓			
C			✓ 356.12 ✓			
D	KA	356.12	356.12	2000.00		
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total trans- fers to other co
A							
B							
C		✓ 1000.00 ✓	✓ 356.12 ✓				
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							

	(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A					1 Total receipts (from column (g)) \$
B		✓	✓		2 Less total transfers in (from column (e)) \$
C			?		3 Net receipts \$
D		✓			4 Total expenditures (from col. (m)) \$
E					5 Less total transfers out (from column (k)) \$
F					6 Net expenditures \$
G					Expenditures subject to limitation summary:
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N					

76030442823

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: To:

Committee Name		(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliated comm.	
A	10766 NY	217.76 ✓	137 ✓				
B	" " NY						
C	" " MA	240.76 ✓	137 ✓			200 ✓	
D							
E							
F							
G							
H							
I							
J							
K							
L							
M	Column Total this Page						
N	Column Total Last Page Only						
(f) Line Number 18(b) Total transfers from other comm.		(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number 23(b) Total transfer to other comm.
A		200 ✓	115.88 ✓				
B							
C							
D							
E							
F							
G							
H							
I							
J							
K							
L							
M							
N							
(m) Line Number 24 Total expenditures (Total columns (h) through (l))		(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)		
A	415.88 ✓	115.88 ✓			Receipts and expenditures, net of transfers to and from affiliated committees:		
B					1 Total receipts (from column (g)) \$		
C					2 Less total transfers in (from column (e)) \$		
D					3 Net receipts \$		
E					4 Total expenditures (from col. (m)) \$		
F					5 Less total transfers out (from column (k)) \$		
G					6 Net expenditures \$		
H					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)		
I					7 Total operating expenses (from column (h)) \$		
J					8 Less total refunds and rebates (from column (d)) \$		
K					9 Total expenditures subject to limitation \$		
L							
M							
N							

736030442824

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period
From: 7/1/76 To: 7/31/76

3 7 6 0 3 0 4 4 2 8 2 5

Committee Name		(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc	(e) Line Number Total trans from affilia comm
A	15 HA	16,000	7,700			
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					
(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm	(l) Line Number Total trans to other cc
A		18,700	18,700			
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M						
N						
(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)		
A	18,700	30,900		Receipts and expenditures, net of transfers to and from affiliated committees:		
B				1 Total receipts (from column (g)) \$		
C				2 Less total transfers in (from column (e)) \$		
D				3 Net receipts \$		
E				4 Total expenditures (from col. (m)) \$		
F				5 Less total transfers out (from column (k)) \$		
G				6 Net expenditures \$		
H				Expenditures subject to limitation summary:		
I				7 Total operating expenses (from column (h)) \$		
J				8 Less total refunds and rebates (from column (d)) \$		
K				9 Total expenditures subject to limitation \$		
L						
M						
N						

3b

1976

Federal Election Commission
1100 K Street, N.W.
Washington, D.C. 20463

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee

Report Covering Period

From: / To:

Committee Name			(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total transfer from affiliated comm.
A							
B							
C	"	" CA					
D	"	" MA	50.90	274.42	1150		
E							
F							
G							
H							
I							
J							
K							
L							
M	Column Total this Page						
N	Column Total Last Page Only						

(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total transfer to other com
A						
B						
C						
D		10,100	9878.82			
E		1721.91	1450.31			
F						
G						
H						
I						
J						
K						
L						
M						
N						

(m) Line Number 24 Total expenditures (Total columns (h) through (l))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A				1 Total receipts (from column (g)) \$
B				2 Less total transfers in (from column (e)) \$
C	9878.82	121.78		3 Net receipts \$
D	1450.31	325.00		4 Total expenditures (from col. (m)) \$
E				5 Less total transfers out (from column (k)) \$
F				6 Net expenditures \$
G				Expenditures subject to limitation
H				summary: (Presidential Campaigns
I				Receiving Federal Funds)
J				7 Total operating expenses (from column (n)) \$
K				8 Less total refunds and rebates (from column (d)) \$
L				9 Total expenditures subject to limitation \$
M				
N				

76030412828

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Election Commission
 (Street, N.W.
 Washington, D.C. 20463

Name of Principal Campaign Committee

Report Covering Period
 From: To:

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total trans- fers from affiliat- ed comm.
A		46.2	1085.82	2000		
B						
C						
D		41.7				
E		22.7	1215.5	26.5		
F		252.5	992.1			
G		325	271			
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Num- ber 24(b) Total trans- fers out to af- filiated comm.
A								
B								
C								
D								
E								
F			402.5					
G			389.49					
H								
I								
J								
K								
L								
M								
N								

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A					1 Total receipts (from column (g)) \$
B					2 Less total transfers in (from column (e)) \$
C					3 Net receipts \$
D					4 Total expenditures (from col. (m)) \$
E					5 Less total transfers out (from column (k)) \$
F					6 Net expenditures \$
G					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N					

76030412827

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Form 3b
76
Federal Election Commission
5 K Street, N.W.
Washington, D.C. 20463

Name of Principal Campaign Committee

Report Covering Period
From _____ To _____

76030412828

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfers from affiliated comm.
A		411.79				
B	MD	25	400			
C	OT	20.11				
D						
E						
F	TX		774.35			
G		88.70				
H	PA	200.00	1000.00			
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only					

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Number 24(b) Total trans- fer out to oth- er comm.
A								
B								
C								
D								
E								
F		1114.55	653.90					
G		200.00	200.80					
H		1000.00	1000.00					
I								
J								
K								
L								
M								
N								

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A					1 Total receipts (from column (g)) \$
B					2 Less total transfers in (from column (e)) \$
C					3 Net receipts \$
D					4 Total expenditures (from col. (m)) \$
E	7645.71				5 Less total transfers out (from column (k)) \$
F	809.80				6 Net expenditures \$
G					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N					

Worksheet for Consolidation of Receipts and Expenditures by a Principal Campaign Committee

Name of Principal Campaign Committee
McCarthy 76

Report Covering Period
From: **12/1/76** to **12/31/76**

77030472100

Committee Name		(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total trans- fers from affilia- ted comm.
A	McCarthy '76 Minnesota	34.45	1,452.36	-	-	-
B	McCarthy '76 Massachusetts	82.87	470.35	-	-	-
C	McCarthy '76 California	-7.13	-0-	-	-	-
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	110.19	1,922.71			
(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Loans, Loan Re- payments, & Con- tribution Refunds	(j) Line Number 22 Total fundraising expenditures	(k) Line Number 23(a) Total transfer out to affiliated comm.	(l) Line Number Total transfe- rs to other co.
A	1,452.36	1,452.90	-	-	-	-
B	470.35	536.72	-	-	-	-
C	XXXXXX					
D						
E						
F						
G						
H						
I						
J						
K						
L						
M						
N	1,922.71	1,989.62				
(m) Line Number 24 Total expenditures (Total columns (h) through (i))	(n) Line Number 10 Cash on hand at end of period	(o) Line Number 25 Debts and obligations owed to comm.	(p) Line Number 26 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)		
A	33.91	-	-	Receipts and expenditures, net of transfers to and from affiliated committees:		
B	15.90	-	-	1 Total receipts (from column (g))		
C	-7.13			2 Less total transfers in (from column (e))		
D				3 Net receipts		
E				4 Total expenditures (from col. (m))		
F				5 Less total transfers out (from column (k))		
G				6 Net expenditures		
H				Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)		
I				7 Total operating expenses (from column (h))		
J				8 Less total refunds and rebates (from column (d))		
K				9 Total expenditures subject to limitation		
L						
M						
N	110.19			\$ 1,922.71		
N	1,989.62			\$ 1,989.62		

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Election Commission
Street, N.W.
Washington, D.C. 20463

Name of Principal Campaign Committee

McCarthy '76

77 SEP 16

Report Covering Period

From 1/1/76 to 12/31/76

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number 18 Total transfer from affiliated comm.
A	McCarthy '76 - Arizona	-00-	1027.	-0-	-0-	-0-
B	McCarthy '76 - CA (Burbank)	113.62	10,708.90	-0-	2,556.60	11,000.00
C	McCarthy '76 - CA (Menlo Park, CA)	-00-	206.	605.	-0-	-0-
D	Connecticut Citizens for McCarthy	-00-	1,436.32	153.	-0-	-0-
E	McCarthy '76 IL Steering Comm.	-00-	15,339.19	7225.	-0-	-0-
F	McCarthy '76 - Indiana	-00-	50.	-0-	-0-	900.
G	Iowa 1st Distr. McCarthy '76	570.11	1,702.06	355.63	-0-	150.
H	McCarthy '76 - MA	-00-	8,846.68	3,455.75	-0-	700.
I	McCarthy '76 - MI (Detroit)	-00-	1,595.	-0-	-0-	1,000.
J	McCarthy '76 - MI (Lansing)	-00-	2,886.93	1,300.	328.60	-0-
K	McCarthy '76 - MD (State Comm.)	-0-	1,909.	1,548.	-0-	-0-
L	McCarthy '76 - NJ	-0-	922.30	-0-	-0-	-0-
M	Column Total this Page					
N	Column Total Last Page Only					

7030531554

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Number 24(b) Total tran- out to oth comm.
A	-0-	1027.	767.44	-0-	-0-	n.a.	-0-	-0-
B	-0-	24,265.50	23,386.25	-0-	-0-	n.a.	1,000.00	-0-
C	-0-	811.	900.	-0-	-0-	n.a.	-0-	-0-
D	-0-	1,589.32	1,437.62	-0-	131.52	n.a.	-0-	20.1
E	-0-	22,564.19	17,064.19	-0-	3,851.	n.a.	-0-	1,642.
F	-0-	950.	350.	-0-	-00-	n.a.	600.	-0-
G	-0-	2,207.67	1,361.99	-0-	355.63	n.a.	1,060.18	-0-
H	-0-	13,002.43	12,786.53	-0-	-0-	n.a.	200.	-0-
I	-0-	2,595.	2,500.	-0-	-0-	n.a.	-0-	40.
J	-0-	4,515.53	2,802.51	-0-	713.02	n.a.	1,000.	-0-
K	-0-	3,547.	1,908.	-0-	1548.	n.a.	-0-	-0-
L	-0-	922.30	922.30	-0-	-0-	n.a.	-0-	-0-
M								
N								

	(n) Line Number 25 Total expenditures (Total columns (h) through (l))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for a Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	767.44	259.56	-0-	-0-	1 Total receipts (from column (g)) \$
B	24,386.25	(7.13)	415.25	1,718.34	2 Less total transfers in (from column (e)) \$
C	900.	54.65	-0-	-0-	3 Net receipts \$
D	1,589.32	-0-	-0-	-0-	4 Total expenditures (from col. (m)) \$
E	22,564.19	-0-	-0-	-0-	5 Less total transfers out (from column (k)) \$
F	950.	-0-	-0-	-0-	6 Net expenditures \$
G	2,277.80	-0-	-0-	-0-	Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H	12,986.53	15.90	-0-	-0-	7 Total operating expenses (from column (h)) \$
I	2,540.02	54.98	-0-	-0-	8 Less total refunds and rebates (from column (d)) \$
J	4,515.53	-0-	-0-	-0-	9 Total expenditures subject to limitation \$
K	3,456.	1.	-0-	-0-	
L	922.30	-0-	-0-	-0-	
M					
N					

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

(To Be Used By A Principal Campaign Committee)

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From 1/1/76 To 12/31

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 15 Total Contributions	(c) Line Number 16 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total transfer from affiliate comm.
A	McCarthy '76-OH (Lorain Co.)	46.26	1905.52	850.	160.81	299.5
B	McCarthy '76-PA	-0-	497.	-0-	-0-	300.
C	McCarthy '76-WI 8th CD	-0-	885.50	50.	-0-	-0-
D	McCarthy '76-National	-0-	2,901.04	-0-	-0-	1,200.
E	CCP-McCarthy '76 (thru 8/31/76 only; transfers to & from affiliated committees - and corresponding contributions only)	n.a.	30,252.46	n.a.	n.a.	4,325.
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	729.99	83,075.90	15,542.38	3,046.01	15,549.

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Num- 24(b) Total tran- fer out to other comm.
A	-0-	3215.81	2367.69	-0-	650.	n.a.	93.	-0-
B	-0-	797.	694.23	-0-	-0-	n.a.	-0-	-0-
C	150.	1085.50	1085.41	-0-	-0-	n.a.	-0-	-0.
D	-0-	4101.04	2641.04	-0-	-0-	n.a.	-0-	-0.
E	n.a.	30,257.46	n.a.	-0-	n.a.	n.a.	30,252.46	n.a.
F								
G								
H								
I								
J								
K								
L								
M								
N	150.	87,196.31	72,975.20		2,249.17	n.a.	34,210.64	1,709.

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)
A	3110.69	151.38	-0-	200.	1 Total receipts (from column (g)) \$ 87,196.31
B	694.23	102.77	-0-	-0-	2 Less total transfers in (from column (e)) \$ 15,549.4
C	1085.41	.09	-0-	-0-	3 Net receipts \$ 71,646.8
D	2641.04	1460.	-0-	5,703.12	4 Total expenditures (from col. (n)) \$ 116,144.21
E	30,252.46	n.a.	n.a.	n.a.	5 Less total transfers out (from column (l)) \$ 34,210.64
F					6 Net expenditures \$ 81,933.57
G					7 Total operating expenses (from column (n)) \$
H					8 Less total refunds and rebates (from column (d)) \$
I					9 Total expenditures subject to limitation \$
J					
K					
L					
M					
N	116,144.21	2,093.20	415.25	7,621.46	

George J. ... 9-15-77

77030531555

AD DELIVERED

Consolidation Report of Receipts and Expenditures

(To Be Used By A Principal Campaign Committee)

Commission N.W. D.C. 20463

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From: 1/1/77 To 3/31/77

	(a) Committee Name	(b) Line Number 7 Cash on hand at beginning of period	(c) Line Number 15 Total Contributions	(d) Line Number 16 Total loans, loan repayments	(e) Line Number 17 Total Refunds Rebates, etc.	(f) Line Number 18(a) Total transfers from affiliated comm.
A	Write-In McCarthy (CA)	54.65	-0-	-0-	-0-	-0-
B	McCarthy '76-MA	15.90	-0-	-0-	-0-	-0-
C	McCarthy '76-MI (Detroit)	54.98	-0-	-0-	5.64	-0-
D	McCarthy '76-MD (State Comm)	1.	-0-	-0-	-0-	-0-
E	McCarthy '76-OH (Lorain Co.)	151.38	-0-	-0-	-0-	-0-
F	McCarthy '76-WI (8th C.D.)	.09	-0-	-0-	-0-	-0-
G	McCarthy '76-National	1460.	9,152.49	-0-	589.	612.77
H	McCarthy '76-PA	102.77	-0-	-0-	-0-	-0-
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	1,840.77	9,152.49	-0-	594.64	612.77

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Number 24(b) Total transfe out to other comm.
A	-0-	-0-	-0-	-0-	-0-	n.a.	54.65	-0-
B	-0-	-0-	-0-	-0-	-0-	n.a.	-0-	-0-
C	-0-	5.64	60.62	-0-	-0-	n.a.	-0-	-0-
D	-0-	-0-	1.	-0-	-0-	n.a.	-0-	-0-
E	-0-	-0-	-0-	-0-	151.38	n.a.	-0-	-0-
F	-0-	-0-	.09	-0-	-0-	n.a.	-0-	-0-
G	-0-	10,354.26	10,619.80	-0-	-0-	n.a.	-0-	-0-
H	-0-	-0-	-0-	-0-	-0-	n.a.	102.77	-0-
I								
J								
K								
L								
M								
N	-0-	10,359.90	10,681.51	-0-	151.38	n.a.	157.42	-0-

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (last page only)
A	54.65	-0-	-0-	-0-	1 Total receipts (from column (g)) \$ 10,359.90
B	-0-	15.90	-0-	-0-	2 Less total transfers in (from column (e)) \$ 612.77
C	60.62	-0-	-0-	-0-	3 Net receipts \$ 9,747.13
D	1.	-0-	-0-	-0-	4 Total expenditures (from col. (n)) \$ 10,990.31
E	151.38	-0-	-0-	-0-	5 Less total transfers out (from column (l)) \$ 157.42
F	.09	-0-	-0-	-0-	6 Net expenditures \$ 10,832.89
G	10,619.80	1,194.46	-0-	667.54	7 Total operating expenses (from column (h)) \$
H	102.77	-0-	-0-	-0-	8 Less total refunds and rebates (from column (e)) \$
I					9 Total expenditures subject to limitation \$
J					
K					
L					
M					
N	10,990.31	1,210.36		667.54	

McCarthy '76

7703053157

3b HAND DELIVERED

Consolidation Report of Receipts and Expenditures

Page 1 of 1

Election Commission
Street, N.W.
Agton, D.C. 20463

(To Be Used By A Principal Campaign Committee)

Name of Principal Campaign Committee

McCarthy '76

Report Covering Period

From: 4/1/77 To 6/30/77

	Committee Name	(a) Line Number 7 Cash on hand at beginning of period	(b) Line Number 6 Total Contributions	(c) Line Number 6 Total loans, loan repayments	(d) Line Number 17 Total Refunds Rebates, etc.	(e) Line Number Total trans- fer from affilia- ted comm.
A	McCarthy '76 - MA	15.90	-0-	-0-	-0-	-0-
B	McCarthy '76 - National	1194.46	621.	-0-	-0-	434.5
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M	Column Total this Page					
N	Column Total Last Page Only	1,210.36	621.	-0-	-0-	434.9

	(f) Line Number 18(b) Total transfers from other comm.	(g) Line Number 19 Total Receipts (Total columns (b) through (f))	(h) Line Number 20 Total operating expenditures	(i) Line Number 21 Independent Expenditures	(j) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(k) Line Number 23 Total fundraising expenditures	(l) Line Number 24(a) Total transfer out to affiliated comm.	(m) Line Num- ber 24(b) Total trans- fer out to o- ther comm.
A	-0-	-0-	2.95	-0-	-0-	n.a.	12.95	-0-
B	-0-	1,055.95	2,073.10	-0-	-0-	n.a.	-0-	-0-
C								
D								
E								
F								
G								
H								
I								
J								
K								
L								
M								
N	-0-	1,055.95	2,076.05	-0-	-0-	n.a.	12.95	-0-

	(n) Line Number 25 Total expenditures (Total columns (h) through (i))	(o) Line Number 10 Cash on hand at end of period	(p) Line Number 26 Debts and obligations owed to comm.	(q) Line Number 27 Debts and obligations owed by comm.	Computation of Net Receipts and Expenditures for Committees (last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
A	15.90	-0-	-0-	-0-	1 Total receipts (from column (g)) \$ 1,055.9
B	2,073.10	177.31	-0-	265.87	2 Less total transfers in (from column (e)) \$ 434.5
C					3 Net receipts \$ 621.
D					4 Total expenditures (from col. (h)) \$ 2,089.
E					5 Less total transfers out (from column (l)) \$ 12.
F					6 Net expenditures \$ 2,076.
G					Expenditures subject to limitation summary: (Presidential Campaigns Receiving Federal Funds)
H					7 Total operating expenses (from column (h)) \$
I					8 Less total refunds and rebates (from column (d)) \$
J					9 Total expenditures subject to limitation \$
K					
L					
M					
N	2,089.00	177.31	-0-	265.87	

George Sany 9.15.77

77030581559

September 29, 1977

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 421 Team #3

Please have the attached Interim Report on MUR 421 distributed to the Commission and placed on the Compliance Agenda for the Commission meeting of October 6, 1977.

Thank you.

BEFORE THE FEDERAL ELECTION COMMISSION

September 29, 1977

In the Matter of

Committee for a Constitutional
Presidency and

MUR 421 (76)

McCarthy '76

INTERIM REPORT

I. Allegation

This matter arose upon review of the reports of receipts and expenditures and candidate authorization statements filed as public records.

McCarthy '76, the principal campaign committee of Eugene McCarthy; and the Committee for a Constitutional Presidency (CCP), the principal campaign committee for McCarthy until September 3, 1976, failed to file consolidated reports for all authorized committees during 1976 and 1977.

II. Prior Action

The Disclosure Division notified respondents of reason to believe and reasonable cause to believe that they committed violations of 2 U.S.C. §432(e) by failing to file FEC Form 3b. On August 25, 1977, the Commission found probable cause to believe these committees were in violation of the Act and authorized the General Counsel to initiate civil suit. On August 30, 1977, respondents were notified by letter of the Commission determination.

III. Status

Respondents, after receipt of the August 25, 1977, letter, requested conference with the attorney assigned to this case and staff members from the Disclosure Division. This conference was held on September 16, 1977.

Respondents submitted several amended reports (See letters dated September 16, 1977, from both respondents and amended reports attached to Laney letter and appended hereto).

The discussion at the September 16 meeting centered on respondents' ability to submit the required reports. They indicated efforts had already been made on their part to secure the required information. However, they did not concede that they have a duty under the statute to secure such information - only that they have a duty to file it if they have it available. See 2 U.S.C. §432(e)(3) and 433(e). While we disagree with their interpretation of the relevant provisions of the Act, we are mindful of the problems these committees have faced in attempting to comply with the filing requirements. At the conclusion of the meeting, we requested the committees to outline in writing the extent of the problems encountered in obtaining the necessary information and propose a deadline for compliance.

On September 21, 1977, McCarthy '76 submitted a letter addressing the above request (See letter attached). It proposes to file the remainder of the 3b reports by October 31, 1977. It should be noted that total compliance seems impossible; however, substantial compliance is likely in this case. Respondent, McCarthy '76, disclosed in its letter of September 16 that several of its authorized committees did not properly keep records based on the statutory reporting periods, and therefore McCarthy '76 - as the principal campaign committee - cannot report on a monthly or quarterly basis in 1976. Thus, at most, a year-end report is the only feasible report which would accurately reflect the activities of the authorized committees in 1976. McCarthy '76 is prepared to file consolidated reports on a quarterly basis in 1977. We are working closely with the Disclosure Division in an effort to assist them wherever possible.

Based upon the representations of the respondents in the meeting of September 16, 1977, and the follow-up letter from McCarthy '76 on September 21, 1977, we believe it is advisable to delay the institution of civil suit until October 31, 1977. Although this matter has been open for

some months, we believe that the likelihood of compliance after filing suit will be no greater than it is now because the respondents simply do not have the information available.

We make no recommendation at this time. We will proceed with filing a complaint if the respondents fail to comply substantially with the disclosure requirements of the Act by October 31, 1977. We believe that this approach is reasonable in view of the difficulties associated with this case.

9/29/77
Date

William C. Oldaker
William C. Oldaker
General Counsel

100-11451

McCarthy '76
1420 H Street, NW
Washington, DC 20005

September 16, 1977

The Honorable Thomas E. Harris
Chairman, Federal Election Commission
1325 K Street, NW
Washington, DC 20463

RE: MUR 421 (77)

Dear Mr. Harris:

Enclosed are consolidated 3b reports for McCarthy '76 national and local committees covering the year-end 1976 period, the first quarter of 1977, and the second quarter of 1977.

The enclosed 3b reports reflect our best information to date from local committees. Several local committees not included in these reports have not yet filed the appropriate reports with us. Several other local committees are not included in the enclosed because their reports contain errors in computation which make accurate consolidation impossible. We are seeking additional information in those cases.

We expect to have, in the near future, termination reports or current reports (including amended reports) from all committees. We will file amended 3b reports as soon as that information is received and properly compiled.

We request that the Commission accept the year-end '76 consolidated 3b report in lieu of quarterly and monthly reports for 1976.

Review of the local committee reports shows that most of the local treasurers did not understand the schedule of reporting periods. Some committees filed only one report covering the entire period of 1976. Others, because of the dates on which they passed or expected to pass the reporting threshold, started reporting on dates outside of the regular calendar.

Some files of dates which... of the calendar... the reporting threshold...

100-11451-100

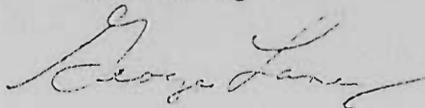
reports on the regular dates, then filed one report covering the period from 10/31/76 through 3/12/77. Another filed from 4/11/76 through 9/20/76 and from 9/20/76 through 11/20/76. Another filed on a monthly basis throughout 1976. Another has a report which does not specify which period is covered. Another filed from 4/22/76 through 5/11/76 and from 5/12/76 through 12/31/76. Another filed from 3/28/76 through 12/1/76. In addition to these, many other local committee reports have dates which overlap by far the regular reporting periods.

Because of the unitemized categories, it is physically impossible to break those reports down into the regular reporting periods.

We believe that the year-end '76 consolidated 3b report is the only possible mechanism for reporting our local committees' 1976 spending. That mechanism, we believe, best serves the intent of the FECA in this case.

I ask for written confirmation of the Commission's acceptance of this proposal.

Sincerely,



George Laney, Treasurer

Enclosures

cc: Gloria Sulton, Esq.
Paul Kamenar, Esq.

Hon. Thomas E. Harris

September 16, 1977

page two

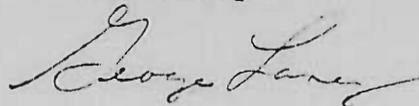
reports on the regular dates, then filed one report covering the period from 10/21/76 through 3/12/77. Another filed from 8/11/76 through 9/20/76 and from 9/20/76 through 11/20/76. Another filed on a monthly basis throughout 1976. Another has a report which does not specify which period is covered. Another filed from 4/22/76 through 5/11/76 and from 5/12/76 through 12/31/76. Another filed from 3/23/76 through 12/1/76. In addition to these, many other local committee reports have dates which overlap by far the regular reporting periods.

Because of the unitemized categories, it is physically impossible to break those reports down into the regular reporting periods.

We believe that the year-end '76 consolidated 3b report is the only possible mechanism for reporting our local committees' 1976 spending. That mechanism, we believe, best serves the intent of the FECA in this case.

I ask for written confirmation of the Commission's acceptance of this proposal.

Sincerely,



George Laney, Treasurer

Enclosures

cc: Gloria Sulton, Esq.
Paul Kamemar, Esq.

McCarthy '76

17 SEP 1976

Line 11/25 - 11/25/76

Committee Name	(a) Line Number 7 Total amount of receipts for period	(b) Line Number 8 Total Contributions	(c) Line Number 9 Total amount of receipts	(d) Line Number 11 Total Refunds Rebates, etc.	(e) Line Number 12(a) Total transfers to affiliated committees
McCarthy '76 - Arizona	-00-	1,027.	-0-	-0-	-0-
McCarthy '76 - CA (Berkeley)	113.52	10,209.70	-0-	2,556.30	11,000.00
McCarthy '76 - MD (Baltimore)	-00-	203.	505.	-0-	-0-
Connecticut Citizens Party	-00-	1,436.22	253.	-0-	-0-
McCarthy '76 IL Steering Comm	-00-	5,339.17	722.	-0-	-0-
McCarthy '76 - Indiana	-00-	50.	-0-	-0-	700.
Line 11/25 - McCarthy '76	570.11	1,203.05	350.15	-0-	750.
McCarthy '76 - MI	-00-	3,346.60	3,400.25	-0-	700.
McCarthy '76 - NY (Detroit)	-00-	1,595.	-0-	-0-	1,000.
McCarthy '76 - NY (Long)	-00-	2,336.22	1,300.	325.30	-0-
McCarthy '76 - NY (State Coll)	-00-	1,209.	1,543.	-0-	-0-
McCarthy '76 - NY	-00-	222.30	-0-	-0-	-0-
Column Total 1-17					
Column Total Last Page Only					

(i) Line Number 19(a) Total transfers from other comm.	(j) Line Number 19 Total Receipts (Total columns (b) through (i))	(k) Line Number 20 Total operating expenditures	(l) Line Number 21 Independent Expenditures	(m) Line Number 22 Loans, Loan Repay- ments, & Contribu- tion Refunds	(n) Line Number 23 Total fundraising expenditures	(o) Line Number 24(a) Total transfer out to affiliated comm.	(p) Line Number 24(b) Total transfer out to other comm.
-0-	1027.	767.44	-0-	-0-	n.a.	-0-	-0-
-0-	24,245.50	23,336.25	-0-	-0-	n.a.	1,000.00	-0-
-0-	811.	900.	-0-	-0-	n.a.	-0-	-0-
-0-	1,529.32	1,437.62	-0-	131.52	n.a.	-0-	20.10
-0-	23,564.17	17,054.19	-0-	3,851.	n.a.	-0-	1,649.
-0-	950.	350.	-0-	-0-	n.a.	600.	-0-
-0-	2,202.67	1,361.97	-0-	355.63	n.a.	1,060.10	-0-
-0-	13,062.43	12,726.53	-0-	-0-	n.a.	200.	-0-
-0-	2,595.	2,500.	-0-	-0-	n.a.	-0-	40.
-0-	4,515.53	2,202.51	-0-	713.02	n.a.	1,000.	-0-
-0-	3,547.	1,703.	-0-	1543.	n.a.	-0-	-0-
-0-	222.30	222.30	-0-	-0-	n.a.	-0-	-0-

(r) Line Number 25 Total expenditures (Total columns (a) through (q))	(s) Line Number 26 Debits and obligations owed to comm.	(t) Line Number 26 Debits and obligations owed to comm.	(u) Line Number 27 Debits and obligations owed by comm.	Computation of Net Receipts and Expenditures for all Committees (Last page only) Receipts and expenditures, net of transfers to and from affiliated committees:
767.44	-0-	-0-	-0-	1. Total receipts from column (j)
24,245.25	4,150.25	4,150.25	4,715.37	2. Less: Total debits and obligations from
10.	-0-	-0-	-0-	3. Total receipts
22,195.19	-0-	-0-	-0-	4. Less: Total debits and obligations from
2,000.	-0-	-0-	-0-	5. Total receipts
2,202.67	-0-	-0-	-0-	6. Less: Total debits and obligations from
13,062.43	-0-	-0-	-0-	7. Total receipts
2,595.	-0-	-0-	-0-	8. Less: Total debits and obligations from
4,515.53	-0-	-0-	-0-	9. Total receipts
3,547.	-0-	-0-	-0-	10. Less: Total debits and obligations from
222.30	-0-	-0-	-0-	11. Total receipts

COMMITTEE FOR A CONSTITUTIONAL PRESIDENCY

1120 H STREET, NW
WASHINGTON, D.C. 20005
(202) 483-2700

September 16, 1977

The Honorable
Thomas E. Harris
Chairman
Federal Election Commission
1325 K St., NW
Washington, DC 20043

RE: MUR 421 (77)

Dear Mr. Harris:

As you may recall, in September of 1976, we notified the Commission that the entity previously known as Committee for a Constitutional Presidency--McCarthy '76 no longer existed. In its place were two committees.

We notified the Commission that we wished the Committee for a Constitutional Presidency, which was no longer Eugene McCarthy's principal campaign committee, to be considered the equivalent of a political party's national committee for purposes of the FECA. That Committee had, in fact, long sustained burdens equivalent to those of a national party committee--including research, education, litigation, and ballot placement.

In September of 1976, Eugene McCarthy designated the McCarthy '76 national committee as his principal campaign committee. That committee then assumed its statutory obligation of compiling local committee reports. (Many of the local committees were formed only in the late summer or early fall.)

George Laney, Treasurer of McCarthy '76, has submitted an amended, consolidated 3b year-end 1976 report for local campaign committees, including those which previously fell under the jurisdiction of the defunct Committee for a Constitutional Presidency--McCarthy '76. Mr. Laney has, I understand, explained in some detail why a consolidated year-end report is the only feasible way to account accurately for the local committees. His report includes the transfers to local committees made by the Committee for a Constitutional Presidency--McCarthy '76 for the period of January through August, 1976, and includes the corresponding sum of contributions to the Committee for a Constitutional Presidency--McCarthy '76.

Therefore, I request that the Commission accept his report as the consolidated 3b requirements for the

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Hon. Thomas E. Harris
September 16, 1977
page two

Committee for a Constitutional Presidency--McCarrthy '76.

I have studied this matter at length, and conclude that this is the only way in which the disclosure requirements of the FECA can be met in this case.

I would like to request written confirmation of the Commission's acceptance of this proposal.

The Committee for a Constitutional Presidency has, of course, filed detailed reports covering all of its activities in 1976 and since.

Sincerely,



Mary Meehan, Treasurer

cc: Gloria Sulton, Esq.

Paul Kamenar, Esq.

31740110333

Dear Gloria R. Nelson
September 21, 1977
page two

1977 letter from Mary Neenan, Treasurer of the Committee for a
Constitutional Presidency, I agree to file the appropriate
reports for the above-named committees by October 31, 1977.

Sincerely,



George Laney, Treasurer

GL/mem

31040210335

FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

TO: Bill Oldaker
Charles Steele
FROM: Joan Bennett

DATE: 9/22/77

FROM: Pat

- | | | |
|---|---|---|
| <input type="checkbox"/> APPROVAL | <input type="checkbox"/> IMMEDIATE ACTION | <input type="checkbox"/> RECOMMENDATION |
| <input type="checkbox"/> AS REQUESTED | <input type="checkbox"/> INITIALS | <input type="checkbox"/> SEE ME |
| <input type="checkbox"/> CONCURRENCE | <input type="checkbox"/> NECESSARY ACTION | <input type="checkbox"/> SIGNATURE |
| <input type="checkbox"/> CORRECTION | <input type="checkbox"/> NOTE AND RETURN | <input type="checkbox"/> YOUR COMMENT |
| <input type="checkbox"/> FILING | <input type="checkbox"/> PER OUR CONVERSATION | <input type="checkbox"/> YOUR INFORMATION |
| <input type="checkbox"/> FULL REPORT | <input type="checkbox"/> PER TELEPHONE CONVERSATION | <input type="checkbox"/> |
| <input type="checkbox"/> HANDLE DIRECT | | |
| <input type="checkbox"/> ANSWER OR ACKNOWLEDGE ON OR BEFORE _____ | | |
| <input type="checkbox"/> PREPARE REPLY FOR THE SIGNATURE OF _____ | | |

REMARKS:

TICKLER

~~XXXXXXXXXXXX~~

BREAD PAC v. FEC

FEC answering brief to plaintiff's motion for a Preliminary Injunction due 9/29/77.

AMERICAN CIVIL LIBERTIES UNION

22 East 40th Street New York, New York 10015 (212) 695-1200

2007-1651

September 23, 1977

Hon. George A. Fisher
Clerk of the Court
U.S. Court of Appeals
for the District of Columbia
United States Courthouse
Washington, D.C. 20001

799830

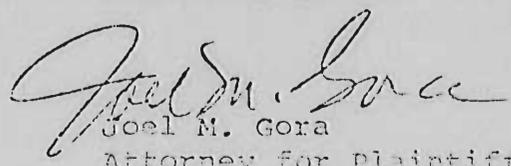
Re: Jennings, et al. v. Socialist Workers 1974
National Campaign Committee, et al.,
No. 77-1490

Dear Mr. Fisher:

Enclosed please find an original and three copies of the appellees' Motion for an Extension of Time to File Brief in the above case. We are seeking a 10-day extension. A certificate of service is attached to the motion.

Thank you for your consideration.

Sincerely yours,



Joel M. Gora
Attorney for Plaintiffs-
Appellees

JMG:DS
Enclosures

31010310237

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

HON. W. PAT JENNINGS, et al.,

Appellants,

v.

SOCIALIST WORKERS 1974 NATIONAL
CAMPAIGN COMMITTEE, et al.,

Appellees.

No. 77-1490

MOTION FOR EXTENSION OF TIME
IN WHICH TO FILE BRIEF

The appellees, various Socialist Workers campaign committees, by their attorney, respectfully request that this Court grant a 10-day extension of time, from October 6, 1977, to October 17, 1977, for the appellees to file their brief in this case.

The reasons for this requested extension are as follows:

1. This is an appeal by the Federal Election Commission from an order of a three-judge court of the United States District Court for the District of Columbia, entered on April 19, 1977. A notice of appeal was filed on May 17, 1977, and the appeal was docketed on June 1, 1977.

2. The Commission sought and, without objection, was

31040210213

granted extensions of time totalling approximately 25 days in which to file its brief and appendix. The brief was filed and served by mail on August 3, 1977.

3. The FEC's brief sets forth a number of matters concerning the statutory authority and jurisdiction of the Commission. The appellees believe that there are also serious doubts about the very appealability of the District Court order sought to be reviewed.

4. Because of the press of other litigation responsibilities, the undersigned has not yet been able to analyze and research these various issues. The undersigned was away from the office on personal leave for two weeks from September 7 until September 19. Between now and October 6, 1977, the current due date, the undersigned is responsible for preparing and arguing an appeal in the United States Court of Appeals for the Fifth Circuit on Wednesday, September 28, 1977 in New Orleans (Leonard v. City of Columbus, No. 75-2344, en banc), and another appeal in the United States Court of Appeals for the Fourth Circuit on Monday, October 3, 1977 in Richmond, Virginia (Enslin v. Walford, No. 77-1309). Work on these two cases will consume all available time until October 4, 1977, and the issues in the instant case cannot be adequately briefed for filing by October 6.

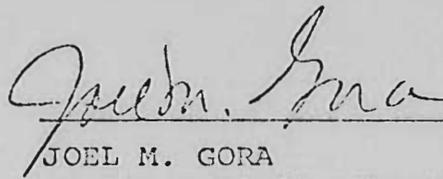
5. Although the Court, by order entered September 20, 1977, has granted the appellants' motion for expedited argument, granting the requested ten-day extension will not unduly delay hearing of the case.

6. One previous 30-day extension of time has been granted to the appellees.

7. Counsel for the appellant Federal Election Commission has indicated that the Commission will file a response to this motion.

WHEREFORE, the appellees respectfully request that the Court grant a 10-day extension of time, from October 6, 1977 until October 17, 1977, in which to file their brief.

Respectfully submitted,



JOEL M. GORA
American Civil Liberties Union
22 East 40th Street
New York, New York 10016
Tel: (212) 725-1222

Attorney for Plaintiffs-Appellees

September 23, 1977

3100110210

FILED MAIL
RETURN RECEIPT REQUESTED

Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
1420 N Street, N.W.
Washington, D.C. 20005

Re: MUR 421 (77)

Dear Ms. Meehan:

The Disclosure Division has referred the matter of your committee's failure to file consolidated 3b reports to the Office of the General Counsel for further action. This matter has been assigned the above number. Please refer to it in any future correspondence.

The Commission on _____, 1977 determined that there was probable cause to believe your committee violated the provisions of 2 U.S.C. §432(e)(3). The Commission has authorized the institution of civil suit in this matter. If you have any questions, please contact Gloria R. Sulton, the attorney assigned to this matter. She can be reached on 523-4057 between the hours of 9:00 a.m. and 5:30 p.m.

Sincerely yours,

William C. Oldaker
General Counsel

GSulton:caw:8/9/77



FEDERAL ELECTION COMMISSION

1325 K STREET, N.W.
WASHINGTON, D.C. 20543

August 30, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. George R. Laney
Treasurer
McCarthy '76
1420 N Street, N.W.
Washington, D.C. 20005

Re: MUR 421 (77)

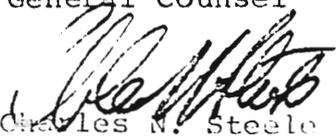
Dear Mr. Laney:

The Disclosure Division has referred the matter of your committee's failure to file consolidated 3b reports to the Office of the General Counsel for further action. This matter has been assigned the above number. Please refer to it in any future correspondence.

The Commission on August 25, 1977 determined that there was probable cause to believe your committee violated the provisions of 2 U.S.C. §432(e)(3). The Commission has authorized the institution of civil suit in this matter. If you have any questions, please contact Gloria R. Sulton, the attorney assigned to this matter. She can be reached on 523-4057 between the hours of 9:00 a.m. and 5:30 p.m.

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel



CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. George R. Laney
Treasurer
McCarthy '76
1420 N Street, N.W.
Washington, D.C. 20005

Re: MUR 421 (77)

Dear Mr. Laney:

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The Commission on 1977 determined that there was probable cause to believe your committee violated the provisions of 2 U.S.C. §432(e)(3). The Commission has authorized the institution of civil suit in this matter. If you have any questions, please contact Gloria R. Sulton, the attorney assigned to this matter. She can be reached on 523-4057 between the hours of 9:00 a.m. and 5:30 p.m.

Sincerely yours,

William C. Oldaker
General Counsel

Sulton.caw:8/9/77

OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

MUR 421 Sulton

PS Form 3811, Nov. 1976

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:
George R. Lancy, Treas.
McCarthy '76

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943019	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY

5. ADDRESS (Complete only if restricted)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

MUR 421 Sulton

PS Form 3811, Nov. 1976

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 25¢
 - Show to whom, date, & address of delivery 45¢
 - RESTRICTED DELIVERY. Show to whom and date delivered 85¢
 - RESTRICTED DELIVERY. Show to whom, date, and address of delivery .. 85¢
- (Fees shown are in addition to postage charges and other fees).

2. ARTICLE ADDRESSED TO:
Mary Melhan, Treas.
Comm for a Constitutional
Residency
1420 N Street, NW

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943021	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY

5. ADDRESS (Complete only if restricted)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

August 18, 1977

MEMORANDUM TO: Marjorie Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 421 (77)

117
Please have the attached General Counsel's Report
on MUR 421 (77) distributed to the Commission and placed
on the Compliance Agenda for the Commission meeting of
August 25, 1977.

Thank you.

COMMISSIONER
ORIGINAL FILE COPY
OFFICE OF GENERAL COUNSEL

its failure to file FEC Form 3b, Consolidated Report of Receipts and Expenditures, for the period January 1, 1976 through September 3, 1976. On April 26, 1977, a notification of reason to believe was sent. On May 9, 1977, the treasurer of the CCP responded by letter indicating the difficulties in meeting the disclosure obligation and further suggesting that a year-end consolidated report, to be filed by McCarthy '76, was the only "intelligible" report which could be filed. On May 26, 1977, CCP was notified that its failure to respond gave the Commission reasonable cause to believe it committed a violation of the Act.

McCarthy '76 was sent a request for additional information on March 29, 1976. This request noted the failure to file FEC Form 3b for the period September 3, 1976 to the notice date. On April 26, 1977, a notification of reason to believe was sent. On May 9, 1977, the treasurer of McCarthy '76 responded by letter indicating that an amended Form 3b for 1976 and the first quarter of 1977 would be filed "as soon as possible." On May 26, 1977, the Committee was notified of the Commission's finding of reasonable cause to believe it committed a violation of the Act.

Mr. McCarthy has authorized 33 political committees to receive contributions and make expenditures on his behalf.

III. Analysis and Recommendation

2 U.S.C. §432(e) requires a principal campaign committee to receive the reports of authorized committees and to

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FILE
GENERAL

compile and file such reports and statements together with its own reports and statements. See 104.2(c), regulations.

Both respondents failed to file complete consolidated reports as required. Despite representations of intent to file at the very least a consolidated 1976 year-end report and a 1977 first quarter report, no such filings have been made to date.

Due to the substantial period of time these committees have already had to comply, we recommend a finding of probable cause to believe McCarthy '76 and the CCP have violated the provisions of 2 U.S.C. §432(e)(3). We further recommend that civil suit be instituted.

IV. Conclusion

Send the attached notifications; file civil suit.

8/16/77
Date


William C. Oldaker
General Counsel

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OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. George R. Laney
Treasurer
McCarthy '76
1420 N Street, N.W.
Washington, D.C. 20005

Re: MUR 421 (77)

Dear Mr. Laney:

The Disclosure Division has referred the matter of your committee's failure to file consolidated 3b reports to the Office of the General Counsel for further action. This matter has been assigned the above number. Please refer to it in any future correspondence.

The Commission on 1977 determined that there was probable cause to believe your committee violated the provisions of 2 U.S.C. §432(e)(3). The Commission has authorized the institution of civil suit in this matter. If you have any questions, please contact Gloria R. Sulton, the attorney assigned to this matter. She can be reached on 523-4057 between the hours of 9:00 a.m. and 5:30 p.m.

Sincerely yours,

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mary Meehan, Treasurer
Committee for a Constitutional
Presidency
1420 N Street, NW
Washington, D. C. 20005

Re: MUR 42] (77)

Dear Ms. Meehan:

The Disclosure Division has referred the matter of your committee's failure to file consolidated 3b reports to the Office of the General Counsel for further action. This matter has been assigned the above number. Please refer to it in any future correspondence.

The Commission on _____, 1977 determined that there was probable cause to believe your committee violated the provisions of 2 U.S.C. §432(e)(3). The Commission has authorized the institution of a civil suit in this matter. If you have any questions, please contact Gloria R. Sulton, the attorney assigned to this matter. She can be reached on 523-4057 between the hours of 9:00 a.m. and 5:30 p.m.

Sincerely yours,

William C. Oldaker
General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



11
7704000000

MEMORANDUM

DATE: 29 June 1977

TO: Charlie Steele
Enforcement Division, OGC

THROUGH: Sharon Snyder/Lois Zella.

FROM: Lucia Safran *ls*

SUBJECT: RCTB - Inadequate response

1st letter mailed 3/29/77. No response

2nd letter mailed 4/26/77. Certified receipt received. Inadequate response

3rd letter mailed 5/26/77. Certified receipt received. Inadequate response

As required in the Memorandum of Understanding for Reporting Violations dated June 7, 1976, the Disclosure Division's Presidential Team has completed the necessary steps for obtaining voluntary compliance from the McCarthy '76

(see attached written documentation). Our attempts have proven unsuccessful, therefore, the attached referral is being forwarded to your office for followup action.

If any responses or communications are received from this committee, you will be notified immediately. Should your office make any requests from this committee of establish any new guidelines, please let us know in order for us to monitor any communication/reponse which may be forthcoming from the committee and to avoid placing this document on the public record.

SEE ATTACHED MEMO.

McCarthy '76
1420 N Street, NW
Washington, DC 20005

June 18, 1977

The Honorable
Thomas E. Harris
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

RE: IRQ3/77-20

Dear Mr. Harris:

In a letter of May 9, 1977 to Mr. Staebler, I explained that we would file an amended Form 3b for 1976 and a Form 3b for the first quarter of 1977, but that our resources are severely limited and that we could not complete those reports until some time in June.

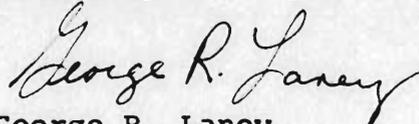
It now appears that we may not be able to complete them until July.

We cannot complete them until we have received additional information from our local committees.

We will, however, be forwarding local committee reports to the Commission in the near future.

Consolidated 3b reports will follow when we have heard from all of the local committees and compiled the necessary information.

Sincerely,



George R. Laney
Treasurer

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

MCCARTHY '76

1420 N Street, N.W. • Washington, D.C. 20005 • ~~XXXXXXXXXX~~

May 9, 1977

The Honorable
Neil Staebler
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

RE: IRQ2/77-20
and FEC Letter of 5-6-77

Dear Mr. Staebler:

Our Committee will be filing an amended Form 3b (Consolidated Report of Receipts and Expenditures) for the year 1976 and a Form 3b for the First quarter of 1977 as soon as possible.

We have no full-time staff, however, and we may not be able to complete those reports until some time in June.

With reference to your letter of May 6, 1977, none of our local committees had financial activity in the first quarter of 1977 which exceeded \$5,000.

I believe that a check of your records may show that some of our local committees listed in your May 6th letter have filed termination reports. Other local committees never exceeded \$1,000 in contributions or expenditures in any calendar year. Where this is the case, we are advising them to so notify you.

Sincerely,

George Laney

George Laney, Treasurer
McCarthy '76

7704006221

RECEIVED
OFFICIAL FILE COPY

1 M[★]CARTHY '76

1400 N Street, N.W. • Washington, D.C. 20005

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The Honorable
Neil Staebler
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

April 26, 1977

George R. Laney, Treasurer
McCarthy '76
1420 N Street, N.W.
Washington, D.C. 20005

Dear Mr. Laney:

On March 29, 1977, you were notified that the your file of Reports of Receipts and Expenditures filed by your committee omitted certain required information.

As of this date, however, we have received no response from you. Your failure to amend your reports gives the Commission reason to believe that you are in violation of section 434 of the Federal Election Campaign Act of 1971, as amended.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within ten (10) days of receipt of this letter.

If you have any questions, please do not hesitate to contact Lucia Safran (202/523-4048) our reports analyst assigned to you.

Sincerely

Commissioner

7704036222



7704005222
31010100001

FRQ 2177-20

PS Form 3811, Mar. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

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:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	438361	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

[Signature]

4. DATE OF DELIVERY **POSTMARK**

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: **CLERK'S INITIALS**

☆ GOP: 1976-O-203-456

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

March 29, 1977

Ms. Judy Smith, Chairwoman
McCarthy '76
1440 N Street NW
Washington, DC 20007

Dear Ms. Smith:

This letter is prompted by our interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended.

During review of ~~the~~ your file of
Reports of Receipts and Expenditures, we noticed that you omitted information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within (10) days of receipt of this letter. If you have any questions, please do not hesitate to contact Lucia Safran (202-523-4048) our Reports Analyst assigned to you.

Sincerely,

Orlando B. Potter
Staff Director

Attachment

12



FEDERAL ELECTION COMMISSION
 1325 K Street, N.W.
 Washington, D. C. 20463

IS/1

TO: McCarthy '76 DATE: March 29, 1977
 I.D.# C00075432

REQUEST FOR ADDITIONAL INFORMATION FOR THE ALL REPORTS OF RECEIPTS AND
 EXPENDITURES COVERING THE PERIOD 9/3/76 THROUGH present
 PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the report indicates that additional information is needed in order to be considered complete. Please return a copy of this form with your amended submission(s).

- Coverage dates omitted or incorrect
- Failure to sign
- Identification Number (Use above FEC I.D.#)
- Incorrect or omitted total(s) on Summary Page Line Column
- Incorrect or omitted total(s) on Detailed Summary Line Column

OMISSION OF REQUIRED DATA ON RECEIPTS AND EXPENDITURES	Schedule LINE	A 15	A 16	A 17	A 18	B 20	B 22	B 24	C 26	C 27	D 15(c)	E 21
<input type="checkbox"/> Schedule totals () do not agree with Detailed Summary (Page 2) () omitted												
<input checked="" type="checkbox"/> Dates inadequate or omitted												
<input checked="" type="checkbox"/> Full name omitted												
<input type="checkbox"/> Mailing address inadequate or omitted												
<input type="checkbox"/> Occupation description inadequate or omitted												
<input checked="" type="checkbox"/> Prncpl. pl. bus. inadequate or omitted												
<input checked="" type="checkbox"/> Aggregate year-to-date totals omitted												
<input type="checkbox"/> Purpose of expenditure or receipt omitted												
<input type="checkbox"/> Inadequate description of () Proceeds () Dates () Event(s) and Location												
<input type="checkbox"/> Nature of debts and obligations omitted or inadequate												

OTHER: see page two

Your initial submission, together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Disclosure Division toll free at (800)424-9530. The local Washington, D.C. telephone number is (202)523-4048.



FEDERAL ELECTION COMMISSION

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

N-O-T-I-C-E

Review of your file indicates that your committee has not filed complete FEC Forms 3b, Consolidated Report of Receipts and Expenditures (enclosed). As required by 2 U.S.C. 432 (e)(3), FEC Form 3b must be filed with every report of receipts and expenditures of a principal campaign committee if the candidate has authorized committees other than his principal campaign committee to receive contributions and make expenditures on his behalf.

FEC Form 3b provides for the disclosure of totals of all receipts and expenditures made ~~by each of the authorized~~, including the principal campaign committee, operating on behalf of the candidate.

Beyond the legal requirements, the Commission is currently preparing statistics on the 1976 Election. Your timely filing of this consolidation report will help to insure the accuracy to these statistics.

7704076220

RECEIVED
FEB 11 1976
OFFICE OF THE
SECRETARY





FEDERAL ELECTION COMMISSION

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

May 26, 1977

Ms. Mary Meehan
Committee for Constitutional Presidency
1420 N Street, N.W.
Washington, D.C. 20005

Dear Ms. Meehan:

You have been notified twice that your file of Reports of Receipts and Expenditures filed by your committee omitted certain required information.

As of this date, however, we have received no response from you. Your continued failure to amend your reports gives the Commission reasonable cause to believe that you may have committed a violation of the Act. Should you fail to correct this matter within thirty (30) days of receipt of this letter, this matter will be referred to our office of General Counsel for appropriate statutory action.

If you have responded to the above, please contact Lucia Safran our Reports Analyst assigned to you on our toll free number (800) 424-9530. Our local number is 523-4048.

Sincerely,

Thomas E. Hand

Commissioner

77049011227



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040062223
8170100055

PG 2/77-19

U.S. Form 3811, Mar. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● **SENDEP:** 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:
May ...
...

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943224	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized agent

Judith B. Smith

4. DATE OF DELIVERY
...

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GPO : 1976-O-203-486

FEDERAL SENATORIAL COMMISSION
OFFICE OF GENERAL COUNSEL

DISCLOSURE DIVISION

TRANSMITTAL TO WORD PROCESSING

2ND NOTICE RFAI



3RD NOTICE RFAI

TO: Mary Meenan
(full name of treasurer)

Committee for Constitutional Presidency
(full name of committee)

1420 N Street, N.W.
(address)

Washington, D.C. 20005
(city, state, zip)

DATE RQ1 _____ or RQ2 WAS SENT (check the one applicable) 4/26/77

DATE RESPONSE WAS RECEIVED (IF ANY): May 10th 1977

SECTION IN VIOLATION: 433 or (434) (circle one)

NAME OF ANALYST HANDLING THE VIOLATION: Lucia Sotran

IN REPLY PLEASE REFER TO: LRQ3/77-19

CODED BY LS

DATE 5/18/77

APPENDIX IX _____
(document/report type)

APPENDIX IX(R) your file through the
period 9/3/76
(report/document type)

APPENDIX IXIE _____

APPENDIX IXIE(R) _____

APPENDIX IXSO _____

APPENDIX IXSO(R) _____

7704005229
3101010057

DATE
FEDERAL
OFFICE OF
CONSUMER
PROTECTION
WASHINGTON, D.C.

FEDERAL ELECTION COMMISSION
WASHINGTON

'77 MAY 10 PM 2:09

Committee for a Constitutional Presidency
1420 N Street, NW
Washington, DC 20005

May 9, 1977

The Honorable Neil Staebler
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Reference: IRQ2/77-19

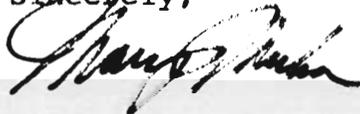
Dear Mr. Staebler:

I have spoken with Lucia Safran and Sharon Snyder of your staff--and also with George Laney, Treasurer of McCarthy '76-- about this matter.

Because of the different periods covered by different local committees in their reports, and especially because of the widely varying starting dates of reports (depending on when a local committee exceeded the \$1,000 threshold, or anticipated that it might exceed it), the only possible way to file a Form 3b consolidated report that is intelligible is for the McCarthy '76 committee to file a year-end consolidated report for all local committees.

I understand from Mr. Laney that McCarthy '76 will be filing such a report in the near future, and I trust that this will meet with the Commission's approval.

Sincerely,



Mary Meehan, Treasurer
Committee for a Constitutional Presidency

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040751231

7704005231
8100011057

M. Meehan
Committee for a Consti-
tutional Presidency
1420 N Street, NW
Washington, DC 20005

The Honorable Neil Staebler
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

FEDERAL ELECTION COMMISSION
OFFICIAL MAIL
OFFICIAL MAIL



FEDERAL ELECTION COMMISSION

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

April 26, 1977

Mary Meehan, Treasurer
Committee for a Constitutional
Presidency--McCarthy '76
1420 N Street, N.W.
Washington, D. C. 20005

Dear Ms. Meehan:

On March 29, 1977, you were notified that the your file through the period of September 3, 1976 Reports of Receipts and Expenditures filed by your committee omitted certain required information.

As of this date, however, we have received no response from you. Your failure to amend your report gives the Commission reason to believe that you are in violation of section 434 of the Federal Election Campaign Act of 1971, as amended.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within ten (10) days of receipt of this letter.

If you have any questions, please do not hesitate to contact Lucia Safran (202/523-4048) our reports analyst assigned to you.

Sincerely,

Commissioner

77040062231



7704006223
31010110071

1002177-19

PS Form 3811, Mar. 1976
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

3. ARTICLE DESCRIPTION:
 REGISTERED NO. | CERTIFIED NO. | INSURED NO.
 | 438360 |
 (Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

☆ GOP: 1976-3-76

RECEIVED
GENERAL COUNSEL
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

DISCLOSURE DIVISION

TRANSMITTAL TO WORD PROCESSING

X 2ND NOTICE RFAI

3RD NOTICE RFAI

TO: Mary Meehan
(full name of treasurer)

Committee for a Constitutional Presidency--McCarthy '76
(full name of committee)

1420 N Street NW
(address)

Washington, D.C. 20005
(city, state, zip)

DATE RQ1 X or RQ2 WAS SENT (check the one applicable) 3/29/77

DATE RESPONSE WAS RECEIVED(IF ANY): none

SECTION IN VIOLATION: 433 or 434 (circle one)

NAME OF ANALYST HANDLING THE VIOLATION: Lucia Safran

IN REPLY PLEASE REFER TO: 1RQ2/77-19

CODED BY Rich Viscomi

DATE 4/19/77

APPENDIX IX *see list through appendix 7th*

APPENDIX IX(R)

APPENDIX IXIE

APPENDIX IXIE(R)

APPENDIX IXSO

APPENDIX IXSO(R)

77041123



FEDERAL ELECTION COMMISSION

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

March 29, 1977

Ms. Mary Meehan, treasurer
Committee for a Constitutional Presidency
1440 N Street NW
Washington, DC 20007

Dear Ms. Meehan:

This letter is prompted by our interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended.

During review of ~~the~~ your file of Reports of Receipts and Expenditures, we noticed that you omitted information or made apparent mathematical errors in certain entries. Attached is an itemization of the information requested.

While we recognize the difficulties you may have experienced in filling out the reporting forms, we must ask that you supply the Commission with the missing information within (10) days of receipt of this letter. If you have any questions, please do not hesitate to contact Lucia Safran (202-523-4048) our Reports Analyst assigned to you.

Sincerely,

Orlando B. Potter
Staff Director

Attachment

12



OFFICE OF GENERAL COUNSEL

77140333

TO: Committee for a Constitutional Presidency DATE: March 29, 1977

I.D.# C00031856

REQUEST FOR ADDITIONAL INFORMATION FOR THE ALL REPORTS OF RECEIPTS AND EXPENDITURES COVERING THE PERIOD 1/ 1/ 76 THROUGH 9/ 3/ 76 PURSUANT TO THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED.

A review of the report indicates that additional information is needed in order to be considered complete. Please return a copy of this form with your amended submission(s).

- Coverage dates omitted or incorrect
- Failure to sign
- Identification Number (Use above FEC I.D.#)
- Incorrect or omitted total(s) on Summary Page Line Column
- Incorrect or omitted total(s) on Detailed Summary Line Column

OMISSION OF REQUIRED DATA ON RECEIPTS AND EXPENDITURES	Schedule LINE	A	A	A	A	B	B	B	C	C	D	E
		15	16	17	18	20	22	24	26	27	15(c)	21
<input checked="" type="checkbox"/> Schedule totals <input type="checkbox"/> do not agree with Detailed Summary (Page 2) <input type="checkbox"/> omitted												
<input type="checkbox"/> Dates inadequate or omitted												
<input type="checkbox"/> Full name omitted												
<input type="checkbox"/> Mailing address inadequate or omitted												
<input type="checkbox"/> Occupation description inadequate or omitted												
<input checked="" type="checkbox"/> Prncpl. pl. bus. inadequate or omitted												
<input checked="" type="checkbox"/> Aggregate year-to-date totals omitted												
<input type="checkbox"/> Purpose of expenditure or receipt omitted												
<input type="checkbox"/> Inadequate description of <input type="checkbox"/> Proceeds <input type="checkbox"/> Dates <input type="checkbox"/> Event(s) and Location												
<input type="checkbox"/> Nature of debts and obligations omitted or inadequate												

OTHER: see page two

Your initial submission, together with this request for additional information, has been made available for public inspection. The Commission urges you to file the additional submission(s) promptly to the above address. If you have any questions regarding this request, please call the Disclosure Division toll free at (800)424-9530. The local Washington, D.C. telephone number is (202)523-4048.



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

N-O-T-I-C-E

Review of your file indicates that your committee has not filed complete FEC Forms 3b, Consolidated Report of Receipts and Expenditures (enclosed). As required by 2 U.S.C. 432 (e)(3), FEC Form 3b must be filed with every report of receipts and expenditures of a principal campaign committee if the candidate has authorized committees other than his principal campaign committee to receive contributions and make expenditures on his behalf.

FEC Form 3b provides for the disclosure of totals of all receipts and expenditures made by each of the authorized, including the principal campaign committee, operating on behalf of the candidate.

Beyond the legal requirements, the Commission is currently preparing statistics on the 1976 Election. Your timely filing of this consolidation report will help to insure the accuracy to these statistics.

777405123
312101171



OFFICE OF THE



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 421

Date Filmed 4/21/81 Camera No. --- 2

Cameraman GFC