D77

March 22, 1976

Mr. Jack Cooper
7710 Carondelet
Suite 501
Clayton, MO 63105

Dear Mr. Cooper:

I have received your complaint of March 5, 1976, alleging violations of 18 U.S.C. §599 of the Federal Election Campaign Act of 1971, as amended, by Senator Henry Jackson. I have reviewed your allegations and have concluded that the Federal Election Commission does not have authority over the matters set forth. See, 2 U.S.C. §437g. Accordingly, the Commission, upon my recommendation, has decided to close its files in this matter and will proceed with no further investigation. As it appears to me that it may fall within the jurisdiction of the Department of Justice, you may wish to bring this matter to its attention.

If further information comes to your attention which you believe establishes a claim on matters within the Commission's jurisdiction, please feel free to write and apprise me of them.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

7 7 0 4 0 0 1 5 6 7 1 5

TIME OF REPORT: 3/18/76 12:00 noon

NO. MUR 099 (76)

REC'D: 3/8/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Jack Cooper

Respondent's Name: Senator Henry Jackson

Relevant Statute: 18 U.S.C. §599

Internal Reports Checked:

Federal Agencies Checked:

SUMMARY OF ALLEGATION

Jackson offered to appoint Daniel Patrick Moynihan to position of Secretary of State if elected President.

PRELIMINARY LEGAL ANALYSIS

18 U.S.C. §599 is not under jurisdiction of FEC.

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RECOMMENDATION

Close file. Send attached letter.

Date of Next Commission Review

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2-048731E065 03/05/76
ICS IPMMTZZ CSP
3147262500 MGM TDMT ST LOUIS MO 60 03-05 0539P EST

Mailgram

FEDERAL ELECTION COMMISSION

76 MAR 8 A10: 04

THE HONORABLE TOM CURTIS
CHAIRMAN
FEDERAL ELECTIONS COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20000

THE ANNOUNCEMENT PRIOR TO THE MASSACHUSETTS PRIMARY BY SENATOR HENRY JACKSON THAT HE WOULD APPOINT DANIEL PATRICK MOYNIHAN TO THE POSITION OF SECRETARY OF STATE AND THE ENDORSEMENT OF JACKSON BY MOYNIHAN APPEARS TO BE A VIOLATION OF TITLE 18 SECTION 599 OF THE FEDERAL ELECTION CAMPAIGN LAWS. I HEREBY REQUEST THAT THIS MATTER BE INVESTIGATED BY THE FEDERAL ELECTIONS COMMISSION FOR APPROPRIATE ACTION AS MAY BE NECESSARY.

JACK COOPER
7710 CARONDELET
SUITE 503
CLAYTON MO 63105

17:39 EST

MGMWSHT HSB

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REPLY BY MAILGRAM – SEE REVERSE SIDE FOR WESTERN UNION TOLL – FREE PHONE NUMBERS

COMMUNICATIONS CONTROL RECORD	DATE RECEIVED 3/8	

FROM Cooper, Jacl
7710 Carondelet, Suite 503
Clayton, Mo 63105

SUBJECT

Complaint against Jackson

RFRD	DC			
DATE	3/8	3/9		

DATE REPLY DUE	DATE REPLY SENT	PREPARE REPLY FOR SIGNATURE OF

4 RECORD COPY

NO CARBON PAPER REQUIRED

GSA FORM 43 (REV. 4-75)

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[redacted]

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