



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4225

DATE FILMED 1-4-96 CAMERA NO. 2

CAMERAMAN S.E.G.

96043701378

ACTIVITIES OF THE SOUTHEAST TEXAS ROUNDTABLE FIRST CAME TO THE COMMISSION'S ATTENTION IN CONNECTION WITH ANOTHER MATTER. SOUTHEAST TEXAS ROUNDTABLE WAS SEVERED FROM THAT CASE. BECAUSE THAT MATTER IS STILL BEFORE THE COMMISSION, THE DOCUMENTS PERTAINING TO IT ARE NOT INCLUDED IN THIS FILE.

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RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARY

JUL 13 10 42 AM '94

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR 4225
DATE COMPLAINT FILED: December 27, 1993
DATE OF NOTIFICATION: January 6, 1994
DATE ACTIVATED: April 8, 1994
STAFF MEMBER: Tracey L. Ligon

COMPLAINANT: Stephen M. Clifford
RESPONDENTS: Southeast Texas Roundtable
RELEVANT STATUTES: 2 U.S.C. § 441d
INTERNAL REPORTS CHECKED: None
FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was initiated by a signed sworn complaint filed with the Federal Election Commission ("the Commission") by Mr. Stephen M. Clifford on December 27, 1993.

As evidenced by the attachments, the Southeast Texas Roundtable distributed a letter which expressly advocated both the election and defeat of clearly identified candidates but did not contain a disclaimer, and also distributed two candidate comparisons.

II. FACTUAL AND LEGAL ANALYSIS

A. The Law

Pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a),

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whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidate, or that solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing, or any other form of general public political advertising, if paid for and authorized by a candidate, an authorized committee of a candidate, or its agents, shall clearly state that the communication has been paid for by the authorized political committee. If such communication is paid for by other persons but authorized by a candidate, an authorized committee of a candidate, or an agent thereof, the communication shall clearly state that it is paid for by such other person and, is authorized by such candidate, authorized committee or agent. If such communication is not authorized by a candidate, an authorized committee of a candidate, or an agent thereof, the communication shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee. Such person is not required to place the disclaimer on the front face or page of any such material, as long as a disclaimer appears within the communication, except on communication, such as billboards, that contain only a front face. 11 C.F.R. § 110.11(a)(1).

Pursuant to 2 U.S.C. § 434(c), every person (other than a political committee) who makes independent expenditures in an aggregate amount or value in excess of \$250 during a calendar year shall file a statement containing the identification of each

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person who makes a contribution to the reporting committee during the reporting period, whose contribution or contributions have an aggregate amount or value in excess of \$200 within the calendar year, or in any lesser amount if the reporting committee should so elect, together with the date and amount of any such contribution pursuant to subsection (b)(3)(A).

B. Discussion

The Southeast Texas Roundtable ("Roundtable") was notified of the complaint As indicated by attachments to the complaint the Roundtable distributed a letter, dated October 18, 1992, and addressed to "Dear Friend", which expressly advocated both the election of Stephen E. Stockman and the defeat of Rep. Jack Brooks, whose seat Stockman challenged in 1992, and won in 1994.

The Roundtable also distributed two candidate comparisons, called "Family Values Scorecard[s]." These comparisons included a list of issues and the words "for" or "against" beneath the name and photograph of candidates for the 9th Congressional District of Texas. It appears that the scorecard at issue was enclosed with the October 18 letter. In its October 18 letter, the Roundtable indicated that "Enclosed is a political scorecard prepared by a non-partisan public information group that shows the stand each candidate takes on some important issues." Correspondingly, the scorecards at issue each indicate that they were paid for by the Southeast Texas Roundtable "a Non-Partisan Public Information Group." This Office recommends that the Commission conduct discovery directed to ascertaining, inter alia, whether the

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October 18 letter and the scorecard were distributed together and what, if anything, additional was included in the package.

Notwithstanding the question of whether the scorecard was mailed along with the October 18 letter, we recommend that the Commission find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d inasmuch as the Roundtable's October 18 letter clearly contains express advocacy and neither the letter nor the scorecard contains a proper disclaimer.

In addition, inasmuch as we believe that it is reasonable to assume that the amount of money spent by the Roundtable on the production and distribution of the package, which likely included the scorecards, exceeded two hundred and fifty dollars (\$250), we recommend that the Commission find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 434(c) by failing to file the required statement with the Commission. This Office recommends that the discovery conducted by the Commission also be directed toward ascertaining the amount of money the Roundtable spent on the production and distribution of the package at issue.¹

1. This Office has also considered the question of whether the distribution of the communication at issue is the only FECA regulated activity done by the Southeast Texas Roundtable and whether the Roundtable's activities would render it a political committee pursuant to the Act and regulation. We have also considered whether any of the Roundtable's activities were done in coordination with Stephen E. Stockman, his campaign committee, or an agent thereof. However, we believe that the most practical course would be to conduct the initial phase of discovery regarding the communication at issue, and, based on the responses thereto, determine whether additional discovery is indicated.

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III. RECOMMENDATIONS

1. Find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d.
2. Find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 434(c).
3. Approve the attached Factual and Legal Analysis.
4. Approve the issuance of the attached set of interrogatories and document requests.

Lawrence M. Noble
General Counsel

7/18/95
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments:

1. October 12 letter
2. Scorecards
3. Response to Complaint
4. Factual and Legal Analysis
5. Interrogatories and Document Requests

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Southeast Texas Roundtable.) MUR 4225
)
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 24, 1995, the Commission decided by a vote of 6-0 to take the following actions in MUR 4225:

1. Find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d.
2. Find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 434(c).
3. Approve the Factual and Legal Analysis, as recommended in the General Counsel's Report dated July 18, 1995.

(continued)

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4. Approve the issuance of the set of interrogatories and document requests, as recommended in the General Counsel's Report dated July 18, 1995.

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

Attest:

7-25-95

Date

Delores Hardy
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Wed., July 19, 1995 10:41 a.m.
Circulated to the Commission: Wed., July 19, 1995 4:00 p.m.
Deadline for vote: Mon., July 24, 1995 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 28, 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Michael A. Culling, Esquire
20025 Highway 6
P.O. Box 465
Manvel, Texas 77578

RE: MUR 4225
Southeast Texas Roundtable

Dear Mr. Culling:

On January 6, 1994, the Federal Election Commission notified your client, the Southeast Texas Roundtable, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, the Commission, on June 13, 1995, found that there is reason to believe the Southeast Texas Roundtable violated 2 U.S.C. § 441d(a), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

On behalf of your client, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Subpoena to Produce Documents and Order to Submit Written Answers must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If your client is interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the

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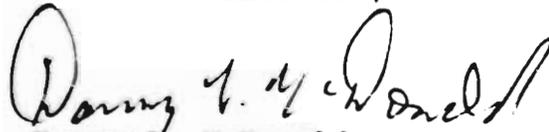
General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain request for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that your client wishes the investigation to be made public.

If you have any questions, please contact Tracey L. Ligon, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,



Danny L. McDonald
Chairman

Enclosures:

Subpoena to Produce Documents and
Order to Submit Written Answers
Factual and Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
the Southeast Texas Roundtable) MUR 4225

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Southeast Texas Roundtable
c/o Michael A. Culling, Esquire
P.O. Box 465
Manvel, Texas 77578

Pursuant to 2 U.S.C. §437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

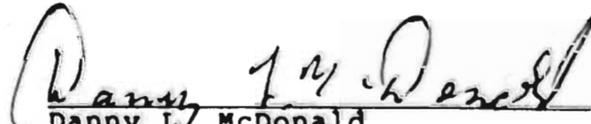
Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

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MUR 4225
Southeast Texas Roundtable
Page 2

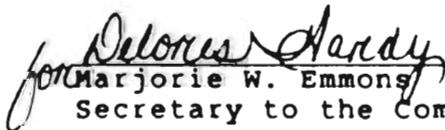
WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand in Washington, D.C. on this 28th day of
July, 1995.

For the Commission,



Danny L. McDonald
Chairman

ATTEST:


for _____
Marjorie W. Emmons
Secretary to the Commission

Attachments:
Interrogatories and Document Requests

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INSTRUCTIONS

In answering these interrogatories and request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each interrogatory propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the following interrogatories in full after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1990 to present.

The following interrogatories and requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the Southeast Texas Roundtable to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

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"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

INTERROGATORIES AND REQUEST FOR DOCUMENTS

1. State when and how the Southeast Texas Roundtable was formed and describe its legal status.
2. If the Southeast Texas Roundtable is or has ever been a corporation, indicate the date and duration of its incorporation. If incorporated, produce a copy of the Southeast Texas Roundtable's Articles of Incorporation and by-laws.
3. Identify every officer of and every individual involved with the formation of the Southeast Texas Roundtable.
4. Describe the relationship, if any, between the Southeast Texas Roundtable, and any of its officers, with Stephen E. Stockman, the Friends of Steve Stockman committee, the Stockman for Congress committee, and any agent thereof. State whether Stephen E. Stockman has ever been an officer or member of the Southeast Texas Roundtable.
5. State the purpose or purposes of the Southeast Texas Roundtable. Produce a copy of all governance documents and any other documents reflecting the purpose of the Southeast Texas Roundtable.
6. State how the Southeast Texas Roundtable is funded. Identify each and every source of funds used by the Southeast Texas Roundtable to support its activities in connection with the 1992 election. Produce any documents reflecting the source of such funds.
7. Describe the manner in which the October 18, 1992 letter to "Dear Friend" was distributed. Identify the individuals that drafted, prepared, and/or distributed the October 18, 1992 letter.
8. State whether the October 18, 1992 letter was distributed together with any additional material. If so, identify each additional piece included in the package.

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Southeast Texas Roundtable
Page 4

9. Indicate how many of the October 18, 1992 letters/packages were distributed. State where the October 18, 1992 letters/packages were distributed. State where and how the Southeast Texas Roundtable obtained the names of the persons to whom the letters/packages were distributed.

10. If not distributed together with the October 18, 1992 letter, state the manner in which the candidate comparisons called "Family Values Scorecard(s)" were distributed and identify any materials that were distributed along with the comparisons. Indicate how many of the scorecard(s) were distributed. Indicate where the scorecards were distributed. State where and how the Southeast Texas Roundtable obtained the names of the persons to whom the scorecard(s) were distributed. Identify the individuals that drafted, prepared, and/or distributed the scorecards.

11. State how much money was spent for the production and distribution of the October 18, 1992 letter/package. Produce all receipts and any other documents reflecting the cost of the production and distribution of the October 18, 1992 letter/package.

12. State how much money was spent for the production and distribution of any other materials distributed or advertisements produced by the Southeast Texas Roundtable in connection with the 1992 election. Produce all receipts and any other documents reflecting the cost of the production and distribution of any such materials.

13. State whether the Southeast Texas Roundtable communicated with then-candidate Stephen E. Stockman, or his campaign committee or an agent thereof, prior to the distribution of the October 18, 1992 letter/package. If so, describe all such communications regarding the contents or distribution of the October 18, 1992 letter/package. Identify the individuals that participated in such communications.

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Southeast Texas Roundtable MUR: 4225

This matter was generated by a complaint filed with the Federal Election Commission by Stephen M. Clifford. See 2 U.S.C. § 437g(a)(1).

A. The Law

Pursuant to 2 U.S.C. § 441d(a) and 11 C.F.R. § 110.11(a), whenever any person makes an expenditure for the purpose of financing a communication that expressly advocates the election or defeat of a clearly identified candidate, or that solicits any contribution, through any broadcasting station, newspaper, magazine, outdoor advertising facility, poster, yard sign, direct mailing, or any other form of general public political advertising, if paid for and authorized by a candidate, an authorized committee of a candidate, or its agents, shall clearly state that the communication has been paid for by the authorized political committee. If such communication is paid for by other persons but authorized by a candidate, an authorized committee of a candidate, or an agent thereof, the communication shall clearly state that it is paid for by such other person and, is authorized by such candidate, authorized committee or agent. If such communication is not authorized by a candidate, an authorized

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committee of a candidate, or an agent thereof, the communication shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee. Such person is not required to place the disclaimer on the front face or page of any such material, as long as a disclaimer appears within the communication, except on communication, such as billboards, that contain only a front face. 11 C.F.R. § 110.11(a)(1).

Pursuant to 2 U.S.C. § 434(c), every person (other than a political committee) who makes independent expenditures in an aggregate amount or value in excess of \$250 during a calendar year shall file a statement containing the identification of each person who makes a contribution to the reporting committee during the reporting period, whose contribution or contributions have an aggregate amount or value in excess of \$200 within the calendar year, or in any lesser amount if the reporting committee should so elect, together with the date and amount of any such contribution pursuant to subsection (b)(3)(A).

B. Discussion

The Southeast Texas Roundtable ("Roundtable") was notified of the complaint. As indicated by attachments to the complaint, the Roundtable distributed a letter, dated October 18, 1992, and addressed to "Dear Friend", which expressly advocated both the election of Stephen E. Stockman and the defeat of Rep. Jack Brooks, whose seat Stockman challenged in 1992, and won in 1994.

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The Roundtable also distributed two candidate comparisons, called "Family Values Scorecard[s]." These comparisons included a list of issues and the words "for" or "against" beneath the name and photograph of candidates for the 9th Congressional District of Texas. It appears that the scorecard at issue was enclosed with the October 18 letter. In its October 18 letter, the Roundtable indicated that "Enclosed is a political scorecard prepared by a non-partisan public information group that shows the stand each candidate takes on some important issues." Correspondingly, the scorecards at issue each indicate that they were paid for by the Southeast Texas Roundtable "a Non-Partisan Public Information Group." There is reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d inasmuch as the Roundtable's October 18 letter clearly contains express advocacy and neither the letter nor the scorecard contains a proper disclaimer.

In addition, inasmuch as we believe that it is reasonable to assume that the amount of money spent by the Roundtable on the production and distribution of the package, which likely included the scorecards, exceeded two hundred and fifty dollars (\$250), there is reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 434(c) by failing to file the required statement with the Commission.

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LAW OFFICES
MICHAEL A. CULLING
20025 HIGHWAY 6 - P. O. BOX 465
MANVEL TEXAS 77578
(713) 489-9113

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FEDERAL ELECTION
COMMISSION
GENERAL
COUNSEL

August 21, 1995

GENERAL COUNSEL'S OFFICE
FEDERAL ELECTION COMMISSION
999 E STREET NW
WASHINGTON DC 20463

Certified Mail # P 688 831 722

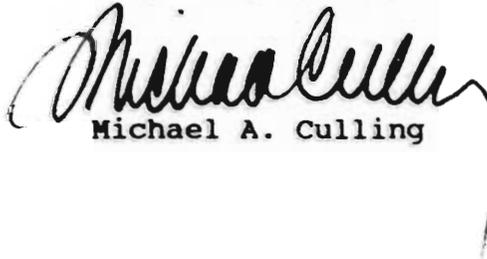
Re: MUR 4225

Gentlemen:

Enclosed herewith please find Answers to Interrogatories and Response to Request for Documents in the referenced matter, filed on behalf of Rev. Paul Golden.

Should there be any questions, please let me know.

Very truly yours,



Michael A. Culling

MC:cc:1.7.7:M4082

Enclosure

cc: Rev. Paul Golden

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RE: MUR 4225

TO: FEDERAL ELECTION COMMISSION
DANNY L. MCDONALD, CHAIRMAN
OFFICE OF THE GENERAL COUNSEL

ANSWERS TO INTERROGATORIES AND
RESPONSE TO REQUEST FOR DOCUMENTS

REV. PAUL GOLDEN, in response to the Subpoena to Produce Documents and Order to Submit Written Answers, files the attached Answers to Interrogatories and Responses to Request for Documents in writing and under oath. REV. GOLDEN files such in his individual capacity and cannot answer or respond on behalf of "The Southeast Texas Roundtable," or on behalf of any other individual, for reasons set forth in this Response.

Respectfully submitted,



Michael A. Culling, Attorney for Paul Golden
State Bar of Texas No. 05211000
P. O. Box 465
Manvel, TX 77578
Telephone: 713 - 489 9113

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**RESPONSE TO SUBPOENA TO PRODUCE
DOCUMENTS AND ORDER TO SUBMIT WRITTEN ANSWERS**

1. State when and how the Southeast Texas Roundtable was formed and describe its legal status.

Response: About June, 1992, several ministers began meeting informally to discuss moral problems in society.

The Southeast Texas Roundtable is not a legal entity.

2. If the Southeast Texas Roundtable is or has ever been a corporation, indicate the date and duration of its incorporation. If incorporated, produce a copy of the Southeast Texas Roundtable's Articles of Incorporation and by-laws.

Response: It is not and never has been a corporation, to the best of my information and belief.

3. Identify every officer of and every individual involved with the formation of the Southeast Texas Roundtable.

Response: There are no officers. Some of those listed on the attached letterhead are the individuals involved in its "formation." The specific individuals so involved are not known to me.

4. Describe the relationship, if any, between the Southeast Texas Roundtable, and any of its officers, with Stephen E. Stockman, the Friends of Steve Stockman committee, the Stockman for Congress committee, and any agent thereof. State whether Stephen E. Stockman has ever been an officer or member of the Southeast Texas Roundtable.

Response: There is no relationship between the Roundtable (which has no officers) and Stockman or any Stockman organization. Stephen E. Stockman has never been an officer or member of it.

5. State the purpose or purposes of the Southeast Texas Roundtable. Produce a copy of all governance documents and any other documents reflecting the purpose of the Southeast Texas Roundtable.

Response: The Roundtable is a sort of ministerial alliance, a forum for pastors to share fellowship and insights. There are no documents, except the letterhead attached, to my knowledge, which reflect its purpose.

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6. State how the Southeast Texas Roundtable is funded. Identify each and every source of funds used by the Southeast Texas Roundtable to support its activities in connection with the 1992 election. Produce any documents reflecting the source of such funds.

Response: What "funding" there was, was by informal collection among members to pay for particular expenses. There has never been a bank account, to my knowledge. No documents reflecting funding are known by me to have been generated.

7. Describe the manner in which the October 18, 1992 letter to "Dear Friend" was distributed. Identify the individuals that drafted, prepared, and/or distributed the October 18, 1992 letter.

Response: Many of the pastors listed on the letterhead of the October 18, 1992 letter sent out copies of letters of that basic tenor to their acquaintances in Congressional District 9. The language drafting was a joint effort, but individuals modified it as desired.

8. State whether the October 18, 1992 letter was distributed together with any additional material. If so, identify each additional piece included in the package.

Response: Only the "Political Scorecard" was included.

9. Indicate how many of the October 18, 1992 letters/packages were distributed. State where the October 18, 1992 letters/packages were distributed. State where and how the Southeast Texas Roundtable obtained the names of the persons to whom the letter/packages were distributed.

Response: Only 20 or so of the letters were sent by me. I have no knowledge of the number of letters others sent. Mine were distributed to Galveston County acquaintances of mine. The names of the persons were my acquaintances.

10. If not distributed together with the October 18, 1992 letter, state the manner in which the candidate comparisons called "Family Values Scorecard(s)" were distributed and identify any materials that were distributed along with the comparisons. Indicate how many of the scorecard(s) were distributed.

Indicate where the scorecards were distributed. State where and how the Southeast Texas Roundtable obtained the names of the persons to whom the scorecard(s) were distributed. Identify the individuals that drafted, prepared, and/or distributed the scorecards.

Response: As far as my own activity, the comparisons were distributed with the letter only, and no other materials were with them. I distributed only about 20. They were distributed to my Galveston County acquaintances. I do not know who drafted or prepared them.

11. State how much money was spent for the production and distribution of the October 18, 1992 letter/package. Produce all receipts and any other documents reflecting the cost of the production and distribution of the October 18, 1992 letter/package.

Response: Approximately \$9. I have no receipts.

12. State how much money was spent for the production and distribution of any other materials distributed or advertisements produced by the Southeast Texas Roundtable in connection with the 1992 election. Produce all receipts and any other documents reflecting the cost of the production and distribution of any such materials.

Response: I do not know of any other such materials.

13. State whether the Southeast Texas Roundtable communicated with then-candidate Stephen E. Stockman, or his campaign committee or an agent thereof, prior to the distribution of the October 18, 1992 letter/package. If so, describe all such communications regarding the contents or distribution of the October 18, 1992 letter/package. Identify the individuals that participated in such communications.

Response: The Roundtable was not/is not a legal entity. Therefore, "it" did not communicate.

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THE STATE OF TEXAS
COUNTY OF BRAZORIA

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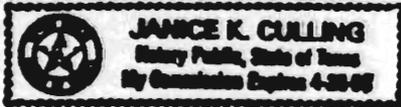
AFFIDAVIT

BEFORE ME, the undersigned Notary, on this day came PAUL GOLDEN, known to me, and being by me first duly sworn, stated on oath that the foregoing Answers to Interrogatories and Responses to Request for Documents are within the knowledge of affiant, true and correct.

Paul D Golden

PAUL GOLDEN

SWORN AND SUBSCRIBED TO before me on August 24, 1995.



Jance K Culling
NOTARY PUBLIC, THE STATE OF TEXAS
My commission expires: 4-28-97

Typed or printed name of Notary:

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Southeast Texas Roundtable

Mobilizing Morality in America

96043701404

Rev. Ron Aaronson
Light Christian Center
Rev. Charles Arnold
Seaside Baptist
Dr. Hal Boone
Red Missionary Doctor
Rev. James E. Booth
Island Baptist
Rev. Les Demick Jr.
Living Way Church
Robert Dowdy
Church of the Living God
Rev. John L. Elliott Jr.
Gulf Coast Christian Center
Rev. Tommy Frankovich
La Marque Baptist Church
Rev. Earl Gardner
Grace Family Fellowship
Rev. Terry Gibson
Santa Fe Christian Church
Rev. Paul Golden
Light Christian Center
Rev. Paul Gonzales
First Mission Baptist
Dr. James Gross
First Baptist - Texas City
Freddie Guel
Beverly Ward Church
Rev. H. Don Locke
Central Baptist
Rev. James McAllister
West End Baptist
Rev. Ronnie Mills
Trinity Baptist
Rev. J. H. Morris
Beverly Baptist
Dr. Jon Murchison
Pine Drive Baptist
Rev. Karl Newmann
Beverly Friends Church
E. Everett Nix
The Pilgrimage Church
Rev. Calvin Pearson
Bay Area First Baptist
Dr. George R. Ramsey
University Baptist - Galveston
Rev. Steve Riggle
Grace Community Church
Pastor Leonard Robison
Beverly Vista Baptist Mission
Rev. Lynn Sasser
First Baptist - Hitchcock
Dr. Rick Scarborough
First Baptist - Pearland
Dr. Mike Schmidt
Cornerstone Baptist
Mr. Alan Splawn
First Baptist Church of Alta Loma
Jon Stucklan
Memorial Baptist
Rev. Art Walden
Faith Temple of League City
Rev. Ken Walker
Bible Baptist
Rev. Melvin Ware
First Assembly of God
Rev. Jeff Weems
College View Baptist Church
Rev. James D. Wright
South Shore Church of the Living Water

October 18, 1992

Dear Friend,

Recently, the Southeast Texas Roundtable, a group of local pastors, began meeting together for the purpose of helping to restore morality and righteousness to our government. We believe the most effective method to affect change is to elect men and women to office that believe in and will make laws consistent with biblical, moral principles.

One man we feel holds these values is running for election to the United States Congress from District 9 of Texas. His name is Steve Stockman. Steve is an accountant that has worked for McKee Environmental Health, Incorporated. In addition, during the last fifteen years he has been involved with the political system as a precinct chairman, campaign director, campaign finance chairman, area coordinator for national campaigns, and now as a candidate himself.

Steve is running against Jack Brooks who has held the District 9 seat for 40 years. We believe it is time for a change. Enclosed is a political scorecard prepared by a non-partisan public information group that shows the stand each candidate takes on some important issues. If you agree that Steve Stockman reflects the values that most of us Americans have cherished all our lives, then help place him in office by casting your vote for Steve Stockman on election day.

This endorsement is sent to you by the pastors listed on this stationery. However, we are not speaking for any group or church, but simply as concerned citizens who want a return to moral, biblical values in government. All expenses for this letter have been paid for by private donations.

Sincerely,

Pastor Paul Golden

P.S. Don't forget to vote early, if you can.

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIA

Oct 26 4 06 PM

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Southeast Texas Roundtable) MUR 4225

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

This matter was initiated by a signed sworn complaint filed with the Federal Election Commission ("the Commission") by Stephen M. Clifford on December 27, 1993.

As evidenced by the attachments, the Southeast Texas Roundtable distributed a letter dated October 18, 1992, which expressly advocated both the election and defeat of clearly identified candidates but did not contain a disclaimer, and also distributed two candidate scorecards.

This Office initially recommended that the Commission find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d(a) as a result of the lack of a proper disclaimer on the October 18, 1992 letter, issue a letter of admonishment, and take no further action as to the Southeast Texas Roundtable. However, on June 13, 1995, the Commission decided to find reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 441d(a)¹ and

1. Subsequently, the Commission also found reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. § 434(c) by failing to file the required statement with the Commission, based on the assumption that the amount of money spent by the Southeast Texas Roundtable on the production and distribution of the letter/package exceeded \$250.

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instructed this Office to pursue this matter further.

II. RESULTS OF INVESTIGATION

Pursuant to the Commission's instructions, this Office has commenced an investigation into this matter. Thus far, the investigation has included one set of interrogatories and requests for documents, issued to the Southeast Texas Roundtable. The goal of the initial discovery was to determine whether the scorecards were distributed together with the letter at issue, and to find out the cost of the production and distribution of the letter or package. The initial round of discovery was also directed toward ascertaining the legal status of the Southeast Texas Roundtable, the purpose of the organization, and the extent of its FECA regulated activities in order to determine whether the Southeast Texas Roundtable has violated other provisions of the Act. In addition, discovery was directed toward ascertaining whether the Southeast Texas Roundtable's activities were done in coordination with Stephen E. Stockman, his campaign committee(s), or an agent thereof.

Through counsel, the Reverend Paul Golden, the individual that signed the Roundtable letter at issue, responded to this Office's interrogatories. Reverend Golden prefaced his answers to the interrogatories with the statement that he had answered the interrogatories in his individual capacity and could not answer or respond on behalf of the Southeast Texas Roundtable, or on behalf of any other individual. Reverend Golden indicated that the Southeast Texas Roundtable is not a legal entity; rather, it is a sort of ministerial alliance, a forum for pastors to share

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fellowship and insights. Reverend Golden also stated that the Roundtable was formed around June, 1992, when several ministers began meeting informally to discuss moral problems in society. He stated that there are no officers of the Roundtable and that some of the pastors listed on the letterhead of the October 18, 1992 letter formed the Roundtable. He indicated, however, that he does not know which specific pastors are responsible for forming the Roundtable.

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With respect to the letter at issue, Reverend Golden was unable to provide details regarding the activity of any of the thirty-five Roundtable members other than his own. Reverend Golden indicated that he distributed "20 or so" letters, together with the scorecards, to his acquaintances in Galveston County. He stated that his cost for producing and distributing such letters and scorecards was approximately \$9. Reverend Golden also stated that he distributed only the scorecards along with the letter. He further indicated that "many of the pastors listed on the letterhead of the October 18, 1992 letter sent out copies of letters of that basic tenor to their acquaintances in Congressional District 9," and that "the language drafting was a joint effort [of the pastors], but individuals modified [the letter] as desired." Reverend Golden also stated that he was not aware of any other materials that were produced and distributed in the name of the Southeast Texas Roundtable in connection with the 1992 election.

In response to the interrogatories aimed at ascertaining whether there was any cooperation or coordination between the

Southeast Texas Roundtable and Congressman Stephen Stockman, Reverend Golden, again, based only on his own conduct and knowledge, claimed that "there is no relationship between the Roundtable (which has no officers) and Stockman or any Stockman organization," and that Stockman has never been an officer or a member of the Roundtable. Regarding whether or not there were communications between the Southeast Texas Roundtable and Stockman or his campaign committee or an agent thereof, prior to the distribution of the October 18, 1992 letter/package, Reverend Golden responded that the Roundtable was not/is not a legal entity, therefore, "it" did not communicate.

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III. ANALYSIS

Based on the information discovered thus far, it appears that the production and distribution of the letter/package at issue may be the principal FECA regulated activity done by the Southeast Texas Roundtable as a group. It also appears likely, based on the minimal amount of \$9 that Reverend Golden claims to have spent for the production and distribution of the 20 letter/packages distributed by him, that each of the other

thirty-four pastors listed on the letterhead may have expended similarly minimal amounts in producing and distributing the letter/packages at issue. This notion is supported by Reverend Golden's statement that he believed that many of the thirty-four other pastors sent the letter to their individual acquaintances; his statement does not reflect a belief that the other pastors engaged in wholesale distributions of the letter.

In light of the apparent minimal amount of money involved in this matter, we believe that this case does not warrant further use of this Office's resources. Proceeding with this matter would likely involve naming each of the thirty-five individual pastors as respondents and would require the Commission to issue a set of interrogatories, similar in substance to those responded to by Reverend Golden, to each of the thirty-four other pastors listed on the letterhead in order to identify precisely the amount of money that each pastor expended on the production and distribution of the letter/package and to explore other potential violations. Furthermore, in light of Reverend Golden's statement that the other pastors distributed letters "of [the] basic tenor" of the letter at issue, and that the pastors "modified [the letter] as desired," this Office would, as an initial matter, also need to request that each of the remaining thirty-four pastors produce their individual letters in order to confirm that their letters were in fact also violative of 2 U.S.C. § 441d.

Based on the information currently in hand, it appears unlikely that the amount of money spent by individual pastors for the production and distribution of the letter/packages at issue

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exceeded \$250, which occurrence would have required the pastors to file a statement with the Commission pursuant to 2 U.S.C. § 434(c). Even assuming the existence of coordination between the members of the Southeast Texas Roundtable and Stockman in the production and distribution of the letter/package, the amount of the resulting individual contributions may be so low as not to trigger itemized reporting requirements on the part of Stockman's campaign committees. Finally, evidence gathered to date makes it unlikely that the Southeast Texas Roundtable as a group has received contributions or made expenditures aggregating in excess of \$1,000 during a calendar year for purposes of considering its potential status as a political committee.

Based on the foregoing, this Office recommends that the Commission issue an admonishment to the Southeast Texas Roundtable, c/o Reverend Paul Golden, take no further action, and close the file.

IV. RECOMMENDATIONS

1. Take no further action against the Southeast Texas Roundtable.
2. Approve the appropriate letters.
3. Close the file.

Lawrence M. Noble
General Counsel

10/26/95
Date

BY: 
Lois G. Lerner
Associate General Counsel

Staff assigned: Tracey L. Ligon

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Southeast Texas Roundtable.) MUR 4225

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 1, 1995, the Commission decided by a vote of 5-0 to take the following actions in MUR 4225:

1. Take no further action against the Southeast Texas Roundtable.
2. Approve the appropriate letters, as recommended in the General Counsel's Report dated October 26, 1995.
3. Close the file.

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

Attest:

11-1-95
Date

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

Received in the Secretariat: Thurs., Oct. 26, 1995 4:06 p.m.
Circulated to the Commission: Fri., Oct. 27, 1995 12:00 p.m.
Deadline for vote: Wed., Nov. 01, 1995 4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

November 20, 1995

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Steven M. Clifford
Campaign Consultant to
The Friends of Lecour Committee
2522 Tall Ships
Friendsworth, Texas 77546

RE: MUR 4225
Southeast Texas Roundtable

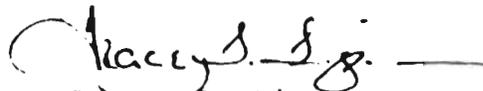
Dear Mr. Clifford:

This is in reference to the complaint you filed with the Federal Election Commission on December 27, 1993.

Based on attachments to that complaint, on July 24, 1995, the Commission found that there was reason to believe the Southeast Texas Roundtable violated 2 U.S.C. §§ 441d and 434(c), provisions of the Federal Election Campaign Act of 1971, as amended, and instituted an investigation of this matter, which was designated MUR 4225. After considering the circumstances of MUR 4225, the Commission determined to take no further action against the Southeast Texas Roundtable, and closed the file in MUR 4225 on November 1, 1995. This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Tracey L. Ligon
Attorney

Enclosure:
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 20, 1995

Michael A. Culling, Esquire
20025 Highway 6
P.O. Box 465
Manvel, Texas 77578

RE: MUR 4225
Southeast Texas Roundtable

Dear Mr. Culling:

On July 28, 1995, you were notified that the Federal Election Commission found reason to believe that the Southeast Texas Roundtable violated 2 U.S.C. §§ 441d and 434(c). On August 28, 1995, you submitted responses to the Commission's interrogatories to the Southeast Texas Roundtable on behalf of Reverend Paul Golden, a member of the Southeast Texas Roundtable. After considering the circumstances of the matter, the Commission determined on November 1, 1995, to take no further action against the Southeast Texas Roundtable, and closed the file in this matter. This notification is being sent to the Southeast Texas Roundtable in care of your client, Reverend Paul Golden.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

The Commission reminds you that failing to place a proper disclaimer on communications which expressly advocate the election or defeat of a clearly identified candidate is a violation of 2 U.S.C. § 441d. Also, a person who has made independent expenditures in an aggregate amount of \$250 during a calendar year violates 2 U.S.C. § 434(c) by failing to file the required statement with the Commission pursuant to that section.

Celebrating the Commission's 20th Anniversary

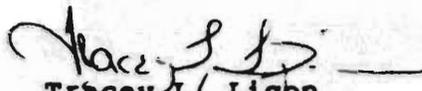
YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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Your client should take steps to ensure that this activity does not occur in the future.

If you have any questions, please contact me at (202) 219-3690.

Sincerely,


Tracey L. Ligon
Attorney

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4225
DATE FILMED 1-4-96 CAMERA NO. 2
CAMERAMAN S.E.G.

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