TERMINATION REPORT

CA 009-75 - Pettis

Allegation

A violation of the media expenditure limitations of the 1971 Act and excess transfer of funds between committees by Shirley Pettis (successful candidate for the House of Representatives, California).

Facts:

An opponent of Congresswoman Pettis, Mr. Martinez, sought advice from the Clerk of the House concerning the media limitations for the special election held April 29, 1975. Mr. Martinez was also concerned about a transfer of funds between a committee of former Congressman Jerry Pettis and a committee for Shirley Pettis. Communications from the Clerk of the House to candidates for the special election for the 37th District of California prior to Mr. Martinez's letter, indicated that the 1971 Act was applicable. As Mr. Martinez's letter was in the form of a request for an advisory opinion he was informed that a formal complaint should be filed. Mr. Martinez has not responded to the June 4, 1975 letter informing him of the complaint procedure.

Recommendation:

2 U.S.C. §455 prohibits the institution of criminal proceedings for an act or omission which was a violation of the 1971 Federal Election Campaign Act when such act or omission does not constitute a violation of the 1974 Act. Therefore, as the parties were under the impression that the 1971 Act was applicable and we have not received a complaint, it is recommended that the Commission close the case.

7704010601

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

CA-009-75

July 18, 1975

MEMORANDUM FOR: DREW MCKAY
THRU: PETER ROMAN
FROM: BOB COSTA, BOB HAMM RCH

SUBJECT: MARTINEZ INQUIRY CONCERNING THE USE OF SURPLUS CAMPAIGN FUNDS BY MRS. SHIRLEY PETTIS.

In an inquiry of March 25, 1975, Mr. Louis Martinez requested an opinion as to whether the campaign contribution surplus of former Congressman Jerry Pettis, in the amount of approximately $80,000, could be properly used by Mrs. Pettis in her campaign to fill the vacancy created at Mr. Pettis' death.

Section 439(a), Title 2, U. S. Code, states that amounts received by a candidate as contributions that are in excess of any amount necessary to defray his expenditures may be used by such candidate to defray any ordinary and necessary expenses incurred by him in connection with his duties as a holder of Federal office, may be contributed by him to certain organizations described in Title 26, U. S. Code, or may be used for any other lawful purpose. Although "any other lawful purpose" is not further defined, it is our understanding that the intent of Congress (at least as passed in a Senate amendment introduced by Mr. Byrd-W. Va.) was to exclude therefrom the conversion of such funds to the candidate's personal use.

If a candidate would be allowed to convert excess campaign funds to his personal utilization under the provisions of Section 439(a), a question arises as to whether Mrs. Pettis, as executrix of her husband's estate, could properly consider his $80,000 in excess campaign funds as personal funds of her immediate family. If so, under 18 U. S. C. 608(a)(1)(C), up to $25,000 might possibly be expended on her behalf. However, if the excess campaign funds could not be considered as personal funds of the candidate, under the provisions of 18 U. S. C. 608(b)(1), Mr. Pettis' campaign committee could not make contributions to any candidate, including Mrs. Pettis, which, in the aggregate, exceed $1,000 per election. This is true assuming it represents other than a multi-candidate committee as defined under 18 U. S. C. 608(b)(2).

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For your information, in the July 10, 1975 report, the Pettis for Congress Committee (Mr. Pettis' campaign committee) reported expending all but $1,051 of the excess campaign funds. Included in such expenditures were the transfer of more than $34,000 to the Shirley Pettis for Congress Committee, reportedly at the direction of the individuals originally contributing to Mr. Pettis' campaign. Also included was the return of some $21,000 in contributions to the original contributors. It was not possible to determine whether any of the remaining $20,000 in expenditures by Mr. Pettis' committee were made on behalf of Mrs. Pettis' campaign.

Although Mr. Martinez apparently has not filed a formal complaint, he alleged in a letter of 4/21/75 that Mrs. Pettis and her supporters had or soon would exceed the expenditure limit provided by law. Under the provisions of 18 U. S. C. 608(c)(1)(E), that limitation would amount to $70,000, plus an additional $14,000 allowed under 18 U. S. C. 591(f)(4)(H) for costs of solicitation of contributions. Again, for your information, in its July 10, 1975 report, the Shirley Pettis for Congress Committee reported aggregate expenditures of $84,477.81.

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MEMORANDUM

TO: Jack Murphy, General Counsel

THROUGH: Steve Schachman, Deputy Assistant General Counsel

FROM: Victor Sterling, Staff Attorney

SUBJECT: Post Election Reporting re: April 29, 1975 election
37 Congressional District of California

7704010604

In my opinion, we should require post election reports from the candidates in the above captioned election.

Under 2 U.S.C. § 434 (P.L. 93-443, effective January 1, 1975), candidates or political committees are required to file reports of receipts and expenditures not later than the 30th day after the date of an election. Since the election in question occurred on April 29, 1975, nearly four months after the effective date of this statute, its provisions should be binding on the candidates.

On the other hand, section 437c of this Act, which establishes this Commission, provides, in a footnote, that until the appointment and qualification of the Commission and its General Counsel, the Comptroller General, et al, should continue to exercise "<u>their responsibilities</u>" under P.L. 92-225, which did not contain a post election reporting requirement. Since this qualification process was not completed until your appointment on May 1, 1975, an argument could be made that the provisions

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of P.L. 92-225 continued to be in force until that date, as the Clerk of the House of Representatives asserts in the attached notice, and thus the post election reporting requirement was not binding on elections held prior thereto.

Although there is no written material in the legislative history of P.L. 93-443 indicating the legislative intent, I think that it is reasonable to conclude that this footnote was added merely to provide a smooth transition of records and responsibilities between GAO and this Commission, and not to suspend the effective date of P.L. 93-443. The provision relates only to the responsibilities of the Comptroller General, the Clerk of the House, and the Secretary of the Senate, and not to the responsibility of candidates and political committees to comply with a duly enacted law. Further, the Clerk of the House of Representatives has no authority to declare a superceded statute "in full force and effect".

Thus, it is my opinion that the reporting requirements of P.L. 93-443 were in effect on April 29, 1975, and that we have a sound legal basis for requiring post election reports for an election held on that date.

7704010605

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DRAFT (To all 37th California Congressional District candidates - April 29, 1975 election)

Dear ,

This letter is to advise you that, pursuant to the Federal Election Campaign Act Amendments of 1974, Public Law 93-443 (effective January 1, 1975), this Commission has been duly established and has assumed its responsibility to administer and enforce this Act, as well as sections 608, 610, 611, 613, 614, 615, 616 and 617 of Title 18, United States Code.

Section 434(a)(1)(A)(ii) of Title 2, United States Code requires that each candidate in an election to Federal office and each political committee supporting a candidate in an election to Federal office file a report of receipts and expenditures not later than the 30th day after the date of such election. Since you were a candidate or supported a candidate in the April 29, 1975, special primary election in the 37th Congressional District of California, you are required to file such a post election report with this Commission.

Due to our delay in formally notifying you of this requirement, and to avoid undue hardship, we have in this case extended the deadline for filing these reports to July 10, 1975. The required information may be submitted to this Commission on H.R. Election Forms 2 or 3, as appropriate.

Very truly yours,

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

Thomas B. Curtis, Chairman

7704100605

MILTON L. FISHER
231 SOUTH LASALLE STREET
CHICAGO, ILLINOIS 60604

FEDERAL ELECTION COMMISSION
'75 JUN 26 PM 4:00

June 24, 1975

The Federal Election Commission
Office of General Counsel, Rule Making Section
3125 K Street, N.W.
Washington, D. C. 20463

Dear Sir:

This letter is in response to the Commission's request for comments relating to the Federal Election Commission in the notice published by the Commission. The following comments are limited to those areas with which the writer has had some actual experience as treasurer of a United States senatorial campaign committee, or, in a few instances, areas where the writer believes past experience may be of some help in dealing with the matters discussed.

1. Bona fide news stories, commentaries or editorials in legitimate publications of general circulation should not be included in the definition of "contribution". The express exclusion of such items from the definition of expenditure should not imply that they must be included in the definition of "contribution". To include them as being within the definition of a "contribution" would be unfair to candidates or committees, impossible to administer and, finally, a violation of the First Amendment of the U.S. Constitution. Obviously this is an activity over which the candidate or his committee has no control, and unless such items were clearly exempt from any campaign contribution limitations, they would improperly penalize a candidate who receives substantial editorial support or generates a substantial amount of news, and deny him the opportunity to utilize the full bounds of limitations on contributions.

2. It seems clear that any contract whereunder the contracting party agrees to subsidize a campaign committee or candidate by advancing funds or extending credit on unusual terms for mailings, dinners or any other campaign activity would clearly be within the definition of a "loan" or "contribution" and should be subject to the restrictions on campaign contributions or loans.

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3. Open account purchases or services rendered in the regular course of business with normal and customary payment terms extended to committees or candidates by the contracting party should be exempt, although as a precaution there should be an arbitrary maximum limitation on the length of time (e.g., 60 days) given for payment of such open account obligations. Normal credit terms of the seller to its non-campaign customers could be the standard applied to those made to a campaign committee or candidate, unless such normal terms involve the extension of credit for an unusually long period of time, or in unusually large amounts. To avoid complex regulations, it would seem desirable merely to establish a presumption that terms or amounts of credit not generally extended to the trade by a seller or supplier of service would be deemed a "loan" or "contribution".

4. The question of whether a loan should be considered as an expenditure at the time the funds are received and again when expended, appears to be a problem with the structure of the reporting method. Although both transactions, the loan and the actual expenditure of the loaned funds, should be reported, both should not be designated as a "campaign expenditure". Otherwise there would be a duplication and exaggeration of the campaign's expenditures. Loans should be reported and cumulated in a separate category, and not added to total campaign "expenditures". Similarly, an "investment" of surplus campaign funds in income producing securities (i.e., treasury bills) should not be reported as an expenditure and then again reported as an expenditure when the proceeds of the investment are realized and expended. The receipt of the proceeds upon the maturity of the investment should not be reported as "income", or as a contribution. It seems feasible to set up reporting procedures whereby "loans" and "investments" could be recorded and segregated under a separate accounting heading, but not included as campaign receipts or expenditures for purposes of determining the total aggregate campaign expenses and campaign income. To do otherwise distorts the real expenditure and income figures and serves to confuse the press and the voting public. Under reporting procedures in effect during the past year investments did just that.

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5. An important question that should be carefully considered is that of requiring a committee or candidate to reflect the pro rata costs and expenses incurred by another committee to raise funds eventually transferred to the reporting committee. As an example, our campaign committee received a smaller portion of its funds from other committees than the opponent, but instead raised a larger portion of the committee's funds directly from contributors. As a result, our committee incurred substantial expenses for mailings, fundraising dinners, cocktail parties, luncheons and other fundraising activities all reflected in the committee's reported expenditures. Our opponent's committee having received a larger portion of his campaign funds from other committees, including party affiliated committees, did not have to report the pro rata costs incurred by the transferring committees to raise the funds so transferred. The result was to create a distorted appearance that our total receipts and expenditures were substantially greater in proportion to the opponent's than was truly justified under these circumstances.

Recognizing the undesirability of invoking complicated accounting procedures, the problem presented in this paragraph might be partially resolved by a provision that transfers from one committee to another or to a candidate must include and carry with them a proportionate allocation of the transferring committee's fundraising expenses. The basis for that allocation could be simply that a portion of the transferring committee's total expenses, determined by taking the percentage of such expenses that the amount transferred bears to the total proceeds received by the reporting committee within the current reporting year, be added to the transfer as an in kind contribution. The transferor would be required to certify the amount to the recipient. While that might not be a perfect solution, it appears to be an improvement over past practice. As a matter of fact, a similar requirement was imposed in the last campaign with regard to contributions received by our committee through the Council for a Livable World. We reflected in our reports a pro rata portion of the Council's expenses, as reported by the Council to us. This portion was reflected as a contribution "in kind" to our committee.

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6. Rather than imposing arbitrary allocations on the use of excess funds based solely upon the time that the expenditure was made to determine whether they should apply as expenditures deemed made prior to or after an election, it would appear more feasible and desirable to allocate such expenses on the basis of the nature of the expenditure itself. All bona fide debts outstanding at the time of an election, including (i) obligations incurred at any time after the election which are made to wind up the campaign activities or to complete necessary reports, audits, tax returns or other financial records relating to the prior election, or (ii) obligations incurred at any time after an election to complete and preserve necessary financial or other records of the prior campaign, and expenditures to pay any obligations described in subparagraphs (i) and (ii), should be considered expenditures attributable to the prior election without regard to when such items are actually paid. Similarly, to the extent that funds available to the committee or candidate at the time of the election are not adequate to pay such obligations, any contributions received at any time after the election and used for such expenditures described above should be considered as contributions allocated to the prior election. Committees or candidates should be required to use a FIFO method of accounting to determine when such deficit or obligation of the prior election has been paid for this purpose.

7. With regard to political business debts which the committee or candidate cannot pay due to lack of campaign funds, I would suggest two requirements:

(a) a bona fide effort by the creditor to enforce collection, including institution of legal proceedings, as a prerequisite to entitle the business to forego further efforts of collection, and

(b) in any event, any such remaining obligation which is not paid to the business should not be a proper deduction for income tax purposes as a business expense or otherwise (this may require enabling legislation).

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As a harsher penalty for any such financial overextension by a campaign committee, the FEC could provide that unless appropriate insolvency or bankruptcy proceedings are instituted resulting in a legal discharge of such debts, they shall automatically be deemed a contribution after six months have elapsed subsequent to the election and they are unpaid. Obviously that would impose two alternatives upon the candidate or the committee: (i) the stigma of an insolvency proceeding, or (ii) the presumption of having committed violations of limitation requirements or of receiving corporate contributions. As harsh as it may be, this proposal would work to prevent the abandonment of the campaign debt obligations of candidates and committees and would avoid some dangerous potential abuses.

Very truly yours,

Milton L. Fisher

MLF:mc

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Rec'd 6-26-75
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(Interfield)

Shirley Pettis FOR CONGRESS

RECEIVED
FEDERAL ELECTION COMMISSION
JUN 26 AM 10:44

P.O. BOX 426 • SAN BERNARDINO, CALIFORNIA 92402

June 20, 1975

Honorable Thomas B. Curtis, Chairman
Federal Elections Commission
Rulemaking Section
Office of the General Counsel
1325 "K" Street, N. W.
Washington, D. C. 20463

Dear Mr. Chairman:

In response to your request for comments on the authority and regulations to be promulgated by the Commission, we are submitting these remarks. As the Campaign Committee for Congresswoman Shirley N. Pettis, we have the unique experience of attempting to conduct a campaign while complying as much as possible with the provisions of the Federal Election Campaign Act Amendments of 1974, and at the same time, fulfilling the obligations of the Federal Election Campaign Act of 1971. The following comments are based on this experience.

From an overall viewpoint the law is poorly drafted, confusing, and contradictory. While the goals are worthwhile, it is very difficult to ensure full compliance. Among the purposes of the law is the encouragement of voluntarism in politics. Unfortunately, the complex nature of the Act requires that candidates and their committees become professionals in legal analysis and accounting. This serves to act as a substantial deterrent to candidates for Federal office.

In particular we are concerned with the sections of the Act which limit the expenditures during campaigns. Campaign expenditure limitations protect incumbents by preventing challengers with sufficient funds from spending those funds in the campaign. The limitations also encourage use of the independent expenditure section where individuals may spend in a candidate's behalf "without authorization." In Congressional campaigns these unauthorized expenditures can be substantial.

Expenditure reporting requirements are not very useful as public information. With the removal of spending limits, candidates would need only to report category totals of spending. This would simplify the forms, assist all candidates in cutting their reporting expenses, and still provide for adequate public information of the expenditures.

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SHIRLEY PETTIS 1974 CAMPAIGN COMMITTEE - Bill Leonard, Chairman - Bill Baughn, Treasurer - P.O. Box 426, San Bernardino, Calif. Printed by Franklin Press, 1001 S. Arrowhead Ave., San Bernardino, CA 92412

Where questionable political tactics are used, the law can become a tool for individuals to spend money for a candidate and then report that it was authorized. It would be easy to push a candidate over the spending limit with this tactic.

As part of the Commission's responsibility it will be studying the effect of the 1974 law, the purpose of campaign election laws, and alternative methods of regulating elections. We urge you to consider removing expenditure limitations as part of your scope of study.

Among your requests for comments, the following sections are of most concern to us:

1. Further clarification of "independent expenditures" is needed. In order to prevent this section from being abused to avoid the campaign expenditure limitation, the independent expenditure must have been made without authorization or notification by the campaign committee. Since all fundraising material and all media expenditures must be made with specific authorization forms and disclaimer, independent expenditures could not be made. Additional publicity or exposure should be given to the sections that require independent expenditures of over $100.00 to be reported under the political organization requirements.

2. Extensive definitions need to be made regarding campaign expenditures and other categories. It has been assumed that all expenditures for franked mail, without regard to their source, are to be counted as ordinary and necessary expenses and are, therefore, not to be included in the total of campaign expenditures counting towards the limitation. In addition to franked mail expenditures, our Congressional office has expenses for utilities, telephones, supplies and materials that are directly related to the operation of the Congressional office. Distinctions should be made on the reporting forms between campaign expenditures and necessary expenses of the office. To do otherwise would force our office to choose between making expenditures now on legitimate non-reimbursable Congressional expenses and preserving our spending authority to counter the possibility of primary opposition in June of 1976. Such distinctions appear to be authorized in the Act regarding "use of contributed amounts for certain purposes."

To prevent an advantage to the incumbent, a non-office holder should not have to count any expenditures towards the limit until after he has filed for the office. While an incumbent would have to count any and all campaign expenditures made after the preceding election.

In our case we will be making campaign expenditures between now and the filing period, but there are also other necessary Congressional expenses for which there is no compensation.

3. You have asked for comments on unopposed primary nominations. We believe that the spending limit must be applicable to each election whether or not the candidate has an opponent. A candidate, certainly ourselves, will be making cam-

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paign expenditures in advance of the filing period in order to preclude primary opposition. These expenditures are made towards a primary election spending limit. If no candidate files in opposition, then our campaign has been successful. This should not then force us to add these expenditures to our general election authority where there is multi-party opposition. In addition, under California law, a candidate can be opposed by write-in votes. To deny a candidate primary spending authority when there is no opponent, might then encourage write-in opposition on an unequal basis.

In addition to your requests for comments, we have pinpointed several sections of the Act which should be clarified.

1. The definition of campaign expenditures excludes expenditures made for "non-partisan activity designed to encourage individuals to register to vote or to vote." Does this mean that a candidate can spend funds without counting as part of the campaign as long as the expenditure does not advocate any particular party or any candidate. Could a letter, poster, or handout say "VOTE" - paid for by Candidate X" and be excluded from the spending limit?

2. The definition of campaign expenditures excludes expenditures made not for the purpose of influencing a nomination or election. Expenditures by incumbents for Congressional or non-partisan business should then be excluded from the spending limits. This section should then allow non-partisan Congressional newsletters and questionnaires to be paid for out of campaign funds without counting towards any spending limits.

3. Can a candidate with surplus funds or funds temporarily resting deposit these funds in an interest bearing account?

We know that you will be studying these issues and many more very intensely. If we can be of help, please feel free to contact us. We look forward to hearing further from the Commission.

Sincerely,

Bill Leonard

Bill Leonard, Chairman

William H. Baughn

Bill Baughn, Treasurer

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rec'd 6-26-75
(Litchfield)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C.

June 4, 1975

Mr. Louis Martinez
4112 Lively Street
Riverside, California 92505

Dear Mr. Martinez:

This Office has copies of the correspondence of last March and April between you and the Honorable W. Pat Jennings, Clerk of the United States House of Representatives, with respect to the special election held in the 37th congressional district of California. In your last letter to Mr. Jennings, dated April 21, 1975, you indicated that you wished the question raised in your March 25 letter to be referred to the Election Commission.

Mr. Jennings' letter of April 1, 1975, indicated that his office was unable to issue an advisory opinion with respect to the surplus funds of former Congressman Jerry Pettis, to which you had made reference in your earlier communication. Mr. Jennings further noted that the Federal Election Commission does have the authority to issue such opinions. Section 437f of Title II of the United States Code does give the Commission such authority. However, persons requesting advisory opinions must do so with respect to their own conduct, and are not authorized to seek an opinion about the conduct of others. Your inquiry is with relation to the conduct of Mrs. Pettis. Accordingly, it is not a proper subject for advisory opinion by this Commission.

There remains the possibility that you have in mind the filing of a complaint with respect to the conduct of the election in the 37th congressional district. The Commission has jurisdiction to receive such complaints under 2 U.S.C. § 437g. It is not clear from the correspondence which has been transferred to us by Mr. Jennings whether in fact you wish to make such a complaint. If you wish to do so, you are requested to submit the particulars in a notarized writing.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

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CA-009-75

W. Pat Jennings
Clerk

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

May 23, 1975

Mr. John G. Murphy
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20005

Dear Mr. Murphy:

Upon the request of Mr. Steve Schachman of your office I am enclosing the following materials concerning the special primary election in the thirty-seventh Congressional District of California:

1) List of official candidates;
2) Notice from Clerk of the House regarding dates for filing of reports;
3) Copies of Reports of Receipts and Expenditures of said candidates; and
4) Copies of correspondence between the Clerk and candidate Louis Martinez.

We are presently examining the questions raised by Mr. Martinez dealing with possible communications or broadcasting media expenditure violations, and will advise you and Mr. Martinez of our disposition of that matter in the immediate future.

Further, pursuant to the request of Mr. Martinez in the final paragraph of his letter of April 21, 1975, the Clerk hereby refers the question raised therein to the Federal Election Commission for such disposition as you deem appropriate.

Should you require additional information, please do not hesitate to call my General Counsel, Mr. Robert E. Moss, at 225-7000.

With kind regards, I am

Sincerely,

W. Pat Jennings

W. PAT JENNINGS, Clerk
U. S. House of Representatives

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CERTIFIED LETTER - RETURN RECEIPT

LOUIS MARTINEZ
4112 LIVELY STREET
RIVERSIDE, CALIFORNIA 92505
688-3966

April 21, 1975

Mr. W. Pat Jennings, Clerk
U.S. House of Representatives
Washington, D. C. 20515

Subj: Request for Campaign Expenditures Audit, 37th Congressional District Special Primary Election of April 29, 1975.

Dear Mr. Jennings:

Thank you for your letter of April 1, 1975 responding to my letter of March 25, 1975. I have become increasingly concerned with the overwhelming influence the campaign expenditures of Shirley Pettis and her supporters are having on the subject election. I am also concerned that the confusion as to whether the 1971 or 1974 rules apply has left an area of ambiguity which may be exploited in this campaign.

I am alarmed by some of the campaign tactics being used by the Republican Party and their adherence. I enclose two news releases which discuss two examples of these tactics.

It is my opinion, based on my own estimates, that Shirley Pettis and her supporters have or soon will exceed the expenditure limit provided by law. I, therefore, respectfully request that your office or the Elections Commission undertake a physical audit to determine the actual extent of these expenditures.

In support of my request I offer the following information which I have surmised by traveling through this district and by obtaining price estimates for my own campaign. Shirley Pettis and her supporters made expenditures for the following:

(1) 60-80 billboards.
(2) 20-30 campaign offices with associated phones, utilities and salaries.
(3) Several campaign mailings. A full mailing in this district cost over $20,000.
(4) Radio, newspaper and television advertising.

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Mr. W. Pat Jennings - 4/21/75

(5) Printing cost.
(6) Travel cost. This is probably the largest district in the United States covering over 25,000 square miles.
(7) Rental cost on halls and country clubs used for receptions.

With reference to your letter of April 1, 1975 regarding the $80,000 contribution surplus of former Congressman Jerry Pettis, I herein request that you refer the question I raised in my letter of March 25th to the Elections Commission. I also herein request that the campaign reporting rules of the 1974 amendment be defined to be in effect and applicable for the next financial report due April 24, 1975.

Very truly yours,

Louis Martinez
Congressional Candidate

Encl: Press Releases

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OFFICE OF GENERAL COUNSEL

PRESS RELEASE, Riverside, California, March 20, 1975

Martinez Blasts GOP

CENTRAL COMMITTEES ARE VERY EXCLUSIVE

Anyone who doubts that the Republican Party is an exclusive club must attend a meeting of their County Central Committee - it is. So claims Lou Martinez, a Riverside scientist and a Republican candidate for the 37th District Congressional seat left vacant by the death of Jerry Pettis. The 37th district covers most of San Bernardino and Riverside counties. There are six Republican candidates and a special primary election is set for April 29th. A few days before a meeting of the San Bernardino County Central Committee, Martinez called their chairman and received a luke warm invitation. On entering the meeting, the chairman pulled Martinez aside and advised him that as a guest he would permit him a couple of minutes to introduce himself, but did not wish any politically oriented remarks. Another Republican candidate from Palm Springs spoke first for slightly over three minutes, somewhat to the chagrin of the committee. In view of this, Martinez cut his remarks to a little over a minute.

An important function of party central committees is to screen potential candidates to represent their party. Being elected officials, one would suspect a certain amount of unbiased judgement on their part. This is not so, according to Martinez, who claims that the meeting was devoted entirely to exultation of their party favorite -- Shirley Pettis, widow of the late Congressman. Martinez' presence was like a fly in their milk.

President Ford, in his speech at a recent GOP National Committees Leadership Conference in Washington said "we must discard the attitude of exclusiveness that has kept the Republican Party's door closed too often while we give speeches about keeping it open." This speech was one factor which influenced Martinez to run in this race. Unfortunately Republicans don't listen to their leader.

The following night Martinez and another Republican candidate from Banning attended a meeting of the Riverside County Central Committee. The reception was a little more cordial but the result was identical. These groups did not want to hear any details about candidates. Their minds were made up. Their favorite, Shirley Pettis, did not show up at either meeting. She knows the party bosses are in her purse. There was not one racial minority in either central committee. This is our democratic process.

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OFFICE OF GENERAL COUNSEL

From the Office of Louis Martinez, Candidate for Congress

Approved: [signature] 3/20/75

Louis Martinez Date

7701010619

PRESS RELEASE, Riverside, California, April 17, 1975

Dirty Tricks Continue...?

MARTINEZ TAPES "ERASED"

The average person may accidently erase a recorded tape - professionals almost never do. Last Monday, April 14th, Lou Martinez, a scientist and Republican candidate for the 37th district Congressional seat taped* a half hour television interview which was to be aired in the Palm Springs-Indio area on the evening of April 15th. This was to trigger an intensified campaign effort for him in that area and he had alerted his campaign supporters to watch the program. One half hour before air time Martinez called the station and was advised that his tape was "accidently" erased. They advised he would have to wait at least a week before the interview could be re-taped. This delay consumes almost all the time left before election day. Martinez thinks this sounds a lot like the dirty tricks of past campaigns and is asking the Federal Communications Commission to investigate.

Martinez says that this looks like just another obstacle in his confrontation with Republican political bosses who have been very annoyed that any Republican candidate, except their favorite, should even consider running in this primary election. Martinez thinks that the tape erasing may not be an accident and that the timing could not be more convenient and beneficial for his Republican opponent.

Martinez' re-scheduled tape time now falls after his Republican opponent and he is fearful that new questions may now be thrown at him - questions designed to place him at a disadvantage. Martinez had the opportunity to view his last tape prior to its eraser and he felt that it was excellent and would be a definite advantage in his campaign. Though the tape contained a slight negative reference about the excessive spending of his opponent, Shirley Pettis, he did not believe this to be out of place. The interviewer apparently felt the same way at the time. Martinez had also used this interview to discuss for the first time, his views on the Salton Sea and other local issues which, if viewed by his opponents prior to air time could result in rebuttal before the fact - thus losing their impact.

We citizens see again how such "accidental" tape erasers can have significant effects on political processes and we remain powerless to determine if this is nature's course - or the designs of men.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

From the Office of Louis Martinez, Congressional Candidate

Approved: Louis Martinez

* At KPLM-TV

7701010620

PRESS RELEASE
RIVERSIDE, CALIFORNIA

Louis Martinez, a Republican resident of Riverside for 19 years and a scientist with the Aerospace Corporation, announced his intention to seek the 37th District Congressional seat left vacant by the untimely death of Congressman Jerry Pettis. Mr. Martinez believes that his more than 20 years experience working with government offices in and around Washington and his experience in business management, systems analysis, and civil programs is evidence of his ability and integrity to represent the people of the 37th district.

Mr. Martinez, 44, worked as a migrant farm worker in the mid-40's, volunteered for military duty in 1948 and served in the Air Force during the Korean War as a radar and communication officer. He graduated from Wayne State University in 1954, was employed at their Research Institute and at the Research Institute of the University of Michigan, which he also attended. Mr. Martinez was on the staff of several industrial research laboratories and has owned and managed his own engineering firm. He has been a technical consultant to government agencies as well as some of the largest corporations in the United States. His wife, Betsy, recently completed work at Cal State on her Master's degree in Behavioral Science. They have four children.

His parents migrated from Mexico and were never able to attend even a day in school, yet their children include a scientist, two engineers, a registered nurse and a teacher.

His present work at Aerospace Corporation, funded by the Department of Justice, concerns the application of technology to criminal justice problems and to public safety systems. Aerospace is one of the largest and most prestigeous non-profit systems engineering firms in the country. He is a pilot and flies his own airplane.

Mr. Martinez will outline his stand on various issues during the course of the campaign.

From the Office of Louis Martinez, Candidate for Congress

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OFFICE OF GENERAL COUNSEL

3/20/75

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LOUIS MARTINEZ
4112 LIVELY STREET
VERSIDE, CALIF. 92505

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21 APR 1975

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AIR MAIL

RETURN RECEIPT
REQUESTED

CERTIFIED
No. 316725
MAIL

Mr. W. Pat Jennings, Clerk
U. S. House of Representatives
Washington, D. C. 20515

RECEIVED
1975 APR 23 PM 2:48

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OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

W. Pat Jennings
Clerk

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

April 1, 1975

Mr. Louis Martinez
4112 Lively Street
Riverside, California 92505

Dear Mr. Martinez:

This will acknowledge receipt of your letter concerning your candidacy for the U.S. House of Representatives to fill the vacancy existing in the 37th District of California.

First, may I advise you that the law requires the Clerk of the House, whenever a Member of the House dies, to maintain the office staff of that Member on the House of Representatives payroll until a successor is elected. The staff of the late Representative Jerry Pettis has been instructed to perform their official duties, and to take no part in any campaign to fill the vacancy. The wife of the late Member has not conferred with me on these offices and has no role in their operations. The exact same policy is in effect for the 37th District of California as with many other Districts in past years wherein vacancies have occurred due to the death of Members. Again, I reiterate the offices are to serve the people of the District and are to have no function in the campaign.

As Supervisory Officer over candidates for the U.S. House of Representatives and political committees supporting them under the Federal Election Campaign Act of 1971 (Public Law 92-225) I have no authority to issue an advisory opinion on the disposition of the "...campaign contribution surplus of former Congressman Jerry Pettis in the amount of approximately $80,000...." However, the Federal Election Campaign Act Amendments of 1974 (Public Law 93-443) created a Federal Election Commission with authority to issue such advisory opinions. I, therefore, will refer your question to the Commission once the appointment and confirmation process is completed, if you so desire.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

With kind regards, I am

Sincerely yours,

Pat Jennings

W. PAT JENNINGS, Clerk
U. S. House of Representatives

7704010623

CERTIFIED LETTER - RETURN RECEIPT

LOUIS MARTINEZ
4112 LIVELY STREET
RIVERSIDE, CALIFORNIA 92505
688-3966

MAR 25 1975

CERTIFIED AIR MAIL

March 25, 1975

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

Sir:

I am pleased to announce my candidacy for the California 37th District Congressional seat. The primary election is scheduled for April 29th.

I am very disturbed over recent public statements made by Mrs. Shirley Pettis strongly implying that she now maintains quasi-official role as a Congressman and that she is keeping open Congressional offices in this district with the sanctions and approval of the Clerk of the House of Representatives. I find this both unfair and probably illegal to have your office used as a tool to influence the election. I would like your public clarification as to your role. I would like to know what official position Mrs. Pettis holds, if any.

I also wish to advise that in my opinion and in the opinions of my attornies the campaign contribution surplus of former Congressman Jerry Pettis in the amount of approximately $80,000 cannot be properly used by Mrs. Pettis in this campaign. I would appreciate knowing your official position in connection with these surplus funds.

Let me close by noting that I have the greatest sympathy for Mrs. Pettis and do not wish to generate any ill feelings. However, I am sure you realize the impact of these factors on this election.

Very truly yours,

Louis Martinez

Louis Martinez
Congressional Candidate

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

7701010624

7701010625

State of California

Office of
March Fong Eu
Secretary of State
SACRAMENTO

CERTIFIED LIST OF CANDIDATES FOR ELECTION

TO: HERBERT F. SAMMIS, Registrar of Voters, County of Riverside
WILLIAM CLINTON, Registrar of Voters, County of San Bernardino

THIS IS TO CERTIFY that:

CLODEON "SPEED" ADKINS 32817 Highway 74, Hemet, CA 92343	DEMOCRATIC
ROBERT J. ALLENTHORP 200 Maple Lane, Sugarloaf, CA	REPUBLICAN
FRANK M. BOGERT 2787 Plaimor, Palm Springs, CA	REPUBLICAN
JACK H. HARRISON 9504 Alegre Vista Road, Apple Valley, CA	REPUBLICAN
JOE E. HUBBS, SR. 21945 Grand Terrace Road, Colton, CA 92324	DEMOCRATIC
C.L. (JIMMIE) JAMES 123 West 12th Street, Beaumont, CA 92223	DEMOCRATIC
LOUIS MARTINEZ 4112 Lively Street, Riverside, CA 92505	REPUBLICAN
BUD MATHEWSON 1299 Pennsylvania Avenue, Beaumont, CA 92223	REPUBLICAN
JAMES L. MAYFIELD 14670 Hopi Road, Apple Valley, CA	DEMOCRATIC
RON PETTIS 4265 Mt. Vernon, Riverside, CA 92507	DEMOCRATIC
SHIRLEY N. PETTIS 24934 Tulip Avenue, Loma Linda, CA 92354	REPUBLICAN
BERNARD WAHL 38545 Eaton Street, Hemet, CA 92343	AMERICAN INDEPENDENT
RICHARD "DOC" WELBY 77-155 Michigan Drive, Palm Desert, CA 92260	DEMOCRATIC

are entitled to receive votes at the Special Primary Election to be held in the 37th Congressional District on April 29, 1975, by reason of the Special Election Proclamation issued by the Governor of this State on February 26, 1975, to fill the vacancy in said district, and in compliance with provisions of the Elections Code.

That the title and term of the office, together with the order of the names of said candidates, their party affiliation and ballot designation, will appear on one ballot under Section

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

W. Pat Jennings
Clerk

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

April 1, 1975

Mr. Louis Martinez
4112 Lively Street
Riverside, California 92505

Dear Mr. Martinez:

This will acknowledge receipt of your letter concerning your candidacy for the U.S. House of Representatives to fill the vacancy existing in the 37th District of California.

First, may I advise you that the law requires the Clerk of the House, whenever a Member of the House dies, to maintain the office staff of that Member on the House of Representatives payroll until a successor is elected. The staff of the late Representative Jerry Pettis has been instructed to perform their official duties, and to take no part in any campaign to fill the vacancy. The wife of the late Member has not conferred with me on these offices and has no role in their operations. The exact same policy is in effect for the 37th District of California as with many other Districts in past years wherein vacancies have occurred due to the death of Members. Again, I reiterate the offices are to serve the people of the District and are to have no function in the campaign.

As Supervisory Officer over candidates for the U.S. House of Representatives and political committees supporting them under the Federal Election Campaign Act of 1971 (Public Law 92-225) I have no authority to issue an advisory opinion on the disposition of the "...campaign contribution surplus of former Congressman Jerry Pettis in the amount of approximately $80,000...." However, the Federal Election Campaign Act Amendments of 1974 (Public Law 93-443) created a Federal Election Commission with authority to issue such advisory opinions. I, therefore, will refer your question to the Commission once the appointment and confirmation process is completed, if you so desire.

With kind regards, I am

Sincerely yours,

Pat Jennings

W. PAT JENNINGS, Clerk
U. S. House of Representatives

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

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CERTIFIED LETTER - RETURN RECEIPT

LOUIS MARTINEZ
4112 LIVELY STREET
RIVERSIDE, CALIFORNIA 92505
688-3966

MAR 25 1975

CERTIFIED AIR MAIL

March 25, 1975

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

Sir:

I am pleased to announce my candidacy for the California 37th District Congressional seat. The primary election is scheduled for April 29th.

I am very disturbed over recent public statements made by Mrs. Shirley Pettis strongly implying that she now maintains quasi-official role as a Congressman and that she is keeping open Congressional offices in this district with the sanctions and approval of the Clerk of the House of Representatives. I find this both unfair and probably illegal to have your office used as a tool to influence the election. I would like your public clarification as to your role. I would like to know what official position Mrs. Pettis holds, if any.

I also wish to advise that in my opinion and in the opinions of my attornies the campaign contribution surplus of former Congressman Jerry Pettis in the amount of approximately $80,000 cannot be properly used by Mrs. Pettis in this campaign. I would appreciate knowing your official position in connection with these surplus funds.

Let me close by noting that I have the greatest sympathy for Mrs. Pettis and do not wish to generate any ill feelings. However, I am sure you realize the impact of these factors on this election.

Very truly yours,

Louis Martinez

Louis Martinez
Congressional Candidate

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

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CERTIFIED LETTER - RETURN RECEIPT

LOUIS MARTINEZ
4112 LIVELY STREET
RIVERSIDE, CALIFORNIA 92505
688-3966

April 21, 1975

Mr. W. Pat Jennings, Clerk
U.S. House of Representatives
Washington, D. C. 20515

Subj: Request for Campaign Expenditures Audit, 37th Congressional District Special Primary Election of April 29, 1975.

Dear Mr. Jennings:

Thank you for your letter of April 1, 1975 responding to my letter of March 25, 1975. I have become increasingly concerned with the overwhelming influence the campaign expenditures of Shirley Pettis and her supporters are having on the subject election. I am also concerned that the confusion as to whether the 1971 or 1974 rules apply has left an area of ambiguity which may be exploited in this campaign.

I am alarmed by some of the campaign tactics being used by the Republican Party and their adherence. I enclose two news releases which discuss two examples of these tactics.

It is my opinion, based on my own estimates, that Shirley Pettis and her supporters have or soon will exceed the expenditure limit provided by law. I, therefore, respectfully request that your office or the Elections Commission undertake a physical audit to determine the actual extent of these expenditures.

In support of my request I offer the following information which I have surmised by traveling through this district and by obtaining price estimates for my own campaign. Shirley Pettis and her supporters made expenditures for the following:

(1) 60-80 billboards.
(2) 20-30 campaign offices with associated phones, utilities and salaries.
(3) Several campaign mailings. A full mailing in this district cost over $20,000.
(4) Radio, newspaper and television advertising.

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OFFICE OF GENERAL COUNSEL

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(5) Printing cost.
(6) Travel cost. This is probably the largest district in the United States covering over 25,000 square miles.
(7) Rental cost on halls and country clubs used for receptions.

With reference to your letter of April 1, 1975 regarding the $80,000 contribution surplus of former Congressman Jerry Pettis, I herein request that you refer the question I raised in my letter of March 25th to the Elections Commission. I also herein request that the campaign reporting rules of the 1974 amendment be defined to be in effect and applicable for the next financial report due April 24, 1975.

Very truly yours,

Louis Martinez
Congressional Candidate

Encl: Press Releases

7704010629

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

PRESS RELEASE, Riverside, California, March 20, 1975

Martinez Blasts GOP

CENTRAL COMMITTEES ARE VERY EXCLUSIVE

Anyone who doubts that the Republican Party is an exclusive club must attend a meeting of their County Central Committee - it is. So claims Lou Martinez, a Riverside scientist and a Republican candidate for the 37th District Congressional seat left vacant by the death of Jerry Pettis. The 37th district covers most of San Bernardino and Riverside counties. There are six Republican candidates and a special primary election is set for April 29th. A few days before a meeting of the San Bernardino County Central Committee, Martinez called their chairman and received a luke warm invitation. On entering the meeting, the chairman pulled Martinez aside and advised him that as a guest he would permit him a couple of minutes to introduce himself, but did not wish any politically oriented remarks. Another Republican candidate from Palm Springs spoke first for slightly over three minutes, somewhat to the chagrin of the committee. In view of this, Martinez cut his remarks to a little over a minute.

An important function of party central committees is to screen potential candidates to represent their party. Being elected officials, one would suspect a certain amount of unbiased judgement on their part. This is not so, according to Martinez, who claims that the meeting was devoted entirely to exultation of their party favorite -- Shirley Pettis, widow of the late Congressman. Martinez' presence was like a fly in their milk.

President Ford, in his speech at a recent GOP National Committees Leadership Conference in Washington said "we must discard the attitude of exclusiveness that has kept the Republican Party's door closed too often while we give speeches about keeping it open." This speech was one factor which influenced Martinez to run in this race. Unfortunately Republicans don't listen to their leader.

The following night Martinez and another Republican candidate from Banning attended a meeting of the Riverside County Central Committee. The reception was a little more cordial but the result was identical. These groups did not want to hear any details about candidates. Their minds were made up. Their favorite, Shirley Pettis, did not show up at either meeting. She knows the party bosses are in her purse. There was not one racial minority in either central committee. This is our democratic process.

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

From the Office of Louis Martinez, Candidate for Congress

Approved: Louis Martinez 3/20/75
Louis Martinez Date

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PRESS RELEASE, Riverside, California, April 17, 1975

Dirty Tricks Continue...?

MARTINEZ TAPES "ERASED"

The average person may accidently erase a recorded tape - professionals almost never do. Last Monday, April 14th, Lou Martinez, a scientist and Republican candidate for the 37th district Congressional seat taped* a half hour television interview which was to be aired in the Palm Springs-Indio area on the evening of April 15th. This was to trigger an intensified campaign effort for him in that area and he had alerted his campaign supporters to watch the program. One half hour before air time Martinez called the station and was advised that his tape was "accidently" erased. They advised he would have to wait at least a week before the interview could be re-taped. This delay consumes almost all the time left before election day. Martinez thinks this sounds a lot like the dirty tricks of past campaigns and is asking the Federal Communications Commission to investigate.

Martinez says that this looks like just another obstacle in his confrontation with Republican political bosses who have been very annoyed that any Republican candidate, except their favorite, should even consider running in this primary election. Martinez thinks that the tape erasing may not be an accident and that the timing could not be more convenient and beneficial for his Republican opponent.

Martinez' re-scheduled tape time now falls after his Republican opponent and he is fearful that new questions may now be thrown at him - questions designed to place him at a disadvantage. Martinez had the opportunity to view his last tape prior to its eraser and he felt that it was excellent and would be a definite advantage in his campaign. Though the tape contained a slight negative reference about the excessive spending of his opponent, Shirley Pettis, he did not believe this to be out of place. The interviewer apparently felt the same way at the time. Martinez had also used this interview to discuss for the first time, his views on the Salton Sea and other local issues which, if viewed by his opponents prior to air time could result in rebuttal before the fact - thus losing their impact.

We citizens see again how such "accidental" tape erasers can have significant effects on political processes and we remain powerless to determine if this is nature's course - or the designs of men.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

From the Office of Louis Martinez, Congressional Candidate

Approved: Louis Martinez

* At KPLM-TV

7701010631

PRESS RELEASE
RIVERSIDE, CALIFORNIA

Louis Martinez, a Republican resident of Riverside for 19 years and a scientist with the Aerospace Corporation, announced his intention to seek the 37th District Congressional seat left vacant by the untimely death of Congressman Jerry Pettis. Mr. Martinez believes that his more than 20 years experience working with government offices in and around Washington and his experience in business management, systems analysis, and civil programs is evidence of his ability and integrity to represent the people of the 37th district.

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His present work at Aerospace Corporation, funded by the Department of Justice, concerns the application of technology to criminal justice problems and to public safety systems. Aerospace is one of the largest and most prestigeous non-profit systems engineering firms in the country. He is a pilot and flies his own airplane.

Mr. Martinez will outline his stand on various issues during the course of the campaign.

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OFFICE OF GENERAL COUNSEL

From the Office of Louis Martinez, Candidate for Congress

Louis Martinez 3/20/75

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LOUIS MARTINEZ
4112 LIVELY STREET
VERSIDE, CALIF. 92505

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Mr. W. Pat Jennings, Clerk
U. S. House of Representatives
Washington, D. C. 20515

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1975 AUG 23 PM 2:48

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OFFICE OF GENERAL COUNSEL

W. Pat Jennings
Clerk

Office of the Clerk
U.S. House of Representatives
Washington, D.C. 20515

Dates for Closing Books, Mailing and Filing of Pre-Election Reports of Receipts and Expenditures for the SPECIAL PRIMARY ELECTION IN THE THIRTY-SEVENTH CONGRESSIONAL DISTRICT OF CALIFORNIA, ON APRIL 29, 1975

for candidates for the U.S. House of Representatives in this Special Primary Election, political committees supporting such candidates, and other persons subject to the Federal Election Campaign Act of 1971 as amended (see reverse side).

Type of report	Filing date for report*	Mailing date for report**	Covering the period
15-day report.	Apr. 14, 1975	Apr. 12, 1975	Mar. 1, 1975*** through Apr. 7, 1975.
5-day report.	Apr. 24, 1975	Apr. 22, 1975	Apr. 8, 1975 through Apr. 17, 1975.

(All deadlines are midnight of the dates stated.)

*Filing Requirement: Receipt by Clerk of the House of the Report of Receipts and Expenditures after closing date for books but no later than filing date for report.

**Mailing Requirement: Deposit as certified mail (certified air mail beyond 500 miles of Washington, D.C.) of the Report of Receipts and Expenditures after closing date for books but no later than mailing date for report.

***Candidacy begins when an individual has (1) taken the action necessary under the law of a State to qualify himself for nomination for election, or election, to Federal office, or (2) received contributions or made expenditures, or has given his consent for any other person to receive contributions or make expenditures, with a view to bringing about his nomination for election, or election, to such office. Therefore, an individual whose candidacy began before March 1, 1975, also was required to file a March 10 Periodic Report covering the period from the beginning of candidacy through February 28, 1975.

The spending limitations for campaign use of communications media for this special primary election as provided for under Title I of the Federal Election Campaign Act are:

Communications Media Limit	$63,500.00
Broadcasting Media Limit	$38,100.00.

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OFFICE OF GENERAL COUNSEL

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(OVER)

The Federal Election Campaign Act Amendments of 1974, Public Law 93–443, enacted on October 15, 1974, 88 Stat. 1263, amended the Federal Election Campaign Act of 1971, Public Law 92–225, 86 Stat. 3, and established a Federal Election Commission to administer these laws. However, section 208(b) of Public Law 93–443 provides in part as follows:

> "(b) Until the appointment and qualification of all the members of the Federal Election Commission and its general counsel and until the transfer provided for in this subsection, . . . the Clerk of the House of Representatives shall continue to carry out [his] responsibilities under title I and title III of the Federal Election Campaign Act of 1971 as such titles existed on the day before the date of enactment of this Act. . . ." (Underscoring supplied)

Thus, during this interim period commencing January 1, 1975, until the Clerk of the House transfers such responsibilities and associated records, documents, memorandums, and papers to the Federal Election Commission within 30 days after the date of which all such members and the general counsel are appointed, title I and title III of Public Law 92–225, the Revised 1974 Clerk's Manual of Regulations and Accounting Instructions, and the registration statement and reporting forms, H.R. Election Forms 1, 2, and 3, and related guidance as they existed on October 14, 1974, shall remain in full force and effect, and shall continue to be utilized by all candidates for the U.S. House of Representatives and political committees supporting them, as well as by all candidates and political committees registered with or reporting to the Clerk of the House of Representatives as Supervisory Officer as of this date.

Candidates shall report and treasurers of political committees shall register and report to the Clerk of the House on the prescribed forms and dates in accordance with sections 303, 304, and 309 of title III of Public Law 92–225 as amplified by the Clerk's Revised 1974 Manual of Regulations. Further, during this interim period, no legally qualified candidate for the House of Representatives may spend more than $63,500 for the use of communications media in each election, and not more than 60 percent thereof or $38,100 may be spent in each such election for use of broadcast stations on behalf of his or her candidacy as defined by title I of Public Law 92–225.

During this interim period candidates for the House of Representatives and political committees supporting them in special primary elections and special general elections shall file periodic and pre-election reports as prescribed by sections 304 and 309 of Public Law 92–225 and the Clerk's Revised 1974 Manual of Regulations.

Section 301 of Public Law 93–443 amended section 403 of Public Law 92–225 as follows and became effective on the date of enactment, October 15, 1974:

> "The provisions of this Act, and the rules prescribed under the Act, supersede and preempt any provision of State law with respect to election to Federal office."

Inquiries on this matter should be directed to my office of Records and Registration, telephone number (202) 225–1300.

THIS NOTICE APPLIES ONLY TO THE SPECIAL PRIMARY ELECTION IN THE THIRTY-SEVENTH CONGRESSIONAL DISTRICT OF CALIFORNIA ON APRIL 29, 1975. A SEPARATE NOTICE WILL BE ISSUED BY THE APPROPRIATE AUTHORITY FOR THE SPECIAL GENERAL ELECTION SCHEDULED FOR MAY 27, 1975 IN THE THIRTY-SEVENTH CONGRESSIONAL DISTRICT.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

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CERTIFIED LETTER - RETURN RECEIPT

LOUIS MARTINEZ
4112 LIVELY STREET
RIVERSIDE, CALIFORNIA 92505
688-3966

1975 MAR 28 AM 11:03

MAR 25 1975

CERTIFIED AIR MAIL

March 25, 1975

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

Sir:

I am pleased to announce my candidacy for the California 37th District Congressional seat. The primary election is scheduled for April 29th.

I am very disturbed over recent public statements made by Mrs. Shirley Pettis strongly implying that she now maintains quasi-official role as a Congressman and that she is keeping open Congressional offices in this district with the sanctions and approval of the Clerk of the House of Representatives. I find this both unfair and probably illegal to have your office used as a tool to influence the election. I would like your public clarification as to your role. I would like to know what official position Mrs. Pettis holds, if any.

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Let me close by noting that I have the greatest sympathy for Mrs. Pettis and do not wish to generate any ill feelings. However, I am sure you realize the impact of these factors on this election.

Very truly yours,

Louis Martinez

Louis Martinez
Congressional Candidate

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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AIR MAIL

RETURN RECEIPT REQUESTED

CERTIFIED MAIL

No. 3[illegible]

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

Clerk of the House of Representatives
1036 Longworth House Office Building
Washington, D. C. 20515

1975 MAR [illegible] AM 10: 21