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THIS IS THE END OF MUR # 1125

Date Filmed 9/9/80 Camera No. — 2

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FEDERAL ELECTION COMMISSION

Walter P. Reuther

MR. 1125

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

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

Signed

date

W. P. Reuther
8/7/80

FEC 9-21-77

Mr. R. Thomas Clayton
709 S. Clinton Street
Fort Wayne, Indiana 46802


Re: FWA-1122

Dear Mr. Clayton:

On July 16, 1979 and in April 29, 1980, the Commission found reason to believe that you committed violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission has on August 5, 1980, determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports and disbursements nevertheless appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,


Charles H. Steele
General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. E. Thomas Clayton
709 S. Clinton Street
Fort Wayne, Indiana 46802

Re: MUR: 1125

Dear Mr. Clayton:

On July 16, 1979 and in April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission has on August 1, 1980, determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports and disbursements nevertheless appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles N. Steele
General Counsel

W

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Richard Katt
709 S. Clinton Street
Fort Wayne, Indiana 46803

Dear Mr. Katt:

On August 14, 1979 and on April 25, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 5, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the acceptance of an excess contribution nevertheless appears to be a violation of 2 U.S.C. § 441a(f) and you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,


Charles M. Sherrill
General Counsel

**CERTIFIED MAIL
RETURN RECEIPT REQUEST**

Mr. Richard Katt
709 S. Clinton Street
Fort Wayne, Indiana 46802

Re: MUR 1125

Dear Mr. Katt:

On August 14, 1979 and on April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 1, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the acceptance of an excess contribution nevertheless appears to be a violation of 2 U.S.C. § 441a(f) and you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles N. Steele
General Counsel

WJ

80040204018

Mr. John H. Whitelaw
119 South Main Street
Columbia City, Indiana

Re: 800 1125

Dear Mr. Whitelaw:

On April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 5, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports of receipts and disbursements nevertheless, appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1), and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,


Charles H. Stenholm
General Counsel

Mr. John W. Whittebecker, Jr.
119 South Main Street
Columbia City, Indiana

Re: MUR 1125

Dear Mr. Whittebecker:

On April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 1, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports of receipts and disbursements nevertheless, appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1), and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles W. Steele
General Counsel

In the presence of
Walter J. [unclear] Committee
[unclear] [unclear] [unclear] Democratic
[unclear]
Allen [unclear] Democratic Central
[unclear]

MUR 1125

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission's executive session on August 5, 1980, do hereby certify that the Commission decided by a vote of 5-0 to take no further action and close the file in MUR 1125.

Commissioners Aikens, Friederick, Harris, McGarry, and Reiche voted affirmatively for the decision; Commissioner Tiernan was not present at the time of the vote.

Attest:

8/5/80
Date

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

MEMORANDUM

TO: The Commission
FROM: Charles M. Steele
General Counsel
SUBJECT: MNR 1125 - Errata

The General Counsel's Report on the above-captioned matter was circulated before the Commission on July 29, 1980. One of the pages of this report was inadvertently omitted. Please find the complete report attached.

Attachment
General Counsel's Report

30040204022

In the Matter of

Waldo for Congress Committee
Whitley County Central Democratic
Committee
Allen County Democratic Central
Committee

MEM 1125

GENERAL COUNSEL'S REPORT

BACKGROUND

30040204023
A review by the Reports Analysis Division of the quarterly reports of April 10 and October 10, 1978, filed by the Walda for Congress Committee (Walda Committee) 1/ disclosed the receipt of contributions from the Allen County Democratic Central Committee (Allen County D.C.C.) and the Whitley County Central Democratic Committee (Whitley County C.D.C.) in the amounts of \$8,000 and \$1,500 on June 30, 1978 and September 18, 1978 (attachment "A"). Neither the Whitley County C.D.C. nor the Allen County D.C.C. was a registered political committee, according to Commission records.

The Commission has found reason to believe that the Allen County D.C.C. committed the following violations:

- a) 2 U.S.C. § 433(a), for Allen County CC's failure to file a statement of organization (Commission action July 16, 1979.) 2/
- b) 2 U.S.C. § 434(a)(1) for the Allen County D.C.C.'s failure to file reports of receipts and expenditures (Commission action July 16, 1979).

1/ The Walda Committee is the principal campaign committee of John Walda, the unsuccessful Democratic nominee for Congress from Indiana's 4th Congressional District.

2/ All sections of the Act cited in reference to the Act prior to the 1979 amendments, and all sections of the regulations cited refer to the regulations prior to the 1980 amendments.

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c) 2 U.S.C. § 441a(f), for making a contribution in excess of \$1,000 to the Walda Committee (Commission action, April 29, 1980).

The Commission found reason to believe that the Walda Committee committed the following violations:

a) 2 U.S.C. § 441a(f), for its acceptance of a contribution from the Allen County D.C.C. in excess of \$1,000 (Commission action, August 14, 1979).

b) 2 U.S.C. § 441a(f) for its acceptance of a contribution from the Whitley County C.D.C. in excess of \$1,000 (Commission action, April 29, 1979).

Finally, the Commission found reason to believe on April 29, 1980 that the Whitley County C.D.C. committed that the following violations:

a) 2 U.S.C. § 433(a), for failing to file a statement of organization.

b) 2 U.S.C. § 434(a)(1), for failing to file a report of receipts and expenditures.

c) 2 U.S.C. § 441a(a)(1)(A), for making a contribution in excess of \$1,000.

The Allen County D.C.C. responded to the Commission's reason to believe finding by a letter dated May 15, 1980 (attachment "B"). The Walda Committee responded to the Commission's reason to believe finding by letters dated May 15, 1980 and July 2, 1980 (attachment "C"), and the Whitley County C.D.C. responded by letters dated June 23 and June 26, 1980 (attachment "D").

LEGAL AND FACTUAL ANALYSIS

According to the April 16, 1978 quarterly report filed with the Commission by the Walda Committee (attachment "A"), the Allen County D.C.C. contributed \$8,000 to the Walda Committee, the principal campaign committee of John Walda, a candidate for federal office. The Allen County D.C.C. has filed neither a statement of organization, pursuant to 2 U.S.C. § 433(a), nor reports of receipts and disbursements, pursuant to 2 U.S.C. § 434(a)(1). In addition, the Allen County D.C.C. is not a qualified multi-candidate committee; thus, its contribution of \$8,000 was in excess of the \$1,000 limitation of 2 U.S.C. § 441a(a)(1)(A).

Both the Allen County D.C.C. and the Walda Committee contend that the \$8,000 contribution was made and accepted in the belief that the contribution was legal as a party expenditure made pursuant to 11 C.F.R. § 110.7(b)(2)(ii) and 2 U.S.C. § 441a(d). ^{3/} Although a subordinate committee of a state party can make expenditures on behalf of a candidate for federal office in a general election, these expenditures cannot be a direct contribution to the candidate, but must be a payment made directly to the vendor; it is in the nature of an in-kind contribution that is exempted from the limitations of § 441a(a) (attachment "E", AO 1979-30 and 1979-09). The \$8,000 contribution of the Allen County D.C.C. was made to the Walda Committee

^{3/} Indiana Law (Indiana Code §4-3-3 (supplement) (1977) allows political committees to accept corporate and union contributions. It is possible that corporate and union funds were part of the money contributed to the Walda Committee. Pursuant to Directive No. 19 approved by the Commission on February 8, 1979, no action has been taken to investigate this possibility.

for the purpose of paying a specific commitment debt (attachment "F"). This contribution was paid directly to the Walda Committee and not to the vendor, and, thus, it is not a party expenditure within 2 U.S.C. § 441a(d) and 11 C.F.R. § 110.7 but, rather a contribution subject to the limitations imposed by 2 U.S.C. § 441a(a)(1). It must be added that the making and accepting of this excess contribution appears to result from a misunderstanding of how the Allen County D.C.C. could have paid the specific debts of the Walda Committee, for if the creditors had been paid directly by the Allen County D.C.C. rather than through the Walda Committee, and if the Indiana Democratic Central Committee had been a registered political committee, there would be a valid party expenditure and not an excess contribution. 4/

Though this misunderstanding of how to properly make a party expenditure does not absolve the Walda Committee or the Allen County D.C.C., it does mitigate the seriousness of their actions. In addition, the Walda Committee on September 10, 1979 returned \$7,000, the excess amount of the contribution, to the Allen County D.C.C. It is for these reasons that the Office of General Counsel recommends that the Commission take no further action against the Allen County D.C.C. for violating 2 U.S.C. § 433(a), 2 U.S.C.

4/ At the time of the making of the contribution, the respondents were unaware that the Indiana Democratic State Committee was not a registered committee; thus, the expenditures of the Indiana Democratic Central Committee's subordinate committees, the Allen County D.C.C. and the Whitley County C.D.C. would be an excessive contribution even if they had paid the vendor directly. The respondents were not alone in their ignorance of the status of the Indiana Democratic Central Committee, for in MUR 1069 the Johnson County Democratic Central Committee and the Dave Evans for Congress Committee were, also, unaware of the status of the Indiana Democratic Central Committee as an unregistered committee.

§ 434(a)(1) and 2 U.S.C. § 441a(f) in violation of the Act against the Walda Committee for its acceptance of the Allen County D.C.C.'s contribution in violation of 2 U.S.C. § 441a(f).

According to the October 10, 1978 quarterly report filed with the Commission by the Walda Committee (attachment "A") the Whitley County C.D.C. contributed \$1,500 to the Walda Committee. The Whitley County C.D.C. has filed neither a statement of organization, pursuant to 2 U.S.C. § 433(a), nor reports of receipts and disbursements, pursuant to 2 U.S.C. § 434(a)(1). In addition, the Whitley County C.D.C. is not a qualified multi-candidate committee; and its contribution of \$1,500 is in excess of the \$1,000 limitation of 2 U.S.C. § 441a(a)(1)(A) and the acceptance of this excess contribution by the Walda Committee is in violation of 2 U.S.C. § 441a(f). The Whitley County C.D.C. also made a contribution to the Walda Committee believing that this contribution was a valid party expenditure. The expenditure, however, was made directly to the Walda Committee and not to a vendor; thus the expenditure, like the expenditure made by the Allen County D.C.C., is a direct contribution and not a valid party expenditure made pursuant to 2 U.S.C. § 441a(d).

Though the making of this contribution by the Whitley County C.D.C. and the acceptance of this contribution by the Walda Committee is in contravention of the Act, the violation appears to be the result of a misunderstanding of how to make a party expenditure, for if the creditor had been paid directly, and if the Indiana Democratic Central Committee had been a registered political committee, there would be a valid party expenditure. In addition, the Walda Committee on June 25, 1980 returned

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the excess amount of the contribution - \$1000 - to the
County C.D.C. (see "C" letter of July 3, 1979 and "D").
is for these reasons that the Office of General Counsel
that no further action be taken against the Whitley County
C.D.C. for violating 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1)
and 2 U.S.C. § 441a(a)(1)(A); and that the Commission take
no further action against the Walda Committee for its acceptance
of an excess contribution in violation of 2 U.S.C. § 441a(f).

RECOMMENDATION

1. Take no further action
2. Close the file

Attachments

1. reports - "A"
2. letter of Allen County "B"
3. letter of Walda Committee "C"
4. letter of Whitley County "D"
5. AO's "E"
6. letter of August 29, 1979 "F"
7. letters (3)

00040304028

In the Matter of
Waldo for Congress Committee
Whitley County Central Democratic
Committee
Allen County Democratic Central
Committee

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MUR 1125

GENERAL COUNSEL'S REPORT

BACKGROUND

A review by the Reports Analysis Division of the quarterly reports of April 10 and October 10, 1978, filed by the Walda for Congress Committee (Walda Committee)^{1/} disclosed the receipt of contributions from the Allen County Democratic Central Committee (Allen County D.C.C.) and the Whitley County Central Democratic Committee (Whitley County C.D.C.) in the amounts of \$8,000 and \$1,500 on June 30, 1978 and September 18, 1978 (attachment "A"). Neither the Whitley County C.D.C. nor the Allen County D.C.C. was a registered political committee, according to Commission records.

The Commission has found reason to believe that the Allen County D.C.C. committed the following violations:

a) 2 U.S.C. § 433(a), for Allen County CC's failure to file a statement of organization (Commission action July 16, 1979.) ^{2/}

b) 2 U.S.C. § 434(a)(1) for the Allen County D.C.C.'s failure to file reports of receipts and expenditures (Commission action July 16, 1979).

^{1/} The Walda Committee is the principal campaign committee of John Walda, the unsuccessful Democratic nominee for Congress from Indiana's 4th Congressional District.

^{2/} All sections of the Act cited in reference to the Act prior to the 1979 amendments, and all sections of the regulations cited refer to the regulations prior to the 1980 amendments.

c) 2 U.S.C. § 441a(f), for its acceptance of a contribution in excess of \$1,000 to the Walda Committee (Commission action, April 29, 1980).

The Commission found reason to believe that the Walda Committee committed the following violations:

a) 2 U.S.C. § 441a(f), for its acceptance of a contribution from the Allen County D.C.C. in excess of \$1,000 (Commission action, August 14, 1979).

b) 2 U.S.C. § 441a(f) for its acceptance of a contribution from the Whitley County C.D.C. in excess of \$1,000 (Commission action, April 29, 1979).

Finally, the Commission found reason to believe on April 29, 1980 that the Whitley County C.D.C. committed that the following violations:

a) 2 U.S.C. § 433(a), for failing to file a statement of organization.

b) 2 U.S.C. § 434(a)(1), for failing to file a report of receipts and expenditures.

c) 2 U.S.C. § 441a(a)(1)(A), for making a contribution in excess of \$1,000.

The Allen County D.C.C. responded to the Commission's reason to believe finding by a letter dated May 15, 1980 (attachment "B"). The Walda Committee responded to the Commission's reason to believe finding by letters dated May 15, 1980 and July 2, 1980 (attachment "C"), and the Whitley County C.D.C. responded by letters dated June 23 and June 26, 1980 (attachment "D").

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According to the April 18, 1979 quarterly report filed with the Commission by the Walda Committee (attachment "A"), the Allen County D.C.C. contributed \$8,000 to the Walda Committee, the principal campaign committee of John Walda, a candidate for federal office. The Allen County D.C.C. has filed neither a statement of organization, pursuant to 2 U.S.C. § 433(a), nor reports of receipts and disbursements, pursuant to 2 U.S.C. § 434(a)(1). In addition, the Allen County D.C.C. is not a qualified multi-candidate committee; thus, its contribution of \$8,000 was in excess of the \$1,000 limitation of 2 U.S.C. § 441a(a)(1)(A).

Both the Allen County D.C.C. and the Walda Committee contend that the \$8,000 contribution was made and accepted in the belief that the contribution was legal as a party expenditure made pursuant to 11 C.F.R. § 110.7(b)(2)(ii) and 2 U.S.C. § 441a(d). 3/ Although a subordinate committee of a state party can make expenditures on behalf of a candidate for federal office in a general election, these expenditures cannot be a direct contribution to the candidate, but must be a payment made directly to the vendor; it is in the nature of an in-kind contribution that is exempted from the limitations of § 441a(a) (attachment "E", AO 1979-30 and 1979-09). The \$8,000 contribution of the Allen County D.C.C. was made to the Walda Committee

3/ Indiana Law (Indiana Code §4-3-3 (supplement) (1977) allows political committees to accept corporate and union contributions. It is possible that corporate and union funds were part of the money contributed to the Walda Committee. Pursuant to Directive No. 19 approved by the Commission on February 8, 1979, no action has been taken to investigate this possibility.

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for the purpose of paying a specific debt (attachment "F"). This contribution was paid directly to the Walda Committee and not to the vendor, and, thus, it is not a party expenditure within 2 U.S.C. § 441a(d) and 11 C.F.R. § 101.7 but, rather a contribution subject to the limitations imposed by 2 U.S.C. § 441a(a)(1). It must be added that the making and accepting of this excess contribution appears to result from a misunderstanding of how the Allen County D.C.C. could have paid the specific debts of the Walda Committee, for if the creditors had been paid directly by the Allen County D.C.C. rather than through the Walda Committee, and if the Indiana Democratic Central Committee had been a registered political committee, there would be a valid party expenditure and not an excess contribution. 4/

Though this misunderstanding of how to properly make a party expenditure does not absolve the Walda Committee or the Allen County D.C.C., it does mitigate the seriousness of their actions. In addition, the Walda Committee on September 10, 1979 returned \$7,000, the excess amount of the contribution, to the Allen County D.C.C. It is for these reasons that the Office of General Counsel recommends that the Commission take no further action against the Allen County D.C.C. for violating 2 U.S.C. § 433(a), 2 U.S.C.

4/ At the time of the making of the contribution, the respondents were unaware that the Indiana Democratic State Committee was not a registered committee; thus, the expenditures of the Indiana Democratic Central Committee's subordinate committees, the Allen County D.C.C. and the Whitley County C.D.C. would be an excessive contribution even if they had paid the vendor directly. The respondents were not alone in their ignorance of the status of the Indiana Democratic Central Committee, for in MUR 1069 the Johnson County Democratic Central Committee and the Dave Evans for Congress Committee were, also, unaware of the status of the Indiana Democratic Central Committee as an unregistered committee.

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the excess amount of \$10,000 contributed to the
County C.D.C. (see "C" letter of July 2, 1979 and "D" letter of July 2, 1979)
is for those reasons that the Office of General Counsel
that no further action be taken against the Whitley County
C.D.C. for violating 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1)
and 2 U.S.C. § 441a(a)(1)(A), and that the Commission take
no further action against the Walda Committee for its acceptance
of an excess contribution in violation of 2 U.S.C. § 441a(f).


RECOMMENDATION

1. Take no further action
2. Close the file

Attachments

1. reports - "A"
2. letter of Allen County "B"
3. letter of Walda Committee "C"
4. letter of Whitley County "D"
5. AO's "E"
6. letter of August 29, 1979 "F"
7. letters (3)

30 July 1980
Date


Charles N. Steele
General Counsel

U.S. ELECTION COMMISSION
Washington, D.C. 20543

Contributions, Transfers, Contributions Received,
Other Income, Loans, Refunds
Supporting Lines 14a, 15a, 16a, 16b, 17a, and 18a
of FEC FORM 3

Name of Candidate or Contributor in Full

ALLAN R. COWLESS COMMITTEE

Washington, D.C. 20543

Full Name, Mailing Address and ZIP Code

ALLAN R. COWLESS COMMITTEE (FUND
PROVIDED FOR SENATORIAL AND
REPRESENTATIVE)

Principal Place of Business

1415 S. CLINTON
FARMING, MD. 21054

Date (month, day, year)

6/30/78 \$2000.00

Occupation

Senatorial Candidate Party

Receipt for

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

Occupation

☐ Check if Contributor is self-employed

Appropriate Year To Date \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month, day, year)

\$2000.00
\$2000.00

attachment ("A")

**What Company Should You
Not Invest In?**

Name of Candidate or Committee in Full		Identification No.	
Full Name, Mailing Address and ZIP Code ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE (WAS ADVISED FOR STICKING AND RETIREMENT)		Principal Place of Business TOLSON & CLINTON PT. HAVEN, MD. 20686 Occupation SECRETARY OF THE BOARD OF DIRECTORS <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	Date (month, day, year) 6/29/78 Amount of each Receipt this Period \$2,000.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	
Full Name, Mailing Address and ZIP Code		Principal Place of Business Occupation <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	Date (month, day, year) Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	
Full Name, Mailing Address and ZIP Code		Principal Place of Business Occupation <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	Date (month, day, year) Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	
Full Name, Mailing Address and ZIP Code		Principal Place of Business Occupation <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	Date (month, day, year) Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	
Full Name, Mailing Address and ZIP Code		Principal Place of Business Occupation <input type="checkbox"/> Check if Contributor is self-employed Aggregate Year-To-Date \$	Date (month, day, year) Amount of each Receipt this Period
SUBTOTAL of receipts this page (optional).		\$2,000.00	
TOTAL this period (last page this line number only).		\$2,000.00	

James E. Walda
CHAIRMAN

Lenore M. Walda
VICE CHAIRMAN

Corrinne Brooks
SECRETARY

H. Thomas Clayton
TREASURER

Joseph W. Hunter
EXECUTIVE DIRECTOR

May 15, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Tiernan:

Re: MUR 1125

We are in receipt of your letter of April 30, 1980, concerning our \$8,000 contribution to the Walda For Congress Committee. Perhaps I should refer this matter to our lawyers, since I am frankly at a loss to understand what the current problem is. However, I will attempt to make this effort to explain what happened.

First, I have read the letter from Mr. Katt and Mr. Walda dated this date and concur with their recollections of what happened.

Shortly after the legality of our contribution to the Walda committee was questioned, I spoke several times on the telephone with FEC staff members. On no less than two occasions, I had a conference call with a member of your staff and Mr. Walda. We concluded that the best way to solve the problem was for the Walda committee to repay seven of the eight thousand dollars. That was accomplished on September 7, 1979. We believed that the repayment has put an end to the problem. As a matter of fact, we were told that repayment would solve any existing problems by FEC staff members. We are chagrined to learn that this fact was either misrepresented to us or somehow there has been a lack of communication from your office.

(B)

80040304039

HTC:av

[Handwritten signature]
[Illegible text]

(B)

David W. Wells, Chairman
Richard Keith, Treasurer

May 15, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Tiernan:

Re: MUR 1125

We are in receipt of your letter dated April 30, 1980. According to it, you are still reviewing information and you state that there is reason to believe that my campaign committee violated 2 U.S.C. 441a(f). Frankly, I am at a loss to understand your procedures and I am particularly confused about your handling of this specific situation. Let us review chronologically the facts surrounding the questionable contributions. They are as follows:

1. We first received notice that a contribution of \$8,000 from the Allen County Democratic Central Committee was being questioned in a letter of July 24, 1978, from the Clerk of the House of Representatives. We responded to that letter on July 28, 1978, and explained that we believed the contribution to be legal under FEC Reg. 110.7 (b) (2) (ii).

2. On May 21, 1979, we received our first communication from the FEC. One contribution was questioned--that being the \$8,000 from the Allen County DCC. We responded to that letter June 5, 1979, wherein we explained our position, as we had to the Clerk of the House of Representatives.

3. On August 14, 1979, we received our second letter from the FEC. The letter stated, erroneously, that we had not responded to the FEC letter of May 21, 1979. Apparently, the FEC lost our letter of June 5, 1979, and a copy of it is enclosed to complete your records.

709 S. Clinton St. • Fort Wayne, IN 46802 • 424-2371

3. Immediately following your letter of August 15, 1979, we spoke to the telephone repeatedly to members of the FEC. They explained several methods of correcting the alleged error. It was concluded that the most expeditious way was to pay of the eight thousand dollars questioned. On August 20, 1979, we made the determination to repay the \$7,000 and we informed you in a letter to Commissioner Thomas R. Harris. Again, as our records are no longer complete I am enclosing a copy of the August 29, 1979 letter.

5. Our latest communication from the FEC is your letter of April 30, 1980. This letter is our response to it.

I am not sure what we can do to explain our position in this case. We had a legitimate difference of opinion as to whether or not the Allen County contribution was legal (see our letter of June 5, 1979). In order to satisfy the questions raised by your commission, we capitulated and repaid, on advice from several members of your staff. I might add, this was not done because I felt that our legal position was incorrect. As a lawyer, I can tell you that your regulation under which we originally proceeded is quite ambiguous and is certainly open to interpretation which will support our position. However, that is no longer the issue. The overage has been repaid and I frankly can see nothing more that we can do other than to keep responding to your letters and explaining the situation.

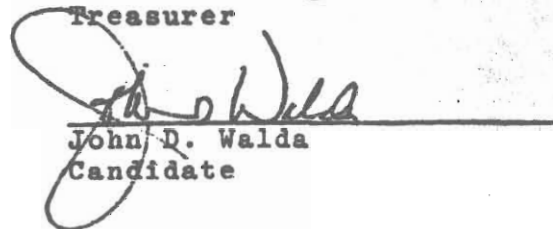
You have raised a second question in your letter of April 30, 1980. According to the "Federal Election Commission Notification Of Reason To Believe Finding", a contribution from Whitley County CDC for \$1500 is being similarly scrutinized. If you will check your file, I am sure you will discover this is the first notification of your questioning this contribution. No one from the FEC has ever brought this matter to our attention previously. Naturally, as we did in the previous problem, we will straighten this matter out immediately.

I very much look forward to receiving your response to my response. Perhaps if you have someone review the entire file, you will find that we have been most cooperative and that questions which were timely raised by your commission have all been answered.

Sincerely,



Richard M. Katt
Treasurer



John D. Walda
Candidate

RMK:mw
Encs.

(2)

00040204041

Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20543

Dear Mr. Potter:

Re: Inquiry

We are in receipt of your letter dated May 21, 1978, in which a question is raised concerning our July 10 quarterly Report of Receipts and Expenditures. Specifically you call into question an entry indicating a contribution in excess of \$1,000 from a subordinate date committee. We assume that you refer to an \$8,000 contribution which was originally listed as being from Allen County Democratic Central Committee.

Your letter of May 21 is the second inquiry which we have received from the Federal Election Commission regarding this contribution. Shortly after the July 10 Report was filed, we received an inquiry similar to your recent one. On July 28, 1978, we responded to the inquiry by letter, a copy of which is enclosed. Our explanation then, as now, is that the contribution was made by the Allen County Democratic Central Committee as a Subordinate Committee of the Indiana Democratic State Central Committee. This contribution is legal, therefore, pursuant to FEC Regs 110.7 (b) (2) (iii). Since our reply of July 28, 1978, had seemingly put this matter to rest, we assumed, and are still assuming, that this explanation is satisfactory to the FEC.

If further inquiry concerning this contribution is necessary, we request that you contact former candidate John Walda directly at his office, 395 Lincoln Tower, Fort Wayne, Indiana 46802, phone (219) 423-9551.

Yours truly,

Richard M. Katt, Treasurer

BMK:mw
Enc.

Allen County Democratic Central Committee, Richard Katt, Treasurer
Fort Wayne, Indiana 46802 219-424-2431

80040204042

30040204043

Thomas E. Harris
Commissioner
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20546

Dear Mr. Harris:

Re: 4372/79

We are in receipt of your letter dated August 14, 1979. We received your earlier notification of May 21, 1979 also concerning our July 10 Quarterly Report and the problems under 2 U.S.C. 431a. Following that earlier communication, I spoke with members of the FEC staff and we outlined various alternatives for solving the problem. I apologize for not communicating with you since then, but it has been most difficult to solve the problem.

Some background on this particular problem would be helpful. My campaign originally accepted an \$8,000 contribution from the Allen County Democratic Central Committee with the understanding that the contribution was being made as a Subordinate Committee of the Indiana Democratic State Central Committee. If that were the case, the contribution which was used to pay specific advertising debts would be legal pursuant to Reg. 110.7 (b) (2) (ii). Unfortunately, we have subsequently discovered that the Indiana Democratic State Central Committee has not complied with filing requirements and they are not a registered multicandidate committee. I am told by members of your staff that this failure to file by our State Committee makes the contribution illegal.

It appears that I have no alternative but to return \$7,000, to the Allen County Democratic Central Committee. As you have suggested in your letter of May 21, 1979 I am now repaying all money in excess of \$1,000 to

(50)

Wanda for Congress Committee, Richard Katt, Treasurer.

3924 N. Washington Rd., Fort Wayne, Indiana 46804

If you have any questions, please write or call
free to contact me at (212) 452-9571.

John P. Walsh

JDW:mv

80040204044

(c)

David W. Walda, Chairman
Richard Katt, Treasurer

888954

July 2, 1980

William E. Taylor, Attorney
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Taylor:

Re: MUR 1125

Please be advised that the Walda for Congress Committee did, on June 25, 1980, refund \$500 to Whitley County Democrat Central Committee for their erroneous expenditure to us on September 14, 1978, as per U.S.C. Sec. 441 (D).

This transaction will appear in the July 15 Quarterly Report of Walda for Congress Committee.

Yours truly,

Richard Katt
Richard Katt
Treasurer

RK:mv

("E")

20:50 2 JUL 08

TELETYPE UNIT

709 S. Clinton St. • Fort Wayne, IN 46802 • 424-2371

FRANK V. WHITELEATHER, Chairman
JOHN W. WHITELEATHER, Jr.
JOHN H. WHITELEATHER, Jr.
THOMAS D. WHITELEATHER

- June 23, 1967

Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

Re: Whitley County, Indiana Democrat Central Committee
MUR 1123

Dear Mr. Taylor:

Please be advised that I have spoken, on behalf of the Whitley County Democrat Central Committee, with representatives of the Walda for Congress Committee, 4th District, Indiana.

It is my understanding that the Walda for Congress Committee will return to the Whitley County Democrat Central Committee the sum of \$500.00, which constituted a mistaken expenditure, by the Whitley County Democrat Central Committee, pursuant to 2 U.S.C. §441 D.

It is also my understanding that the Walda for Congress Committee will find an amended FEC report, showing the return of said contribution/ mistaken expenditure.

If there is any additional information which you need, kindly advise.

Very truly yours,

WHITELEATHER & WHITELEATHER

John W. Whiteleather, Jr.

JWW,JR:j1

("D")

50 JUN 26 P 1:27

RECEIVED
GENERAL INVESTIGATIVE
DIVISION
JUN 26 1967

700 JUN 26 PM 12:07

RECEIVED

JOHN W. WHITELEATHER, JR.
JOHN W. WHITELEATHER, JR.
JOHN W. WHITELEATHER, JR.
JOHN W. WHITELEATHER, JR.

June 24, 1980

Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

008844

Re: Whitley County, Indiana Federal Central Committee
HUR 1125

Dear Mr. Taylor:

Per my previous correspondence dated June 23, 1980, enclosed please find copies of the return of the \$500.00 by the Walda for Congress Committee, and their letter dated June 25, 1980.

Very truly yours,

WHITELEATHER & WHITELEATHER

John W. Whiteleather, Jr.

JWW, JR:jl

Enclosures (2)

("D.")

00040304047

David W. Walda, Chairperson
Richard Katt, Treasurer

June 25, 1980

Mr. John Whiteleather
Attorney at Law
119 S. Main Street
Columbia City, Indiana 46725

Dear John:

Enclosed find Walda For Congress check
in the amount of \$500.

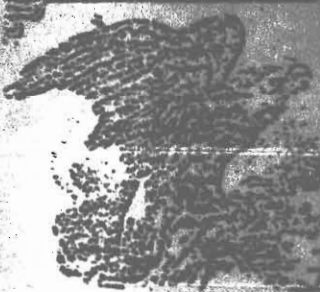
As per U.S.C. Sec. 441 (D), we are re-
funding this amount to Whitley County Democrat
Central Committee for their mistaken expendi-
ture to us on September 14, 1978.

Yours truly,

Richard M. Katt
Richard Katt
Treasurer

RK:mv
Enc.

("D")



WALDA FOR CONGRESS

THE SOUTH CLAYTON BLDG.
FORT WALKER, OREGON 97140

No. 1247

June 24 1990 71-27

The order of Whitley County Democrat Club
Five Hundred and no more



Lincoln National Bank
MEMBER FDIC, BANK AND TRUST COMPANY
FORT WALKER, OREGON 97140

6

FOR Refund on mint bank out 9/14/90

Marshall Walda
717-740-21



FEDERAL ELECTION COMMISSION

1325 K STREET, N.W.
WASHINGTON, D.C. 20004

July 13, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1979-30

Mr. Michael Flanary
Director, Finance and Operations
Democratic Party of Virginia
701 East Franklin Street
Richmond, Virginia 23319

Dear Mr. Flanary:

This responds to your letter of May 31, 1979, requesting an advisory opinion concerning application of the Federal Election Campaign Act of 1971, as amended ("the Act") and Commission regulations, to the transfer of funds between various Virginia Democratic Party Committees and the payment by these committees of debts owed by the Miller for Senate Committee.

Your letter states that three committees are involved in the situation presented:

The Miller for Senate Committee (Miller Committee), which has a debt of \$27,000. It is a registered committee reporting to the FEC for the 1978 U.S. Senate bid of Andrew P. Miller;

The 1978 Virginia Democratic Campaign Committee, (VDCC) which has a debt of \$15,000. It is a registered committee reporting to the FEC and provided phone bank operations to candidates for the House of Representatives in addition to the Senate bid of Andrew P. Miller; [It has spent \$68,560.89 toward the election of Federal candidates.]

The Jefferson-Jackson Day Committee, (J-J) which has a surplus of \$22,500 in its account. This is a fundraising committee that maintains a separate bank account from the Democratic Party of Virginia. This committee did receive \$1,000.00 in corporate and union funds. However, through specific identification we can prove that an amount in excess of \$22,500 was not from these sources. The J-J

("E")

register as a political committee and establish a Federal account. Hence, to participate, the JJDC must register as a "political committee" connected with the Virginia Democratic Party.

Commission regulations at 11 CFR 104.10 require that if at the time of registration a political committee has cash on hand, the source of these funds be disclosed on the committee's first report, and the information required by §104.2 must be included. According to §104.10 the cash balance is assumed to be composed of those contributions most recently received by the committee before its registration. Further, the committee must exclude from funds to be used for Federal elections any contributions not permissible under the Act. In summary, in order for the JJDC to participate in Federal elections in the manner you describe, it must register as a political committee and identify the sources of its cash on hand on the basis of last in, first "on hand." If any of that cash "on hand" consists of union or corporate treasury contributions, that amount shall be excluded from the JJDC's Federal account. See 2 U.S.C. §441b

The Commission concludes that if, after the JJDC registers as a political committee and follows the cash determination process set forth in §104.10, it has \$15,000 in its Federal account, that amount may be paid directly to the creditors of the Miller Committee subject to §441a(d)(3) limits. Also, since §110.3(c) of the Commission's regulations permits unlimited transfers between political committees of the same political party, the JJDC after it registers and discloses cash on hand in the described manner, could transfer the \$15,000 to the VDCC for direct payment to the Miller Committee creditors. In either situation the §441a(d)(3) limits apply, and there is one overall limit for the State committee and its subordinate committees.

In response to your question regarding a transfer of \$7,500 from the JJDC to the 1978 VDCC, §110.3(c) of Commission regulations permits unlimited transfers between State and subordinate committees of the same political party. Hence if there is \$7,500 in the JJDC Federal account it may transfer that amount to the VDCC.

*When the JJDC registers it must notify all contributors who are listed on its report that it has become a "political committee" as defined in 2 U.S.C. §431(d). This is required due to 11 CFR 102.6 and the fact that these contributions will be charged against the individual contribution limits. See 2 U.S.C. §441a and 11 CFR 110.1 and 110.2.

U.S. DEPARTMENT OF JUSTICE
WASHINGTON, D.C. 20530

May 1, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

ADVISORY OPINION 1979-9

John Pouland
The Texas Democratic Party
215 Stokes Building
Austin, Texas 78071

Dear Mr. Pouland:

This is in response to your undated letter received on February 26, 1979, as supplemented, by letters received on March 5 and 18, 1979, requesting an advisory opinion concerning the applicability of the Federal Election Campaign Act of 1971, as amended ("the Act"), and Commission regulations to the ability of the Texas Democratic Voter Participation Project to eradicate the outstanding debts of at least 5 Federal candidates from Texas, three of whom were candidates in the general election and two of whom were candidates only in the primary.

Your request states that the Texas Democratic Voter Participation Project is an authorized subordinate committee of the Democratic Party in Texas. On its behalf you ask the following: 1) May our committee make direct payment on behalf of our 1978 Federal candidates to the creditors of those candidates? 2) In soliciting contributions are we required to state that the money will be spent to eradicate the debts incurred during the 1978 campaign? 3) Does the \$5,000 contribution limit on individual contributions to our committee apply on a calendar year basis? 4) Does the \$25,000 annual personal limit apply to contributions to our committee?

In response to your first question the Commission answers in two parts. First, regarding candidates who lost in the primary, your committee which is a multicandidate political committee as defined in §441a(a)(4) may make total



"E"

contributions not exceeding \$5,000 to each candidate with respect to their primary election for Federal office. 2 U.S.C. §441a(a)(2)(A). Payment of a candidate's debts directly to the creditor would be a contribution subject to §441a(a) limits. See 11 CFR 110.1(g)(2). Such payments would also have to be combined with any pre-primary contributions by your committee to the same candidate, since only one \$5,000 limit is available for primary election contributions.

Second, for those candidates who were in the general election, 2 U.S.C. §441a(d) applies. Section 441a(d)(1) provides that a State committee of a political party may make expenditures in connection with the general election campaign of its candidates for Federal office, subject to the limitations contained in that subsection. Although legislative history is silent as to the applicability of this section to the payment of candidate debts by the party committee, the 1976 Conference Report makes clear that the limited permission in §441a(d) allows political parties to make contributions in kind which would otherwise be covered by the contribution limits in §441a(a). See House Report No. 94-1057, page 59. Hence, the Commission concludes that payments by the committee to candidate creditors are expenditures for purposes of §441a(d) and that your committee may make direct payment to the creditors of the candidates who were in the general election, subject to the limits set forth in §441a(d)(3). However, all other §441a(d) expenditures made by the committee for a particular candidate's general election campaign must be combined with the payments to retire debts and when combined must be within the applicable §441a(d)(3) limit. In addition, the committee may also make payments to the candidates' creditors to the extent that the committee has not exhausted its §441a(a) contribution limits in pre-general election contributions. 11 CFR 110.7(b)(3).

Your second question is whether in soliciting contributions you are to state that the money will be spent to eradicate the debts incurred during the 1978 campaign. According to Commission regulation §102.6(b), your committee may receive only contributions (a) designated for your committee, (b) received as a result of a solicitation which expressly states that the contribution will be used for Federal elections, or (c) from contributors who are informed that all contributions are subject to the limitations of §§110.1, 110.2 and 110.5. Therefore, the Commission would not require that contributors be informed that their contributions will be used to retire debts incurred by specific candidates for Federal office in their 1978 campaigns.

The answer to your third question is yes-- the \$5,000 contribution limit on individuals contributing to your committee is a limit by calendar year. Section 441a(a)(1)(C) clearly states that no person shall make contributions to any other political committee (one that is not an authorized candidate committee or a political committee established by a national political party) in any calendar year which, in the aggregate, exceed \$5,000.

Your final question concerns application of the annual \$25,000 personal limitation to contributions by individuals to your committee. Section 441a(a)(3), which contains the personal limitation, states that an individual may not make contributions:

"aggregating more than \$25,000 in any calendar year. For purposes of this paragraph, any contribution made to a candidate in a year other than the calendar year in which the election is held with respect to which such contribution is made, is considered to be made during the calendar year in which such election is held."

Commission regulations at 11 CFR 110.5 explain that an individual's contribution to a political committee in a non-election year is not attributable to the calendar year in which an election is held as long as the political committee is not the principal campaign committee or other authorized committee of a candidate, or a single candidate committee supporting the candidate, and as long as the contribution is not otherwise designated for a particular election. In this instance any contributions by an individual to your party committee between January 1, 1979, and December 1, 1979, will be attributed to the \$25,000 limit for 1979 regardless of the fact that this money may be used by the party committee to retire debts incurred by Federal candidates in 1978 elections.

This response constitutes an advisory opinion concerning the application of a general rule of law stated in the Act, or prescribed as a Commission regulation, to the specific factual situation set forth in your request. See 2 U.S.C. §437f.

Sincerely yours,

Joan D. Aikens

Joan D. Aikens
Chairman for the
Federal Election Commission

3004020405
Thomas E. Harris
Commissioner
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20546

Dear Mr. Harris:

We are in receipt of your letter dated August 14, 1979. We received your earlier notification of May 21, 1979 also concerning our July 10 Quarterly Report and the problems under 2 U.S.C. 4312a. Following that earlier communication, I spoke with members of the staff and we outlined various alternatives for solving the problem. I apologize for not communicating with you since then, but it has been most difficult to solve the problem.

Some background on this particular problem would be helpful. My campaign originally accepted an \$8,000 contribution from the Allen County Democratic Central Committee with the understanding that the contribution was being made as a Subordinate Committee of the Indiana Democratic State Central Committee. If that were the case, the contribution which was made to pay specific advertising debts would be legal pursuant to Reg. 110.7 (b) (2) (ii). Unfortunately, we have subsequently discovered that the Indiana Democratic State Central Committee has not complied with filing requirements and they are not a registered multicandidate committee. I am told by members of your staff that this failure to file by our State Committee makes the contribution illegal.

It appears that I have no alternative but to return \$7,000, to the Allen County Democratic Central Committee. As you have suggested in your letter of May 21, 1979 I am now repaying all money in excess of \$1,000 to

(F)
Wald for Congress Committee, Richard Katt, Treasurer.

3924 N. Washington Rd., Fort Wayne, Indiana 46804

Dear Sirs: I am writing to you in regard to the
1978. Our first transaction was in 1978.
transaction.

I trust that this letter is reaching you.
If you have any questions, please feel free
free to contact me at (215) 422-9751.

3

JDW:mv

00040204056

(B)

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Richard Katt
709 S. Clinton Street
Port Wayne, Indiana 46082

Re: HUR 1125

Dear Mr. Katt:

On August 14, 1979 and on April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 14, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the acceptance of an excess contribution nevertheless appears to be a violation of 2 U.S.C. § 441a(f) and you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles N. Steele
General Counsel

60040204057

30040204058

COMMUNICATIONS SECTION

RECEIVED

Mr. John W. Whiteleather, Jr.
119 South Main Street
Columbia City, Indiana

Re: HUR 1125

Dear Mr. Whiteleather:

On April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission on August 1, 1980, has determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports of receipts and disbursements nevertheless, appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1), and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles N. Steele
General Counsel

CONFIDENTIAL

Mr. H. Thomas Clayton
709 S. Clinton Street
Fort Wayne, Indiana 46801

Re: MUR: 1125

Dear Mr. Clayton:

On July 16, 1979 and in April 29, 1980, the Commission found reason to believe that your committee violated 2 U.S.C. § 433(a), 2 U.S.C. § 434(c)(1) and 2 U.S.C. § 441a(a)(1)(A) of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above captioned matter. However, after considering the circumstances of this matter, the Commission has on August 1, 1980, determined to take no further action and close its file in this matter. This matter will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The Commission reminds you that the making of a contribution in excess of \$1,000, the failure to file a statement of organization, and the failure to file reports and disbursements nevertheless appears to be a violation of 2 U.S.C. § 433(a), 2 U.S.C. § 434(a)(1) and 2 U.S.C. § 441a(a)(1)(A); you should take immediate steps to insure that this activity does not occur in the future.

Sincerely,

Charles N. Steele
General Counsel

30040204059

MEMORANDUM TO: CHAIRMAN

FROM: HARRIS W. HARRIS, Commissioner

DATE: APRIL 22, 1980

SUBJECT: MUR 1125 - First General Council's
Report dated 4-21-80, received in 800
4-21-80, 11:00

The above-named document was circulated on a 48
hour vote basis at 11:00, April 22, 1980.

Commissioner Harris submitted an objection at
4:21, April 22, 1980, thereby placing MUR 1125 on the
Executive Session Agenda for April 29, 1980.

800400004060

Date and Time (month/year) FRIDAY, 8-1-80

Commissioner's Recommendation: APPROVE

RETURN TO OFFICE OF COMMISSION SECRETARY BY: TUESDAY, AUGUST 5, 1980

MJR No. 1125 - General Counsel's Report dated 7-29-80; Signed 7-30-80

- () I approve the recommendation
(✓) I object to the recommendation

COMMENTS

I cannot agree that no further action should be taken.

Date: 8/4/80 Signature: Frank P. Reich

THE OFFICE OF GENERAL COUNSEL WILL TAKE NO ACTION IN THIS MATTER UNTIL THE APPROVAL OF FOUR COMMISSIONERS IS RECEIVED. PLEASE RETURN ALL PAPERS NO LATER THAN THE DATE AND TIME SHOWN ABOVE TO THE OFFICE OF COMMISSION SECRETARY. ONE OBJECTION PLACES THE ITEM ON THE EXECUTIVE SESSION AGENDA.



David W. Walda, Chairperson
Richard Katt, Treasurer

000954

July 2, 1980

William E. Taylor, Attorney
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Mr. Taylor:

Re: MUR 1125

Please be advised that the Walda for Congress Committee did, on June 25, 1980, refund \$500 to Whitley County Democrat Central Committee for their erroneous expenditure to us on September 14, 1978, as per U.S.C. Sec. 441 (D).

This transaction will appear in the July 15 Quarterly Report of Walda for Congress Committee.

Yours truly,

Richard Katt
Richard Katt
Treasurer

RK:mv

20:50 7 JUL 7

GENERAL COUNSEL
OFFICE OF THE
RECEIVED

709 S. Clinton St. • Fort Wayne, IN 46802 • 424-2371

DAVID V. WHITELEATHER 604-100
JOHN W. WHITELEATHER
JOHN W. WHITELEATHER, JR.
THOMAS G. BLAKEBURN

WHITELEATHER AND WHITELEATHER
ATTORNEYS AT LAW
80 NORTH MAIN STREET
COLUMBIA CITY, INDIANA 46708

AREA CODE 317
TELEPHONE 864-1000

June 23, 1980

Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

Re: Whitley County, Indiana Democrat Central Committee
MUR 1125

Dear Mr. Taylor:

Please be advised that I have spoken, on behalf of the Whitley County Democrat Central Committee, with representatives of the Walda for Congress Committee, 4th District, Indiana.

It is my understanding that the Walda for Congress Committee will return to the Whitley County Democrat Central Committee the sum of \$500.00, which constituted a mistaken expenditure, by the Whitley County Democrat Central Committee, pursuant to 2 U.S.C. §441 D.

It is also my understanding that the Walda for Congress Committee will find an amended FEC report, showing the return of said contribution/ mistaken expenditure.

If there is any additional information which you need, kindly advise.

Very truly yours,

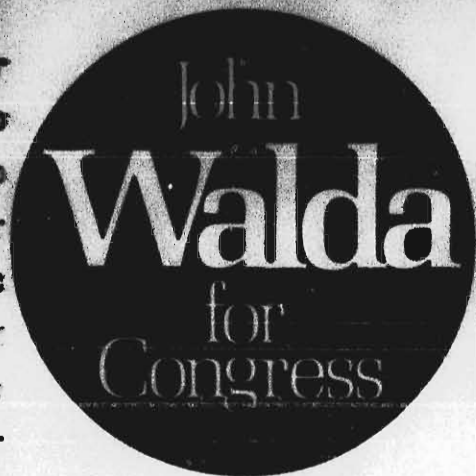
WHITELEATHER & WHITELEATHER

John W. Whiteleather, Jr.

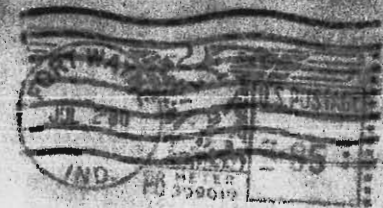
JWW,JR:j1

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709 S. Clinton St. • Fort Wayne, IN 46802



William E. Taylor, Attorney
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

DAVID V. WHITELEATHER 104-400
JOHN W. WHITELEATHER
JOHN W. WHITELEATHER, JR.
THOMAS D. BLACKBURN

June 26, 1980

Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

C08844

Re: Whitley County, Indiana Democrat Central Committee
MUR 1125

Dear Mr. Taylor:

Per my previous correspondence dated June 23, 1980, enclosed please find copies of the return of the \$500.00 by the Walda for Congress Committee, and their letter dated June 25, 1980.

Very truly yours,

WHITELEATHER & WHITELEATHER


John W. Whiteleather, Jr.

JWW,JR:jl

Enclosures (2)

00040004065

June 25, 1980

Mr. John Whiteleather
Attorney at Law
119 S. Main Street
Columbia City, Indiana 46725

Dear John:

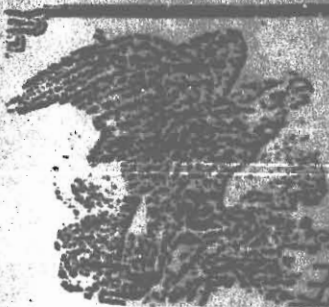
Enclosed find Waldo For Congress check
in the amount of \$500.

As per U.S.C. Sec. 441 (D), we are re-
funding this amount to Whitley County Democrat
Central Committee for their mistaken expendi-
ture to us on September 14, 1978.

Yours truly,

Richard M. Katt
Richard Katt
Treasurer

RK:mv
Enc.



WALDA FOR CONGRESS

108 SOUTH CLAYTON ST.
FORT WORTH, TEXAS 76102

71-1247

June 24 1972 71-1247

John D. Walda
Whitby County, Kansas
Five Hundred and no/100



Lincoln National Bank
NATIONAL, SAVINGS, AND TRUST COMPANY
FORT WORTH, TEXAS 76102

7
90067
FUR Refund must be sent 97410

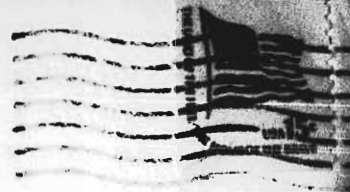
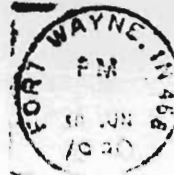
Marshall Walda
717-740 12

WHITELEATHER AND WHITELEATHER
ATTORNEYS AT LAW
119 SOUTH MAIN STREET
COLUMBIA CITY, INDIANA 46725

ATTORNEYS AT LAW

119 SOUTH MAIN STREET

COLUMBIA CITY, INDIANA 46725



Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. BROWN/MARGARET CHANEY
DATE: JULY 1, 1980
SUBJECT: MUR 1125 - Interim Investigative Report #3,
dated 6-24-80; Signed 6-26-80;
Received in OCS 6-27-80, 1:51

The above-named document was circulated to the Commission on a 24 hour no-objection basis at 11:00, June 30, 1980.

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

80040204069

REPORT THE FEDERAL ELECTION COMMISSION
June 24, 1980

In the Matter of
The Walda for Congress
Committee

MUR 1125

INTERIM INVESTIGATIVE REPORT #3

On April 29, 1980, the Commission determined that there was reason to believe the Whitley County Central Democratic Committee (Whitley County), the Walda for Congress Committee, and the Allen County Democratic Central Committee violated the Act and notified each party of its violations. The Walda for Congress Committee and the Allen County Democratic Central Committee responded to the Commission's reason to believe findings by letters dated May 15, 1980. Mr. Whiteleather, the attorney for Whitley County, was contacted by phone by this office on May 29, 1980, concerning whether Whitley County intended to respond. He stated he just received the Commission's notification from his client, and he then asked if this matter could be resolved by the Walda Committee returning the excess of the contribution to Whitley County; Whitley County contributed \$1,500 to the Walda for Congress Committee. We advised Mr. Whiteleather that the Commission would look favorably on the return of the excess amount. Mr. Whiteleather indicated that he would ask the Walda Committee to return the excess amount.

30040204021

On June 30, 1960, he was again contacted and he informed us that the Walda Committee will return \$500 to the Whitley Committee, and that he is sending a letter to the Commission to this effect.

We anticipate that the response of the Whitley County CDC and the return of the excess amount of the contribution by the Walda Committee will allow an orderly resolution of this matter. It is the Office of General Counsel's intention to give the Whitley County Central Democratic Committee 14 days to respond to the Commission's reason to believe finding before proceeding.

6/26/60
Date

Charles N. Steele
Charles N. Steele
General Counsel

80040204072

DAVID V. WHITELEATHER 1942-1943
JOHN W. WHITELEATHER
JOHN W. WHITELEATHER, JR.
THOMAS D. BLACKBURN

WHITELEATHER AND WHITELEATHER
ATTORNEYS AT LAW
139 SOUTH MAIN STREET
COLUMBIA CITY, INDIANA 46725

June 23, 1980

608753

Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

Re: Whitley County, Indiana Democrat Central Committee
MUR 1125

Dear Mr. Taylor:

Please be advised that I have spoken, on behalf of the Whitley County Democrat Central Committee, with representatives of the Walda for Congress Committee, 4th District, Indiana.

It is my understanding that the Walda for Congress Committee will return to the Whitley County Democrat Central Committee the sum of \$500.00, which constituted a mistaken expenditure, by the Whitley County Democrat Central Committee, pursuant to 2 U.S.C. §441 D.

It is also my understanding that the Walda for Congress Committee will find an amended FEC report, showing the return of said contribution/mistaken expenditure.

If there is any additional information which you need, kindly advise.

Very truly yours,

WHITELEATHER & WHITELEATHER

John W. Whiteleather, Jr.

JWW,JR:jl

80 JUN 26 PM 12:27

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

80 JUN 26 PM 12:07

RECEIVED

00040204073

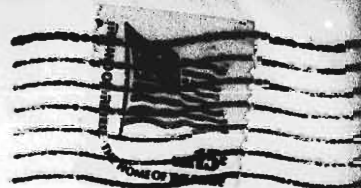
00040201074

WHITELEATHER AND WHITELEATHER

ATTORNEYS AT LAW

119 SOUTH MAIN STREET

COLUMBIA CITY, INDIANA 46723



Mr. William Taylor
Federal Election Commission
Washington, D.C. 20463

David W. Walde
for
Congress

David W. Walde, Chairperson
Richard Keltz, Treasurer

May 15, 1980

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Tiernan:

Re: MUR 1125

We are in receipt of your letter dated April 30, 1980. According to it, you are still reviewing information and you state that there is reason to believe that my campaign committee violated 2 U.S.C. 441a(f). Frankly, I am at a loss to understand your procedures and I am particularly confused about your handling of this specific situation. Let us review chronologically the facts surrounding the questionable contributions. They are as follows:

1. We first received notice that a contribution of \$8,000 from the Allen County Democratic Central Committee was being questioned in a letter of July 24, 1978, from the Clerk of the House of Representatives. We responded to that letter on July 28, 1978, and explained that we believed the contribution to be legal under FEC Reg. 110.7 (b) (2) (ii).

2. On May 21, 1979, we received our first communication from the FEC. One contribution was questioned--that being the \$8,000 from the Allen County DCC. We responded to that letter June 5, 1979, wherein we explained our position, as we had to the Clerk of the House of Representatives.

3. On August 14, 1979, we received our second letter from the FEC. The letter stated, erroneously, that we had not responded to the FEC letter of May 21, 1979. Apparently, the FEC lost our letter of June 5, 1979, and a copy of it is enclosed to complete your records.

Thomas E. Harris
Commissioner
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20466

Dear Mr. Harris:

Re: LSV2/75-1000

We are in receipt of your letter dated August 18, 1979. We received your earlier notification of May 21, 1979 also concerning our July 10 Quarterly Report and the problems under 2 U.S.C. 431a. Following your earlier communication, I spoke with members of the staff and we outlined various alternatives for solving the problem. I apologize for not communicating with you since then, but it has been most difficult to solve the problem.

Some background on this particular problem would be helpful. My campaign originally accepted an \$8,000 contribution from the Allen County Democratic Central Committee with the understanding that the contribution was being made as a Subordinate Committee of the Indiana Democratic State Central Committee. If that were the case, the contribution which was used to pay specific advertising debts would be legal pursuant to 2 U.S.C. (b) (2) (ii). Unfortunately, we have subsequently discovered that the Indiana Democratic State Central Committee has not complied with filing requirements and they are not a registered multicandidate committee. I am told by members of your staff that this failure to file by our State Committee makes the contribution illegal.

It appears that I have no alternative but to return \$7,000, to the Allen County Democratic Central Committee. As you have suggested in your letter of May 21, 1979 I am now repaying all money in excess of \$1,000 to

Wanda for Congress Committee, Richard Kell, Treasurer.

3924 N. Washington Rd., Fort Wayne, Indiana 46804

0004020407

Thomas E. Harris

-2-

August 10, 1979

the donor. That transaction will not be completed on the date of this letter as I will require one week or so to borrow or solicit \$1,000 for the payment. You can be assured, however, that the excess amount will be entirely repaid by January 10, 1979. Our next campaign report will reflect this transaction.

I trust that this letter answers your inquiry. If you have further questions, please write or feel free to contact me at (210) 423-0511.

John D. Harris

JDW:mv

8004004028

June 5, 1979

Orlando B. Potter
Staff Director
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20543

Dear Mr. Potter:

Re: 4891/79-3200

We are in receipt of your letter dated May 21, 1979, in which a question is raised concerning our July 10 Quarterly Report of Receipts and Expenditures. Specifically you call into question an entry indicating a contribution in excess of \$1,000 from a multi-date committee. We assume that you refer to an \$8,000 contribution which was originally listed as being from Allen County Democratic Central Committee.

Your letter of May 21 is the second inquiry which we have received from the Federal Election Commission regarding this contribution. Shortly after the July 10 Report was filed, we received an inquiry similar to your recent one. On July 28, 1978, we responded to the inquiry by letter, a copy of which is enclosed. Our explanation then, as now, is that the contribution was made by the Allen County Democratic Central Committee as a Subordinate Committee of the Indiana Democratic State Central Committee. This contribution is legal, therefore, pursuant to FEC Regs 110.7 (b) (2) (1). Since our reply of July 28, 1978, had seemingly put this matter to rest, we assumed, and are still assuming, that this explanation is satisfactory to the FEC.

If further inquiry concerning this contribution is necessary, we request that you contact former candidate John Walda directly at his office, 395 Lincoln Tower, Fort Wayne, Indiana 46802, phone (219) 424-9551.

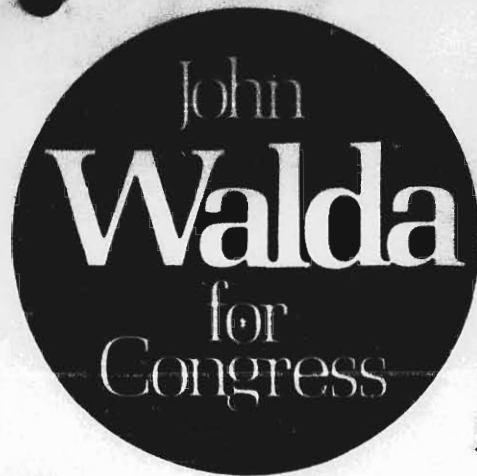
Yours truly,

Richard M. Katt, Treasurer

RMK:mw
Enc.

For Congress Committee, Richard Katt, Treasurer
395 Lincoln Tower, Fort Wayne, Indiana 46802 219-424-9551

00040304029



RETURN RECEIPT REQUESTED

CERTIFIED

P094253398

MAIL

709 S. Clinton St. • Fort Wayne, IN 46802



3/10/80

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

James A. Katt
CHAIRMAN

Lenne M. Walde
VICE CHAIRMAN

Corinne Brooks
SECRETARY

H. Thomas Clayton
TREASURER

May 13, 1980

Joseph W. Kessler
EXECUTIVE DIRECTOR

Mr. Robert O. Tiernan
Chairman
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Tiernan:

Re: MUR 1122

We are in receipt of your letter of April 30, 1980, concerning our \$8,000 contribution to the Walde For Congress Committee. Perhaps I should refer this matter to our lawyers, since I am frankly at a loss to understand what the current problem is. However, I will attempt to make this effort to explain what happened.

First, I have read the letter from Mr. Katt and Mr. Walde dated this date and concur with their recollections of what happened.

Shortly after the legality of our contribution to the Walde committee was questioned, I spoke several times on the telephone with FEC staff members. On no less than two occasions, I had a conference call with a member of your staff and Mr. Walde. We concluded that the best way to solve the problem was for the Walde committee to repay seven of the eight thousand dollars. That was accomplished on September 7, 1979. We believed that the repayment has put an end to the problem. As a matter of fact, we were told that repayment would solve any existing problems by FEC staff members. We are chagrined to learn that this fact was either misrepresented to us or somehow there has been a lack of communication from your office.

00040204092

HTC 100

[Handwritten signature]
[Illegible text]
[Illegible text]



80040104007

**the allen county
democratic central committee**

709 South Clinton Street Fort Wayne, Indiana 46802



19 AM 6



RECEIVED



Mr. Robert O. Tiernan
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

30040204004

The Federal Election Commission notified you July 16, 1979, that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of title 26, U.S. Code (Attachment "A").

Upon further review of the information available to the Commission, the Commission determined, on April 29, 1980, that there is reason to believe that you violated 2 U.S.C. §433(a), §434(a)(1) and §441(a)(1)(A). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

If you have any questions, please contact William E. Taylor, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,

Robert O. Tiernan
ROBERT O. TIERNAN
Chairman

Enclosure

SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on REVERSE.

The following service is requested (check one):
☒ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
☐ Show to whom and date delivered.
☐ RESTRICTED DELIVERY
☐ Show to whom, date, and address of delivery.
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Mr. Thomas Clayton
 Allen County Democratic
 Central Committee
 709 700 South Clinton
 Fort Wayne, Indiana 46802

3. ARTICLE DESCRIPTION:
 REGISTERED NO. 5011110 CERTIFIED NO. INSURED NO.

(Always obtain signature of addressee or agent)
 I have received the article described above.
 SIGNATURE ☒ Addressee ☐ Authorized agent
 Maggie O'Toole

4. DATE OF DELIVERY
 5-6-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

1125 Taylor

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

DATE

STATE & TOL. NO.

RESPONDENT Allen County Democratic
Central Committee

20-21-1072

SOURCE OF MUR: INTERNALLY GENERATED

BACKGROUND

According to the April 1978 quarterly report filed with the Commission by the Walda for Congress Committee ("Walda Committee"), the Allen County Democratic Central Committee (Allen County DCC) contributed \$8,000 to the Walda Committee. 1/

A search of the Commission records does not show that the Allen County DCC filed a statement of organization on a report of receipts and expenditures in accordance with 2 U.S.C. §433(a) and 2 U.S.C. §434(a)(1).

FACTUAL BASIS AND LEGAL ANALYSIS

The Allen County DCC made a contribution to the Walda Committee in excess of the \$1,000 contribution limitation and thus violated 2 U.S.C. §441a(a)(1)(A). 2/ Furthermore, by making this contribution, the Allen County DCC made an expenditure in calendar year 1978 and thus required to file a statement of organization and file a report of receipts and expenditures in accordance with 2 U.S.C. §433 and 2 U.S.C. §434, respectively. Thus, it violated 2 U.S.C. §433 and 2 U.S.C. §434.

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Allen County Democratic Central Committee violated 2 U.S.C. §433(a), 2 U.S.C. §434(a)(1) and 2 U.S.C. §441a(a)(1)(A).

1/ On September 7, 1979, the Walda Committee returned \$7,000 to the Allen County DCC.

2/ Person is defined by 2 U.S.C. §431(11) to include committee.

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

July 16, 1979

Tom Clayton, Treasurer
Allen County Democratic Central Committee
704 South Clinton
Fort Wayne, IN 46802

Dear Mr. Clayton:

On May 18, 1979, you were notified that you may have made contributions to a political committee which raised problems under 2 U.S.C. 433 and 434.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 433 and 434.

The Commission will take no action against you until you have had a reasonable opportunity to respond to this letter and demonstrate why no action should be taken against you. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact David Greevy, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202) 357-0023.

Sincerely,

Robert D. Tiernan
Commissioner

Certified Mail:
Return Receipt Requested

"A"

ADEQUATE RESPONSE REC'D

Refer To: 79031365055

Mr. Richard M. Matt
Walda for Congress Committee
706 South Clinton
Port Wayne, Indiana 46802

Re: MR 1125

Dear Mr. Matt:

The Federal Election Commission notified you August 14, 1979, that your committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code (attachment "A").

Upon further review of the information available to the Commission, the Commission determined on April 29, 1980, that there is reason to believe that you violated 2 U.S.C. §441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

If you have any questions, please contact William E. Taylor, the attorney assigned to this matter, at (202) 523-5071.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosure

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

1. The following service is requested (check one)
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☒ RESTRICTED DELIVERY
☐ Show to whom and date delivered.
☒ RESTRICTED DELIVERY
☐ Show to whom, date, and address of delivery.
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO
 Richard M. Rott
 706 South Clinton
 Fort Wayne, Indiana 46805

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 102hmb

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
 5-5-80

5. ADDRESS (Complete only if registered)

6. UNABLE TO DELIVER BECAUSE:

1125 Taylor

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Richard M. Katt, Treasurer
Wells for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Katt:

On May 21, 1979, you were notified that certain entries in the July 10 Quarterly Report of Receipts and Expenditures filed by your committee raised problems under 2 U.S.C. 441a.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 441a.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact Susan Kaltenbaugh, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202)523-4172..

Sincerely,

Thomas E. Harris
Commissioner

Certified Mail:
Return Receipt Requested

"A"

RESPONSE: The Walda for Congress

U. S. C. 521

521-5272

SOURCE OF INFO: INTERNALLY GENERATED

BACKGROUND

According to the April and October 1978 quarterly reports filed with the Commission by the Walda For Congress Committee ("Walda Committee") the Whitley County Central Democratic Committee ("Whitley County CDC") and the Allen County Democratic Central Committee ("Allen County DCC") contributed \$8,000 and \$1,500, respectively ^{1/}.

A search of the Commission records does not show that either Whitley County DCD or Allen County DCC was a registered committee pursuant to 2 U.S.C. §433(a).

FACTUAL BASIS AND LEGAL ANALYSIS

Neither the Whitley County CDC nor the Allen County DCC was a registered committee. As such, the Walda Committee could not accept a contribution in excess of \$1,000, pursuant to 2 U.S.C. §441a(a)(1)(A), and in doing so violated 2 U.S.C. §441a(f).

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Walda For Congress Committee violated 2 U.S.C. §441a(f).

^{1/} Seven Thousand dollars (\$7,000) was returned to the Allen County DCC on September 7, 1979 by the Walda Committee.

^{2/} "Person" is defined by 2 U.S.C. §431(11) to include a committee.

CONFIDENTIAL
EXEMPT FROM PUBLIC RELEASE

Mr. Virgil Hicks
Treasurer
Whitley County Central
Democratic Committee
Route #1
South Whitley, Indiana 46787

Re: MR 1125

Dear Mr. Hicks:

The Federal Election Commission notified you September 24, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

Upon further review of the information available to the Commission, the Commission determined, on April 29, 1980, that there is reason to believe that you violated 2 U.S.C. §433(a), §434(a)(1) and §441a(a)(1)(A). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

If you have any questions, please contact William E. Taylor, the attorney assigned to this matter, at (202)523-5071.

Sincerely,

Robert O. Tiernan

ROBERT O. TIERNAN
Chairman

Enclosure

PS Form 3811, Aug. 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ **RESTRICTED DELIVERY**
Show to whom and date delivered.
☐ **RESTRICTED DELIVERY.**
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Virgil Hicks, Treas.
Route 1
South Whitley, Indiana 46781

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
944209

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
5-5-80

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
MAY 5 1980
CL

☆ GPO: 1979-278-001

1125 Taylor

DATE: _____
Whitley County Central
Democratic Committee

FILE NO.
15-1 22-5872

SOURCE OF NUM: INTERNALLY GENERATED

BACKGROUND

According to the October 1978 report filed with the Commission by the Walda for Congress Committee ("Walda Committee"), the Whitley County Central Democratic Committee ("Whitley County CDC") on September 18, 1978, contributed \$1,500 to the Walda Committee.

A search of the Commission records does not show that the Whitley County CDC filed a statement of organization or a report of receipts and expenditures in accordance with 2 U.S.C. §433(a) and 2 U.S.C. §434(a)(1).

FACTUAL BASIS AND LEGAL ANALYSIS

The Whitley County CDC made a contribution to the Walda Committee in excess of the \$1,000 contribution limitation and thus violated 2 U.S.C. §441a(a)(1)(A).^{1/} Furthermore, by making this contribution, the Whitley County CDC made an expenditure in calendar year 1978 and was thus required to file a statement of organization and file a report of receipt and expenditures in accordance with 2 U.S.C. §433(a) and 2 U.S.C. §434(a)(1) respectively. Thus it violated 2 U.S.C. §433(a) and 2 U.S.C. §434(a)(1).

Based on the foregoing analysis, the Federal Election Commission has found reason to believe that the Whitley County Central Democratic Committee violated 2 U.S.C. §433(a), 2 U.S.C. §434(a)(1) and 2 U.S.C. §441a(a)(1)(A).

^{1/} "Person" is defined by 2 U.S.C. §431(11) to include a committee.

Whitley County Democratic Committee
Allen County Democratic Central
Committee
Walda for Congress Central Democratic
Committee

MIR 1125

CERTIFICATION

I, Marjorie W. Emons, Recording Secretary for the Federal Election Commission's Executive Session on April 29, 1980, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MIR 1125:

1. Find reason to believe that Whitley County Central Democratic Committee has violated 2 U.S.C. §§433(a), 434(a) (1) and 441a(a) (1) (A).
2. Find reason to believe that Allen County Democratic Central Committee violated 2 U.S.C. §441a(a) (1) (A).
3. Find reason to believe that the Walda for Congress Committee violated 2 U.S.C. §441a(f).
4. Send the letters attached to the General Counsel's First Report in this matter.

Commissioners Aikens, Friedersdorf, Reiche, and Tiernan voted affirmatively for these actions; Commissioners Harris and McGarry dissented.

Attest:

4-30-80

Date

Marjorie W. Emons

Marjorie W. Emons
Secretary to the Commission

DATE AND TIME
BY ONE TO TWO

SOURCE OF NUM: INTERNALLY GENERATED

RESPONDENT'S NAME:

Walda for Congress Committee
Allen County Democratic Central Committee
Whitley County Central Democratic Committee

RELEVANT STATUTE:

2 U.S.C. §433, §434, §441a

INTERNAL REPORTS CHECKED:

Walda for Congress Committee
Allen County Democratic Central Committee
Whitley County Central Democratic Committee

FEDERAL AGENCIES CHECKED:

None

SUMMARY OF ALLEGATIONS

A review by the Reports Analysis Division of the quarterly reports of April 10 and October 10, 1978, filed by the Walda for Congress Committee (Walda Committee) 1/ disclosed the receipt of contributions from the Allen County Democratic Central Committee (Allen County D.C.C.) and the Whitley County Central Democratic Committee (Whitley County C.D.C.) in the amounts of \$8,000 and \$1,500 on June 30, 1978 and September 18, 1978, respectively (attachment B). Neither the Whitley County C.D.C. nor the Allen County D.C.C. was, at the time, a registered political committee, according to Commission records.

The Commission, on July 16, 1979, found reason to believe the Allen County D.C.C. violated §§'s 433 and 434 of the Act. On August 14, 1979, the Commission found reason to believe that the Walda Committee violated §441a of the Act. It so notified the parties (attachment C and D) (Reason to believe has not been found against the Whitley County C.D.C.)

FACTUAL AND LEGAL ANALYSIS

According to the October 10, 1978 quarterly report filed with the Commission by the Walda Committee (attachment B), the Whitley County C.D.C. on September 18, 1978, contributed \$1,500 to the Walda Committee, the principal campaign committee of a candidate for Congress. The making of this contribution by the Whitley County C.D.C. triggered the reporting

1/ The Walda Committee was the principal campaign committee of John Walda, the unsuccessful Democratic nominee for Congress from Indiana's 4th Congressional District.

requirements of §433(a) and 434(a)(1) of the Act. Whitley made an expenditure in excess of \$1,000, thus it was required to file a statement of organization within the ten days of the making of the expenditure (§433(a)) 2/ and to file reports of receipts and expenditures (§434(a)(1)). A search of Commission records does not show that Allen County C.D.C. ever did this. Furthermore, the Whitley County C.D.C. since it had not even filed a statement of organization pursuant to §433(a) of the Act, could not qualify as a multi-candidate committee; thus its contribution of \$1,500 to the Walda Committee was in excess of the \$1,000 limitation of §441a(a)(1)(A).

The Allen County D.C.C., according to the April 10, 1978 quarterly report filed with the Commission by the Walda Committee (attachment B), contributed \$8,000 to the Walda Committee, the principal campaign committee of a candidate for Congress. The Allen County D.C.C. had not filed, pursuant to §433(a) of the Act, a statement of organization and was not a qualified multi-candidate committee; thus its contribution of \$8,000 was in excess of the \$1,000 limitation of §441a(a)(1)(A) of the Act. 3/

The October 10, quarterly report filed by the Walda Committee lists the acceptance of a \$1,500 contribution from the Whitley County C.D.C. (attachment B). Commission records do not show that the Whitley County C.D.C. ever filed a statement of organization with the Commission, as required to do so by §433(a) of this Act. The Whitley County C.D.C. was not a multi-candidate committee and thus limited to making a \$1,000 contribution to the Walda Committee (§441a(a)(1)(A)). The acceptance of this contribution, which was in excess of the \$1,000 limitation set forth in §441a(a)(1)(A), by the Walda Committee, is a violation of §441a(f). 4/

2/ Section 433(a) of the newly amended Act (1979) requires a committee to file a statement of organization "within 10 days after becoming a political committee." Section 431(4) defines a political committee as "any committee ... which makes expenditures aggregating in excess of \$1,000 during a calendar year." The Whitley County C.D.C.'s contribution to the Walda Committee was a violation of §433(a), prior to the 1979 amendments; as well as, a violation of the newly amended §433(a).

3/ The Walda Committee returned \$7,000 to the Allen County D.C.C. on September 7, 1979. (See attachment E)

4/ Indiana Law (Indiana Code §4-3-3 (supplement) (1977)) allows political committees to accept corporate and union contributions. It is possible that corporate and union funds were part of the money contributed to the Walda Committee. Pursuant to Directive No. 19 approved by the Commission on February 8, 1979, no action has been taken to investigate this possibility.

1. Find reason to believe that Allen County Democratic Central Committee has violated 2 U.S.C. §441a(2)(A).
2. Find reason to believe that Allen County Democratic Central Committee violated 2 U.S.C. §441a(2)(1)(A).
3. Find reason to believe that the Walda for Congress Committee violated 2 U.S.C. §441a(2), 5/
4. Approve and then send the attached letters.

Attachments

1. RAD Report - A
2. April and October quarterly reports of the Walda for Congress Committee - B
3. Reason to believe notification to Allen County DCC - C
4. Reason to believe notification to the Walda for Congress Committee - D
5. Letter of the Allen County DCC - E
6. Proposed letter to Allen County DCC with attached notification
7. Proposed letter to Whitley County CDC with attached notification
8. Proposed letter to Walda for Congress Committee with attached notification

5/ The Commission on July 16, 1979 found reason to believe that the Allen County Democratic Central Committee violated 2 U.S.C. §§433 and 434.

6/ The Commission on August 14, 1979 found reason to believe that the Walda for Congress Committee violated 2 U.S.C. §441a for its acceptance of its contribution from the Allen County CDC.

30040204099

80040204190

'A'

U.S. SENATE
1976
Election Commission
Suite 1100
Wash, D.C. 20540

Contributions, Transfers, Communications, and
Other Income, Loans, Refunds
Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

This document should be
retained for

Name of Candidate or Committee to Full			
ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE (FORM PROVIDED FOR SENATE AND RETIREMENT)			
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE (FORM PROVIDED FOR SENATE AND RETIREMENT)	100 S. CLAYTON ST. DAYTON, OH. 45402	6/2/76	\$2,000.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	<input type="checkbox"/> Check if Contributor is self-employed		
Full Name, Mailing Address and ZIP Code	Aggregate Year-To-Date		
	Principal Place of Business	Date (month, day, year)	Amount of each Receipt (the Period)
	Occupation		
SUBTOTAL of receipts this page (optional)			\$2,000.00
TOTAL this period (last page this line number only)			\$2,000.00

FEDERAL ELECTION COMMISSION
ANNUAL INDEX OF DISCLOSURE DOCUMENTS - (C) 1977-1980

DATE 16NOV79
PAGE

RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
PRIMARY	GENERAL	PRIMARY	GENERAL			

AMOUNT
- AMOUNT
IN - POSTCARD
TOTAL

7.290
0
0.000
0.000

10.359
0
7.836
7.836

28JUL79
1JAN79 - 31MAR79
1JAN79 - 31MAR79
1APR79 - 30JUN79
1JUL79 - 30SEP79

100 C00085704
1 79HSE/167/3544 ✓
3 79HSE/163/2946 ✓
1 79HSE/165/1192 ✓
1 79HSE/167/0940 ✓
7 79HSE/169/4781 ✓
15 TOTAL PAGES

80040204102

"A"

DATE 16NOV79 PAGE

800040204103

"A"

80040304104

TO: Chief Steele
FROM: William A. Felt
SUBJECT: Allen County Democratic Central Committee, Willey County
Central Democratic Committee, and Waldo for Congress Committee

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

(Attachment "A")

DATE 8/24/79
TO: Office of General Services
THROUGH: State Auditor
FROM: Assistant State Auditor for Finance

CANDIDATE/COMMITTEE: Whitley County Central Democratic Committee
TREASURER: Walter Hicks
ADDRESS: RR 1
South Whitley, IN 46787
AFFILIATED: Information unavailable

ALLEGATION(S): Civil ATTACHMENT(S)
Failure to register and report 2 U.S.C. 433 & 434 1
as a political committee

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED: 8/24/79 ATTACHMENT
IN Manual Review Other:
Special Project:

REPORT: All reports within the date listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A

CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW: ATTACHMENT
SSV1/79-80 (8/24/79) 1
RTB has not been found on the committee

COMMUNICATIONS WITH CANDIDATE/COMMITTEE: ATTACHMENT
Memorandum to the Files: Greevy (9/24/79) 2

REASON(S) FOR REFERRAL: ATTACHMENT
No response to SSV1/79-80

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
NONE

OTHER RELEVANT INFORMATION: ATTACHMENT

SEE COMPANION REFERRALS FOR WALDA FOR CONGRESS COMMITTEE AND ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

(A)

60040204106

Treasurer
Whitley County Central Democratic Committee
Columbia City, IN 46725

Dear Treasurer:

This letter is prompted by the Commission's interest in enforcing
committees who wish to comply with the Federal Election Campaign Act.
Our review of the materials reported by Whitley for Congress Committee
indicates that your organization may have made contributions which total
in excess of \$1,000 during the calendar year. Enclosed is a copy(s) of
the report(s) in which your contribution(s) is listed.

The Act defines "political committee" to mean any organization, or
other group of persons which receives contributions or makes expenditures
(which includes contributions to Federal candidates and committees sup-
porting Federal candidates), aggregating in excess of \$1,000 during a
calendar year. It would appear that your organization may qualify as a
"political committee" subject to registration, reporting, and contri-
bution limitation requirements of the Act.

If you agree that your organization is a political committee,
please submit a Statement of Organization on FEC Form 1, in accordance
with 2 U.S.C. 433. In addition, your committee will be required to file
disclosure reports in accordance with 2 U.S.C. 434 on FEC Form 3.

If you agree that your organization has made contributions or
expenditures which qualify you as a "political committee", but you
do not wish to be considered as a "political committee", you must
request refund(s) from the candidate(s) and/or political committee(s)
to which you have contributed. As an alternative, political committees
to which you made contributions may transfer all or part of the contri-
butions to accounts which are not used to influence Federal elections.
Refunds or transfers must be made in such amounts that the total remain-
ing contributions made by you do not exceed \$1,000 during a calendar year.

If you believe that your organization is not a political committee,
or that the Commission is otherwise in error, please submit a statement
which would clarify this matter for the public record. We have also
enclosed relevant informational materials and forms for the registration
of and reporting by the political committee. Please examine the enclosed
materials.

"A"

[Signature]
James A. [illegible]
Assistant Staff Director

Approved:
[illegible]
Budget Director

80040204100

'A'

Form 1000-1
 1978 Edition
 Copyright © 1978

Form 1000-1
 1978 Edition
 Copyright © 1978

9
 0
 1
 0
 4
 0
 0
 0
 4
 0
 0
 0
 0

Name of Contributor or Contributor's Organization		Date (month, day, year)	Amount of each Receipt this Period
WALDO FIEB Full Name, Mailing Address and ZIP Code WHITLEY COUNTY CENTRAL COMMITTED COLUMBIA CITY, IND. 47525		9/4/78	\$ 1,500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code HARRIETT INSKEEP 4930 TACOMA FT. WAYNE, IND. 46807		9/4/78	1,000.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code RICHARD SNOUFFER 5625 INDIANA FORT WAYNE, IND. 46807		9/4/78	250.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code DENNIS GROTRIAN 1310 W. SHERWOOD TERR FORT WAYNE, IND. 46807		9/4/78	250.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code U.A.I.V. CDP 8000 E. JEFFERSON DETROIT, MICH. 48214		9/28/78	1,000.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code AM. FED. OF STATE, COUNTY & MUNICIPAL EMPLOYEES 1625 L ST. WASHINGTON D.C.		9/29/78	1,000.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code (Faint text)			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code (Faint text)			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code (Faint text)			
CUSTOMER TOTAL of receipts this page (optional)			\$ 5,000.00
TOTAL this period (last page this line number only)			\$ 8,500.00

A

Dear Sir,

Thank you for your letter of the 12th inst.

Very truly,
Yours,
South Whitley, IN 46787

Copy of our letter was sent to the address noted on file.

00040204110

"P"

7/24/77
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3541/77-1-1081

1. The following service is requested (check one).
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
Show to whom and date delivered.
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery. \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Wetley County Penn C

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
543126
(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
9-27-77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

7/24

SEP 27 1977
UTAH
CLERK'S
INITIALS

4070 1977-0-249-595

00040204112

DATE: June 1979
TO: Office of General Counsel
THROUGH: STAFF DIRECTOR
FROM: ASSISTANT STAFF DIRECTOR FOR LEGAL COUNSEL
CANDIDATE/COMMITTEE: Allen County Democratic Central Committee
TREASURER: Tom Clayton
ADDRESS: 706 South Clinton
Fort Wayne, IN 46802
AFFILIATE(S): N/A

ALLEGATION(S): Excessive contribution to a federal candidate CITE: 2 U.S.C. 441a ATTACHMENT(S): 1

DATE INITIATED: 5/18/79
MANNER IN WHICH REVIEW WAS INITIATED:
☒ Normal review ☐ Other:
☐ Special Project: ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1. N/A

PERIOD COVERED FROM N/A TO
TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$
CASH ON HAND \$ N/A DEBTS \$

HISTORY:
RESULTS OF REVIEW:
3SV1/79-28 (May 18, 1979) ATTACHMENT 1
3SV2/79-28 (July 16, 1979) 5

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:
Telecon: Brown with Clayton and Melde (6/7/79) ATTACHMENT 2
Telecon: Brown with Litchfield (6/8/79) 3
Telecon: Brown with O'Toole (6/8/79) 4
Telecon: Stolaruk with Clayton (9/18/79) 6

REASON(S) FOR REFERRAL:
Excessive contribution meets RAD threshold for OGC review ATTACHMENT
Response to 3SV1/79-28 and 3SV2/79-28 (September 27, 1979) 7

OTHER PENDING ACTIONS INITIATED BY RAD: ATTACHMENT
Since the candidate committee returned the full amount of the contribution to the party committee, RAD will not pursue apparent violations of 2 U.S.C. 433 and 434.

OTHER RELEVANT INFORMATION:
THE COMMITTEE'S ACCOUNT MAY CONTAIN PROHIBITED FUNDS ATTACHMENT 2
PREVIOUS OGC/AUDIT REFERRALS FROM RAD:
NONE

SEE COMPANION REFERRALS FOR ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE AND JALOA FOR CONGRESS COMMITTEE
RAD Form:



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20543

May 18, 1979

Treasurer
Allen County Democratic Central
Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Treasurer:

This letter is prompted by the Commission's interest in assisting committees who wish to comply with the Federal Election Campaign Act. Our review of the receipts reported by Walda for Congress indicates that your organization may have made contributions which total in excess of \$1,000 during the calendar year. Enclosed is a copy(s) of the report(s) in which your contribution(s) is listed.

The Act defines "political committee" to mean any organization, or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees supporting Federal candidates), aggregating in excess of \$1,000 during a calendar year. It would appear that your organization may qualify as a "political committee" subject to registration, reporting, and contribution limitation requirements of the Act.

If you agree that your organization is a political committee, please submit a Statement of Organization on FEC Form 1, in accordance with 2 U.S.C. 433. In addition, your committee will be required to file disclosure reports in accordance with 2 U.S.C. 434 on FEC Form 3.

If you agree that your organization has made contributions or expenditures which qualify you as a "political committee", but you do not wish to be considered as a "political committee", you must request refund(s) from the candidate(s) and/or political committee(s) to which you have contributed. As an alternative, political committees to which you made contributions may transfer all or part of the contributions to accounts which are not used to influence Federal elections. Refunds or transfers must be made in such amounts that the total remaining contributions made by you do not exceed \$1,000 during a calendar year.

If you believe that your organization is not a political committee, or that the Commission is otherwise in error, please submit a statement which would clarify this matter for the public record. We have also enclosed relevant informational materials and forms for the registration of and reporting by the political committee. Please examine the enclosed materials.

A

File
in the
office
(100) 44-3886

Enclosure
Certified Mail:
Return Receipts Requested

60040204114

"A"

Full Name, Mailing Address and ZIP Code		Principal Place of Business	Date Recd.	Amount of each Receipt
Full Name, Mailing Address and ZIP Code <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input checked="" type="checkbox"/> Check if Contributor is self-employed Appropriate Year-To-Date \$ Principal Place of Business Occupation		
Full Name, Mailing Address and ZIP Code <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Appropriate Year-To-Date \$ Principal Place of Business Occupation		
Full Name, Mailing Address and ZIP Code <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Appropriate Year-To-Date \$ Principal Place of Business Occupation		
Full Name, Mailing Address and ZIP Code <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Appropriate Year-To-Date \$ Principal Place of Business Occupation		
Full Name, Mailing Address and ZIP Code <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other		<input type="checkbox"/> Check if Contributor is self-employed Appropriate Year-To-Date \$ Principal Place of Business Occupation		
			Total	\$8000.00
			Total	\$000.00

"A"

COMMITTEE CONTACT:

DATE/TIME: 6/7/79 4:30pm

COMMITTEE: ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE
WALDA FOR CONGRESS COMMITTEE

Mr. Clayton, the treasurer for the Allen County Democratic Central Committee, called in response to 35W1/79-28, a "C" letter sent to the committee for a transfer reported by the Walda for Congress Committee. He stated that the transaction had been previously questioned by the Clerk of the House, and that he had sent a response stating that the amount in question had been sent in accordance with 11 C.F.R. 110.7 (coordinated expenditures). Mr. Walda, the candidate, got on the phone. Before I had explained anything about 441(a)(d), Mr. Clayton asked that anything I explained be sent in letter form. I said that his due date was 5/18/79 and that I would not be able to send him a letter in that time, and that this is contrary to RAD policy.

I explained that the expenditure provision was designed to strengthen the political parties, that these expenditures were to be in addition to the contribution limitations and did not constitute transfers to the committee. Mr. Clayton said that the language in the regulations was unclear. I said that these expenditures could only be made in connection with the general election. Walda for Congress reported the funds as a transfer for debt retirement. I said that the point of coordinated expenditures was that the party would make expenditures in concert with the candidate and not that the candidate would take the money and tell the party at a later date what the money was used for. Mr. Walda said that he had had some radio expenses at the time. I explained that the party committee reports them and the candidate's committee does not; and for the candidate there is no material difference between an in-kind contribution and a coordinated expenditure, except that the exp. is unreported by the cand's cmt. Mr. Clayton stated that he was unaware that the expenditures could not be transfers to the candidate, and that he was under the impression that the Indiana Democratic State Central Committee (IDSCC) would report this activity.

I explained that the IDSCC had to authorize his committee to make these expenditures under 441(a)(d), and further there was a provision for the IDSCC to report this activity. I stated that the Commission had on public record such authorization from them for another committee. I also said that it would be unlikely that the IDSCC would register and report since in reporting they would have to disclose contributions allowed by state law and prohibited under federal law. Mr. Clayton stated that he had the same problem.

I outlined the following options for both the candidate and party committee:

A. Candidate Committee

- 1) return \$7000 to the county cmt.
- 2) respond by stating that the transfer was made per 110.7 and was misunderstood & see what happens.

B. Party Committee

- 1) ask for a refund of \$7000
- 2) register and report & see what happened.
- 3) convince IDSCC of the necessity of reporting & see what would happen.

I stated that I did not know what the Commission would decide in response to any over

"A"

8004020117

"A"

Tom Clayton, Treasurer
Allen County Democratic Central Committee
706 South Clinton
Fort Wayne, IN 46802

Dear Mr. Clayton:

On May 18, 1979, you were notified that you may have made contributions to a political committee which raised problems under 2 U.S.C. 433 and 434.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 433 and 434.

The Commission will take no action against you until you have had a reasonable opportunity to respond to this letter and demonstrate why no action should be taken against you. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact David Greevy, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202) 357-0023.

Sincerely,

Robert D. Tiernan
Commissioner

Certified Mail:
Return Receipt Requested

ADEQUATE RESPONSE REC'D

Refer To: 79031365055

"A"

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3502/79-25

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

1. The following service is requested (check one).
☐ Show to whom and date delivered.....
☐ Show to whom, date, and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.....
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Allen City News Cent C
 IN

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

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
 DATE OF DELIVERY 7-19-79
 5. ADDRESS (Complete only)
 6. UNABLE TO DELIVER BECAUSE
 INITIALS

7/16

☆GPO: 1977-0-248-240

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3501/79-28

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

1. The following service is requested (check one).
☐ Show to whom and date delivered.....
☐ Show to whom, date, and address of delivery.....
☐ RESTRICTED DELIVERY
 Show to whom and date delivered.....
☐ RESTRICTED DELIVERY
 Show to whom, date, and address of delivery.....
 (CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
 Allen City News Cent C
 IN

3. ARTICLE DESCRIPTION:
 REGISTERED NO. CERTIFIED NO. INSURED NO.
 943111
 (Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☐ Authorized agent
 DATE OF DELIVERY
 6. UNABLE TO DELIVER BECAUSE
 INITIALS

5/15

☆GPO: 1977-0-248-240

James E. Bailey
CHAIRMAN

Leslie M. Eckstut
VICE CHAIRMAN

Corinne Brooks
SECRETARY

R. Thomas Clayton
TREASURER

Joseph W. Kessler
EXECUTIVE DIRECTOR

Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20543

Attention: Ida Stallard

Continued:

Pursuant to our telephonic communication concerning the captioned matter, please be advised that on September 7, 1979, the Wells for Congress Committee did return the total amount of money in question. Further, on September 10, 1979, the Allen County Democratic Central Committee did return the money in question to the contributors.

I trust this information will solve and close this matter. If you have further questions or comment, please do not hesitate to contact me.

Sincerely,

R. Thomas Clayton
Treasurer

HFC:ak

"A"

30040204121

DATE January 1980

TO: Office of General Counsel

THROUGH: STAFF DIRECTOR

FROM: ASSISTANT STAFF DIRECTOR FOR PERSONAL FINANCE

CANDIDATE/COMMITTEE:

TREASURER:

ADDRESS:

White for Governor Committee, 1978
Richard R. White, Treasurer
3500 N. Washington St.
Fort Wayne, Indiana 46825

AFFILIATE(S):

Not pertinent to this allegation

ALLEGATION(S):

Committee accepted contributions from unregistered contributors in excess of limitations

CITE:

29 U.S.C. 441(a)(1)

DATE INITIATED: 4/11/79

MANNER IN WHICH REVIEW WAS INITIATED:

☒ Normal Review

☐ Other:

☐ Special Project

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM	5/23/78	TO	6/30/78
TOTAL RECEIPTS	\$ 9433.00	TOTAL EXPENDITURES	\$ 1272.81
CASH ON HAND	\$ 4225.93	DEBTS	\$ 8000

HISTORY:

RESULTS OF REVIEW:	ATTACHMENT
First notice surface violation on July 10 1978 Quarterly report sent on 5/21/79.	4
RTB sent on 8/14/79.	8
First notice surface violation sent 8/24/79 for excessive contribution from Whitley County Democratic Central Committee (unregistered).	3
COMMUNICATIONS WITH CANDIDATE/COMMITTEE:	9
Telecon 6/7/79- conversation with treasurer of Allen County and John Walda, candidate.	ATTACHMENT
Telecon 6/8/79- contact with OGC	5
	6

REASON(S) FOR REFERRAL:	ATTACHMENT
Amended July 10 report received 6/21/79-inadequate. Merely states that the situation will be addressed in a separate letter.	7
Amended July 10 report received 9/5/79-adequate response.	10
Contribution refunded on 9/17/79 and disclosed on the October 10 1979 report	11
Excessive contribution meets Division threshold for review by OGC.	ATTACHMENT
OTHER PENDING ACTIONS INITIATED BY RAD:	

OTHER RELEVANT INFORMATION:

The Committee was under the impression that the contribution was made by Allen County Democratic Central Committee pursuant to 11 CFR 110.7(b)(2)(ii). See referral of Allen County Democratic Central Committee and referral of Whitley County Central Democratic Committee

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

"A"

00040304122

"A"

Form 700
 1978
 United States Department of Justice
 200 N. 1st St., N.E.
 Washington, D.C. 20002

700034353412

Name of Candidate or Committee			
WALDO FORD			
Full Name, Mailing Address and ZIP Code	Amount of each Receipt	Date (month, day, year)	Amount of each Receipt this Period
WHITLEY COUNTY DEMOCRATIC WOMEN'S CLUB 120 W. VAN DUSEN COLUMBIA CITY, IND. 46725	100.00	10/18	100.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Aggregate Year-To-Date ... \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
WHITLEY COUNTY DEMOCRATIC CENTRAL COMMITTEE 120 W. VAN DUSEN COLUMBIA CITY, IND. 46725		10/18	100.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Aggregate Year-To-Date ... \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Aggregate Year-To-Date ... \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Aggregate Year-To-Date ... \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other	Aggregate Year-To-Date ... \$		
Full Name, Mailing Address and ZIP Code	Principal Place of Business	Date (month, day, year)	Amount of each Receipt this Period
SUBTOTAL of receipts this page (optional)			\$
TOTAL this period (last page this line number only)			\$1700.00

PAID

00040204124

"A"

Mr. [Name]
[Address]
[City, State, Zip]

Dear Mr. [Name]:

As a candidate for Federal office, you are subject to the Federal Election Campaign Act, which limits the amount of money that can be received by candidates and committees. We noticed on your statement that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act prohibits individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

219- 432- 5049
"A" office 219- 484- 1972

- 2 -

...within 15 days
...information made on this
...this matter, please be
...323-9330, our Reports
...in 323-4172.

Very truly,

Sincerely,

Orlando B. Foster

Orlando B. Foster
Staff Member

60040204126
Certified Mail:
Return Receipt Requested

"A"

A

00040204120

"A"

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE Jan. 4, 1980 ANALYST Lisa Stolaruk
TO: Office of General Counsel TEAM CHIEF Robby Harfel
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW CB/MS
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS D.H.

CANDIDATE/COMMITTEE: Whitley County Central Democratic Committee
TREASURER: Virgil Hicks
ADDRESS: RR 1
South Whitley, IN 46787
AFFILIATE(S): Information unavailable

ALLEGATION(S): Failure to register and report as a political committee CITE: 2 U.S.C. 433 & 434 ATTACHMENT(S) 1

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED: 8/24/79

☒ Normal Review ☐ Other:
☐ Special Project:

ATTACHMENT

REPORTS: All reports must be filed with the State Board of Elections for the State of Ohio, on Attachment 1.

PERIOD COVERED FROM N/A TO N/A

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A

CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW:

3SV1/79-80 (9/24/79)

RTB has not been found on the committee

ATTACHMENT

1

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Memorandum to the Files: Greevy (9/24/79)

ATTACHMENT

2

REASON(S) FOR REFERRAL:

No response to 3SV1/79-80

ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD:

NONE

ATTACHMENT

OTHER RELEVANT INFORMATION:

ATTACHMENT

SEE COMPANION REFERRALS FOR WALDA FOR CONGRESS COMMITTEE AND ALLEN COUNTY
DEMOCRATIC CENTRAL COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

("A")

D
RAD 402-32

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE January 4, 1980

ANALYST Lisa Stolaruk

FROM: Office of General Counsel

TEAM CHIEF Bobby Werfel

THROUGH: STAFF DIRECTOR

COMPLIANCE REVIEW PS/CB

FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS gjk

CANDIDATE/COMMITTEE: Allen County Democratic Central Committee
Unregistered

TREASURER: Tom Clayton

ADDRESS: 706 South Clinton
Fort Wayne, IN 46802

AFFILIATE(S): N/A

ALLEGATION(S): excessive contribution to a
federal candidate

CITE: 2 U.S.C. 441a

ATTACHMENT(S): 1

DATE INITIATED: 5/18/79

MANER IN WHICH REVIEW WAS INITIATED:

☒ Normal review

☐ Other:

☐ Special Project:

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment I. N/A

PERIOD COVERED FROM N/A TO

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$

CASH ON HAND \$ N/A DEBTS \$

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

3SV1/79-28 (May 18, 1979)

3SV2/79-28 (July 16, 1979)

C

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Telecon: Brown with Clayton and Walda (6/7/79)

Telecon: Brown with Litchfield (6/8/79)

Telecon: Brown with O'Toole (6/8/79)

Telecon: Stolaruk with Clayton (9/18/79)

REASON(S) FOR REFERRAL:

ATTACHMENT

Excessive contribution meets RAD threshold for OGC review

Response to 3SV1/79-28 and 3SV2/79-28 (September 27, 1979)

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Since the candidate committee returned the full amount of the contribution to the party committee, RAD will not pursue apparent violations of 2 U.S.C. 433 and 434.

OTHER RELEVANT INFORMATION:

THE COMMITTEE'S ACCOUNT MAY CONTAIN PROHIBITED FUNDS

ATTACHMENT 2

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

NONE

SEE COMPANION REFERRALS FOR ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE AND WALDA FOR CONGRESS COMMITTEE

RAD Form

D-675
404-211

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE January 4, 1980 ANALYST Susan Kaltenbaugh
TO: Office of General Counsel TEAM CHIEF Peter Kell, Jr.
THROUGH: STAFF DIRECTOR pl COMPLIANCE REVIEW Bowen/Sims
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS pl

CANDIDATE/COMMITTEE: Walda for Congress Committee IN/04 C00085704
TREASURER: Richard Katt, Treasurer John Walda, Assistant Treasurer
ADDRESS: 3924 N. Washington Rd.
Fort Wayne, Indiana 46804
AFFILIATE(S): Not pertinent to the allegation
ALLEGATION(S): Committee accepted contributions from unregistered committees in excess of limitations
CITE: 20 S.C. 441(a)(1)
ATTACHMENT(S) 2
DATE INITIATED: 4/11/79

MANNER IN WHICH REVIEW WAS INITIATED:
☒ Normal Review ☐ Other:
☐ Special Project: ATTACHMENT

REPORT: ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE
PERIOD COVERED FROM 5/23/78 TO 8/30/78

PERIOD COVERED FROM 5/23/78 TO 8/30/78

TOTAL RECEIPTS \$ 9433.00 TOTAL EXPENDITURES \$ 7272.81

CASH ON HAND \$ 4226.93 DEBTS \$ 8000

HISTORY:

RESULTS OF REVIEW:

First notice surface violation on July 10 1978 Quarterly
report sent on 5/21/79.

RTB sent on 8/14/79.

First notice surface violation sent 8/24/79 for excessive contribution
from Whitley County Democratic Central Committee (unregistered).

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telecon 6/7/79- conversation with treasurer of Allen County and
John Walda, candidate.

Telecon 6/8/79- contact with OGC

REASON(S) FOR REFERRAL:

Amended July 10 report received 6/21/79-inadequate. Merely states
that the situation will be addressed in a separate letter.

Amended July 10 report received 9/5/79-adequate response.

Contribution refunded on 9/17/79 and disclosed on the October 10 1979 report.

Excessive contribution meets Division threshold for review by OGC.

OTHER PENDING ACTIONS INITIATED BY RAD:

OTHER RELEVANT INFORMATION:

The Committee was under the impression that the contribution was made by
Allen County Democratic Central Committee pursuant to 11 CFR 110.7(b)(2)(11).
See referral of Allen County Democratic Central Committee and referral of Whitley
County Central Democratic Committee

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

"A"

60040204135

"A"

80040204136

"A"

Edmund L. Henshaw, Jr., Clerk
U. S. House of Representatives
Washington, D. C. 20515

Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20044

Dear Sirs:

Re: ID 67336

This letter is specifically in response to a request from Edmund L. Henshaw, Jr. for an explanation concerning a discrepancy in our April 10, 1979, Report of Receipts and Expenditures. That discrepancy was between our beginning balance of \$3199.49, and our closing balance of the previous report, \$9048.74. This letter and the enclosures will also constitute the filing of Amended Reports. In order to correct the erroneous balance reported at the beginning of the period covered in our April 10, 1979, Report, it has been necessary to amend each and every FEC Report filed by Walda For Congress since the report covering the period January 1, 1978, through April 17, 1978. Therefore, an amended report is enclosed for each period beginning with that date.

I will attempt through this letter to itemize each of the major changes which are reflected in the enclosed amendments. This procedure might appear to be unusual, but we have found it necessary under our present circumstances. We were prompted by Mr. Henshaw's letter of April 12, 1979, to thoroughly review all of our Reports and try to find the balance discrepancy. Just before the filing of our April 10 Report, we had changed bookkeepers, and our new bookkeeper had discovered that the balance which was being carried on our Reports to the FEC did not correspond with our actual cash balance in our bank account. Therefore, I have caused our new bookkeeper to review our daily records of receipts and expenditures to discover and rectify the cause of the discrepancy, and I believe that this has been accomplished.

In regard to the Report covering the period January 1, 1978, through April 17, 1978, we find that the following

3924 N. Washington Road, Fort Wayne, Indiana 46802

Edward L. ...
Federal Election Commission ... June 18, 1978

amendments should be and are made: The salary report paid to Andrew ... is amended to be \$2400, and was originally reported \$1500; a contribution from ... of \$200 did not make the original report, and is now in the amended report. Please note that the original showed expenditures of \$10,023.24 and receipts of \$11,000.00; the amended report shows expenditures of \$10,024.49, and receipts of \$11,327.30.

In regard to the Report for the period April 18, 1978, through May 22, 1978, the following changes were made: The receipt of a contribution from William Scheele of \$250 has been deleted from this report since it is reflected in the previous report. In effect, the original reports had listed this contribution twice. Please note that the receipts in the original report were listed as \$3,507.50, and the expenditures as \$7,406.63; in the amended report, receipts are \$3,432 and expenditures are \$7,698.37.

In regard to the Report for the period May 23, 1978, through June 30, 1978, the following changes have been made: The original report listed expenses to Asher Agency as \$1,000, when the expenditure was actually \$6,000, so the amended report now reflects the actual charge; an in-kind contribution of \$125 from Robert Walters was omitted in the original report and is included in the amended form. Please note that the original report showed receipts of \$9,308 and expenditures of \$2,147.81; the amended report shows receipts of \$9,433 and expenditures of \$7,272.81.

The following changes have been made in the Report covering the period July 1, 1978, through September 30, 1978: The original report failed to list an \$800 receipt as the result of collections from a Pig Roast held in Albion, Indiana, and the amended report includes this amount. Please note that there are two different "Pig Roast" receipts on the amended report, and it seems that our old bookkeeper got confused as to whether or not there was one or two events. The original report showed receipts of \$18,210.40 and expenditures of \$20,555.64; the amended report shows receipts of \$19,916.04 and expenditures of \$21,474.79.

The following changes have been made in the Report covering October 1, 1978, through October 23, 1978: The original report showed a payment to Asher Agency of \$10,605, when it should have been \$7,605, and this amount is reflected in the new report. The original report showed receipts of \$11,569.20, and expenditures of \$13,668.57; the amended report shows receipts of \$11,246.20 and expenditures of \$11,006.42.

The Report covering the period October 24, 1978, through

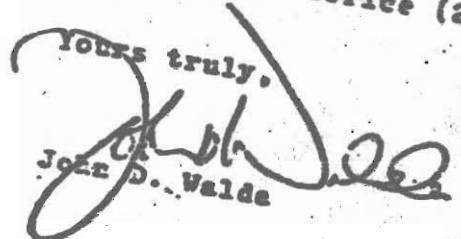
"A"

...of \$8,557.63.

Please note that these changes now show a balance of \$8,557.63 for the beginning of the period covered in the report. We are quite sure that these figures are now accurate since we have checked and double-checked, and since our bank balance precisely corresponds with our ledger balance. There are numerous bookkeeping mistakes which were made by our former bookkeeper which have been corrected in the amended reports, but for which no lengthy explanation has been given. Suffice it to say that these corrections are for arithmetic errors and transcribing errors made by our former bookkeeper. Comparison of the original reports and the amended reports will reveal each of these changes.

One final matter needs to be commented on. We have received an inquiry from the FEC concerning the receipt of \$8,000 from the Allen County Democratic Central Committee as a subordinate committee of the Indiana Democratic Central Committee. That receipt is recorded in our report of May 23, 1978 through June 30, 1978. We have left that receipt on our books and in these reports as a contribution for special advertising services, made pursuant to FEC Regs 110.7 (b) (2) (ii). We are corresponding with the FEC on that specific point in a different letter.

I sincerely hope that these Amendments and this explanation will be sufficient to explain the question raised in Mr. Henshaw's letter of April 19, 1979. If you have any questions, please feel free to call me during the day at my office (219) 423-9551.

Yours truly,

John D. Walde

JDW:mv
Encs.

0004079011551

A

80040204140

Richard M. Katt, Treasurer
Walden for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Katt:

On May 21, 1979, you were notified that certain entries in the July 10 Quarterly Report of Receipts and Expenditures filed by your committee raised problems under 2 U.S.C. 441a.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 441a.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact Susan Kaltenbaugh, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202)523-4172..

Sincerely,

Thomas E. Harris
Commissioner

Certified Mail:
Return Receipt Requested

"A"

00040204142

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
Show to whom and date delivered.
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Walter for Congress
Committee (Ill)

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
G43471
(Always obtain signature of addressee or agent)

I have received the article described above:
SIGNATURE ☐ Addressee ☐ Authorized agent
Margie O'Jock

4. DATE OF DELIVERY
8-77-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

POSTMARK
AUG 1979

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

45V2/79 52 SK

"A"

00040304143

"A"

78900341031503414474

Richard M. Katt, Treasurer
Waldo For Congress
704 S. Clinton Street
Fort Wayne, Indiana 46801

Dear Mr. Katt:

This letter is prepared by the Commission's Bureau in advising candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the October 15 amended Report of Receipts and Expenditures, we noticed an entry indicating that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act precludes individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

"A"

at
the
office
you.

[Signature]
James J. Mulholland
Assistant Postmaster

Enclosure
Certified Mail
Return Receipt Requested

68036753449

"A"

00040204146

"A"

AUG 29 1979
CENTRAL MAIL

580

1979

Thomas E. Harris
Commissioner
Federal Election Commission
1325 E Street N.W.
Washington, D. C. 20543

Dear Mr. Harris:

Re: 100079-500X

We are in receipt of your letter dated August 15, 1979. We received your earlier notification of May 21, 1979 also concerning our July 19 Quarterly Report and the problems under 2 U.S.C. 4312. Following that earlier communication, I spoke with members of the FEC staff and we outlined various alternatives for solving the problem. I apologize for not communicating with you since then, but it has been most difficult to solve the problem.

Some background on this particular problem would be helpful. My campaign originally accepted an \$8,000 contribution from the Allen County Democratic Central Committee with the understanding that the contribution was being made as a Subordinate Committee of the Indiana Democratic State Central Committee. If that were the case, the contribution which was made to pay specific advertising debts would be legal pursuant to Reg 110.7(b) (2) (ii). Unfortunately, we have subsequently discovered that the Indiana Democratic State Central Committee has not complied with filing requirements and they are not a registered multicandidate committee. I am told by members of your staff that this failure to file by our State Committee makes the contribution illegal.

It appears that I have no alternative but to return \$7,000, to the Allen County Democratic Central Committee. As you have suggested in your letter of May 21, 1979 I am now repaying all money in excess of \$1,000 to

A

Write to Congress Committee, Richard M. Lugar

3001 W. Washington P.O. Box 1000, Indiana 46804

Thomas S. Harris

-5-

the donor. That transaction will not be completed on the date of this letter as I will require one week or so to borrow or solicit \$7,000, for payment. You can be assured, however, that this same amount will be entirely repaid by September 1979. Our next campaign report will reflect this transaction.

I trust that this letter answers your inquiry. If you have further questions, please write or feel free to contact me at (219) 423-9551.

Very truly yours,


John A. Valda

JDV:mv

"A"

00040204149

"A"

200

1978
Election Commission
Bureau, R.R.
Box, D.C. 20400

FINANCIAL STATEMENTS

Reporting Period: Jan. 1, 1978 to Dec. 31, 1978
Reporting Period: Jan. 1, 1978 to Dec. 31, 1978
Reporting Period: Jan. 1, 1978 to Dec. 31, 1978

Page 1 of 1
Line Number 121-5

The Report is for
and should be filed

Name of Candidate or Committee in Full

WALDA FOR CONGRESS

Full Name, Mailing Address and ZIP Code

**ALLEN COUNTY DEMOCRATIC
CENTRAL COMMITTEE
709 S. CLINTON
FORTWAYNE, IND 46502**

Particulars of Expenditure (CONTINUED)
REFUND AS PER FCC
REQUEST RE 458214-52K

9/1/79

\$7000.00

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

Full Name, Mailing Address and ZIP Code

Particulars of Expenditure

Date (month, day, year)

Amount of each expenditure (this period)

SUBTOTAL of expenditures this page (optional).

\$

TOTAL this period (last page the line number only).

\$7000.00

5
4
1
5
0
0
4
0
3
0
4
1
5

7900034103250341459

Name of Contributor		Date	Amount of each Receipt
WALDA FORD Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC WARREN'S CLUB 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		8/1/89	\$200.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC CENTRAL CAMP 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		8/1/89	1500.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code _____ _____ _____		_____	_____
SUBTOTAL of receipts this page (optional)			\$
TOTAL this period (last page this line number only)			\$1700.00

A

Form 1000
 1978
 United States Government
 Wash. D.C. 20540

79031357442

Name of Candidate or Committee		Date	Amount
WALTON FOR CONGRESS Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC WOMEN'S CLUB 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		1/14/79	200.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other		1/14/79	200.00
Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC CENTRAL COMM. 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		1/14/79	1500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other		1/14/79	1500.00
Full Name, Mailing Address and ZIP Code			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code			
SUBTOTAL of receipts this page (optional)			\$
TOTAL this period last page this line number only			31700.00

11A

10-10
 10-10
 10-10
 10-10
 10-10
 10-10

(Contributions, Transfers, Contributions to
 Other Income, Loans, etc.)
 Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and 18a
 of FEC FORM 3

Name of Contributor/Committee to Full

WILLIAM FOR CONGRESS COMMITTEE

Full Name, Mailing Address and ZIP Code

ALLAN COUNTY DEMOCRATIC
 CENTRAL COMMITTEE (FIRST
 SECTION) FOR DISCUSSING OUR
 RETIREMENT

Receipt for

☐ Primary ☐ General ☐ Other

Full Name, Mailing Address and ZIP Code

Principal Place of Business

P.O. BOX 100
 P.O. BOX 100

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

☐ Check if Contributor is self-employed
 Aggregate Year-To-Date \$

Principal Place of Business

Occupation

\$8000.00
 \$8000.00

(Attachment B)

Schedule B
 Form 1041
 United States Department of the Treasury
 205 K Street, N.W.
 Washington, D.C. 20540

79031353149

Name of Contributor		Date (month, day, year)	Amount of each Receipt (this Period)
Name of Candidate WALDO F. BARNES			
Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC WOMEN'S CLUB 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		8/1/79	\$200.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC CENTRAL COMMITTEE 120 W. VAN BUREN COLUMBIA CITY, IND. 46725		9/1/79	\$1500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other			
Full Name, Mailing Address and ZIP Code _____			
SUBTOTAL of receipts this page (include all)			\$
TOTAL this period (list page this line number only)			\$1700.00

Attachment B

Tom Clayton
Allen County Jail
704 South 10th Street
Fort Wayne, IN 46802

Dear Mr. Clayton:

On May 13, 1993, you were notified that you may have committed violations of 2 U.S.C. 433 and 434.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 433 and 434.

The Commission will take no action against you until you have had a reasonable opportunity to respond to this letter and demonstrate why no action should be taken against you. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact David Greedy, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202) 357-0023.

Sincerely,

Robert D. Tiernan
Commissioner

Certified Mail:
Return Receipt Requested

ADEQUATE RESPONSE REC'D

Refer To: 7913136 5055

(attach 'C')

Richard M. Katz, President
Waldo for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Katz:

On May 21, 1979, you were notified by a letterhead memorandum of the July 10 Quarterly Report of Members and Committees filed by your committee raised problems under 2 U.S.C. 441a.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 441a.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact Susan Kaltenbaugh, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202)523-4172..

Sincerely,

Thomas E. Harris

Commissioner

Certified Mail:
Return Receipt Requested

(attachment "D")

James E. Kelley
CHAIRMAN

Lowell M. Richardson
VICE CHAIRMAN

Corrinne Smith
SECRETARY

H. Thomas Clayton
TREASURER

Joseph W. Kessler
EXECUTIVE DIRECTOR

Federal Election Commission
1325 E Street N. W.
Washington, D. C. 20543

Attention: Lisa Stalord

Enclosure:

Re: Allen County Democratic
Committee, 1978
for Eugene McCarthy
File 100-10-55

Pursuant to our telephonic communication concerning
the captioned matter, please be advised that on September
7, 1979, the Allen County Democratic Committee did return the
total amount of money in question. Further, on September
10, 1979, the Allen County Democratic Central Committee
did return the money in question to the contributors.

I trust this information will solve and close this
matter. If you have further question or comment, please
do not hesitate to contact us.

Sincerely,

H. Thomas Clayton
Treasurer

HTC:sk

(attached "E")

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

MR. Thomas Clayton, Treasurer
Allen County Democratic Central
Committee
706 South Clinton
Fort Wayne, Indiana 46802

Re: HUR 1125

Dear Mr. Clayton:

The Federal Election Commission notified you July 16, 1979, that your committee violated 2 U.S.C. §§433 and 434 of the Federal Election Campaign Act of 1971, as amended (attachment "A").

Upon further review of the information available to the Commission, the Commission determined, on 1980, that there is reason to believe that you violated 2 U.S.C. §441a(a)(1)(A). A report of the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

00040204158

FEDERAL ELECTION COMMISSION
Washington, D.C. 20543 July 18, 1979

Tom Clayton, Treasurer
Allen County Democratic Central Committee
706 South Clinton
Fort Wayne, IN 46802

Dear Mr. Clayton:

On May 18, 1979, you were notified that you may have made contributions to a political committee which raised problems under 2 U.S.C. 433 and 434.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 433 and 434.

The Commission will take no action against you until you have had a reasonable opportunity to respond to this letter and demonstrate why no action should be taken against you. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact David Greevy, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202) 357-0023.

Sincerely,

Robert D. Tiernan
Commissioner

Certified Mail:
Return Receipt Requested

ADEQUATE RESPONSE REC'D

Refer To: 79031365055

"A"

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Virgin Hicks, Treasurer
Whitley County Central Democratic
Committee
Route #1
South Whitley, Indiana 46787

Re: MR 1125

Dear Mr. Hicks:

The Federal Election Commission notified you September 24, 1979, that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended.

Upon further review of the information available to the Commission, the Commission determined, on 1980, that there is reason to believe that you violated 2 U.S.C. §433(a), §434(a)(1) and §441a(a)(1)(A). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

100-571.

Enclosure

Enclosures

60040304162

**CERTIFIED MAIL
RETURN RECEIPT REQUESTED**

Mr. Richard M. Katt
Waldo for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Re: WUA 1125

Dear Mr. Katt:

The Federal Election Commission notified you August 14, 1979, that your committee violated 2 U.S.C. §441a of the Federal Election Campaign Act of 1971, as amended (attachment A).

Upon further review of the information available to the Commission, the Commission determined on , 1980, that there is reason to believe that you violated 2 U.S.C. §441a(f). A report on the Commission's finding is attached for your information. You may submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter.

In the absence of any information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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

Taylor

Enclosure

60040304164

Richard M. Katt, President
Walds for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Katt:

On May 21, 1979, you were notified that certain entries in the July 18 Quarterly Report of Receipts and Expenditures filed by your committee raised problems under 2 U.S.C. 441a.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 441a.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact Susan Kaltenbaugh, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202)523-4172..

Sincerely,

Thomas E. Harris
Commissioner

Certified Mail:
Return Receipt Requested

"A"

January 4, 1980

MEMORANDUM

TO: Charles Steele
THROUGH: Orlando B. Potter
FROM: TOM HASELHORST
SUBJECT: Allen County Democratic Central Committee, Whitley County
Central Democratic Committee, and Maids for Congress Committee

Please note that the attached referrals for the above mentioned committees are concerned with the same transaction and should be reviewed and handled simultaneously.

66-41020-4003

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE January 4, 1980 ANALYST Susan Kaltenbaugh
TO: Office of General Counsel TEAM CHIEF Peter Kell, Jr.
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW Bowen/Sims
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE: Walda for Congress Committee IN/04 C00085704
TREASURER: Richard Katt, Treasurer John Walda, Assistant Treasurer
ADDRESS: 3924 N. Washington Rd.
Fort Wayne, Indiana 46804

AFFILIATE(S): Not pertinent to the allegation

ALLEGATION(S): Committee accepted contributions from unregistered committees in excess of limitations CITE: 2U.S.C. 441(a)(1) ATTACHMENT(S) 2

DATE INITIATED: 4/11/79

MANNER IN WHICH REVIEW WAS INITIATED:

☒ Normal Review ☐ Other:
☐ Special Project:

ATTACHMENT

REPORTS: All reports under the dates listed below have received initial basic review. For all reviewed, see Attachment 1.

PERIOD COVERED FROM 5/23/78 TO 6/30/78
TOTAL RECEIPTS \$ 9433.00 TOTAL EXPENDITURES \$ 7272.81
CASH ON HAND \$ 4226.93 DEBTS \$ 8000

HISTORY:

RESULTS OF REVIEW:

First notice surface violation on July 10 1978 Quarterly report sent on 5/21/79.

RTB sent on 8/14/79.

First notice surface violation sent 8/24/79 for excessive contribution from Whitley County Democratic Central Committee (unregistered).

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telecon 6/7/79- conversation with treasurer of Allen County and John Walda, candidate.

Telecon 6/8/79- contact with OGC

ATTACHMENT

4
8

ATTACHMENT

3
9
5
6

REASON(S) FOR REFERRAL:

Amended July 10 report received 6/21/79-inadequate. Merely states that the situation will be addressed in a separate letter.

Amended July 10 report received 9/5/79-adequate response.

Contribution refunded on 9/17/79 and disclosed on the October 10 1979 report.

Excessive contribution meets Division threshold for review by OGC.

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

7
10

ATTACHMENT

11

OTHER RELEVANT INFORMATION:

The Committee was under the impression that the contribution was made by Allen County Democratic Central Committee pursuant to 11 CFR 110.7(b)(2)(ii). See referral of Allen County Democratic Central Committee and referral of Whitley County Central Democratic Committee

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

80040204169

80040204170

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) 1977-1978

DATE 1/20/79

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL			
WALDA FOR CONGRESS COMMITTEE								100 C00005704
1978	STATEMENT OF ORGANIZATION					23JAN78		3 70HSE/128/0920✓
	STATEMENT OF ORGANIZATION- AMENDMENT					23MAR78		3 70HSE/131/2120✓
	MISCELLANEOUS TRANSACTION TO F.E.C.					28JUL78		1 70HSE/142/4000✓
	48 HOUR CONTRIBUTION NOTICE					7NOV78		1 70HSE/155/1170✓
	48 HOUR CONTRIBUTION NOTICE					7NOV78		1 70HSE/155/1010✓
	48 HOUR CONTRIBUTION NOTICE					9NOV78		1 70HSE/155/1495✓
	APRIL 10 QUARTERLY	14,400		9,917		1JAN78 - 31MAR78		8 70HSE/133/1025✓
	APRIL 10 QUARTERLY - AMENDMENT	14,400		9,917		1JAN78 - 31MAR78		2 70HSE/134/2717✓
	APRIL 10 QUARTERLY - AMENDMENT	14,400		9,917		1JAN78 - 31MAR78		3 70HSE/135/1140✓
	APRIL 10 QUARTERLY - AMENDMENT	15,327		10,994		1JAN78 - 17APR78	12	79HSE/145/4632✓
	10 DAY PRE-PRIMARY					1APR78 - 18APR78	4	70HSE/134/4021✓
	30 DAY POST-PRIMARY	5,507		7,406		18APR78 - 22MAY78	5	70HSE/137/3040✓
	REQUEST FOR ADDITIONAL INFORMATION					18APR78 - 22MAY78	3	79FEC/124/2440✓
	30 DAY POST-PRIMARY - AMENDMENT					18APR78 - 22MAY78	1	79HSE/143/3000✓
	30 DAY POST-PRIMARY - AMENDMENT					18APR78 - 22MAY78	3	70HSE/145/2107✓
	30 DAY POST-PRIMARY - AMENDMENT	5,432		7,498		18APR78 - 22MAY78	10	79HSE/145/4400✓
	JULY 10 QUARTERLY		9,308			2-147 22MAY78 - 30JUN78	5	70HSE/145/4900✓
	JULY 10 QUARTERLY - AMENDMENT					22MAY78 - 30JUN78	1	70HSE/145/4400✓
	REQUEST FOR ADDITIONAL INFORMATION					22MAY78 - 30JUN78	3	79FEC/124/2440✓
	REQUEST FOR ADDITIONAL INFORMATION					22MAY78 - 30JUN78	2	79FEC/125/0007✓
	JULY 10 QUARTERLY - AMENDMENT					30JUN78	2	79HSE/145/2504✓
	JULY 10 QUARTERLY - AMENDMENT		9,433			23MAY78 - 30JUN78	9	79HSE/145/4400✓
	JULY 10 QUARTERLY - AMENDMENT					1APR78 - 30JUN78	2	79HSE/150/0710✓
	OCTOBER 10 QUARTERLY		18,210			1JUL78 - 30SEP78	7	70HSE/149/4210✓
	REQUEST FOR ADDITIONAL INFORMATION					1JUL78 - 30SEP78	4	79FEC/124/2440✓
	REQUEST FOR ADDITIONAL INFORMATION					1JUL78 - 30SEP78	3	79FEC/125/2030✓
	REQUEST FOR ADDITIONAL INFORMATION					1JUL78 - 30SEP78	4	79FEC/130/2447✓
	OCTOBER 10 QUARTERLY - AMENDMENT					1JUL78 - 30SEP78	1	79HSE/145/2717✓
	OCTOBER 10 QUARTERLY - AMENDMENT		19,916			1JUL78 - 30SEP78	14	79HSE/145/4400✓
	10 DAY PRE-GENERAL		11,549			13-440 1OCT78 - 23OCT78	6	70HSE/153/0700✓
	REQUEST FOR ADDITIONAL INFORMATION					1OCT78 - 23OCT78	4	79FEC/129/2403✓
	10 DAY PRE-GENERAL - AMENDMENT		11,244			1OCT78 - 23OCT78	13	79HSE/145/4470✓
	30 DAY POST-GENERAL		6,938			4-444 24OCT78 - 27NOV78	5	70HSE/157/2200✓
	REQUEST FOR ADDITIONAL INFORMATION					24OCT78 - 27NOV78	3	79FEC/150/0000✓
	30 DAY POST-GENERAL - AMENDMENT		6,813			8-247 24OCT78 - 27NOV78	13	79HSE/150/0000✓
	YEAR END REPORT		1,734			40 28NOV78 - 31DEC78	4	79HSE/150/0000✓
	YEAR END REPORT - AMENDMENT					40 28NOV78 - 31DEC78	1	79HSE/150/0000✓
	YEAR END REPORT - AMENDMENT		1,734			40 28NOV78 - 31DEC78	1	79HSE/150/0000✓
	YEAR END REPORT - AMENDMENT		1,704			40 28NOV78 - 31DEC78	1	79HSE/150/0000✓
	TOTAL	20,789	42,174	18,492	40,000			

00040204171

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (CI) 1977-1980

HOUSE

COMMITTEE	DOCUMENT	RECEIPTS		EXPENDITURES		COVERAGE	DATES	# OF PAGES	MICROFILM LOCATION
		PRIMARY	GENERAL	PRIMARY	GENERAL				
WALDA FOR CONGRESS COMMITTEE	1979 STATEMENT OF ORGANIZATION- AMENDMENT								100 000005704
	APRIL 10 QUARTERLY		7,290		10,389		20 JUL 79		1 79001/107/20001
	APRIL 10 QUARTERLY		0		0		1 JAN 79 - 21 MAR 79		2 79001/107/20001
	JULY 10 QUARTERLY		0		0		1 JAN 79 - 21 MAR 79		1 79001/107/20001
	OCTOBER 10 QUARTERLY		0		0		1 JAN 79 - 21 MAR 79		1 79001/107/20001
	TOTAL	0	0	0	0				

00040204172

USA
1010
Election Commission
Spartanburg, S.C. 29589

Contributions, Transfers, Contributions to Fund,
Other Income, Loans, Refunds
Supporting Lines 14a, 15a, 16a, 17a, 18a, 19a, and/or 19b
of FEC FORM 3

This Receipt is required for
each contribution listed

Name of Candidate or Committee in Full

ALLEN COUNTY DEMOCRATIC

COMMITTEE

Full Name, Mailing Address and ZIP Code
**ALLEN COUNTY DEMOCRATIC
CENTRAL COMMITTEE (FOR
PROVIDING FOR DEMOCRATIC
RETIREMENT)**

Principal Place of Business
**704 S. GASTON
SPARTANBURG, MS. 39062**

Date (month,
day, year)

6/24/70

Amount of each Receipt
this Period

\$2,000.00

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

Receipt for:

☐ Primary ☐ General ☒ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Principal Place of Business

Date (month,
day, year)

Amount of each Receipt
this Period

SUBTOTAL of receipts this page (optional) ...

\$2,000.00

TOTAL this period (last page this line number only) ...

\$2,000.00

100-10304173

790313534494

Official Election Commission
225 E Street, N.W.
Washington, D.C. 20540

Name of Candidate or Committee			
WALDA FOR CONGRESS			
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
	WHITLEY COUNTY DEMOCRATIC WOMEN'S CLUB 120 W. VAN BUREN COLUMBIA CITY, IND. 47325		8/1/78 \$200.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
	WHITLEY COUNTY DEMOCRATIC CENTRAL COMMITTEE 120 W. VAN BUREN COLUMBIA CITY, IND. 47325		9/1/78 1500.00
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other	Full Name, Mailing Address and ZIP Code	Occupation	Amount of each Receipt this Period
SUBTOTAL of receipts this page (optional).....			\$
TOTAL this period (last page this line number only).....			\$1700.00

60040204175

Form 7000
January 1988
United States Department of Justice
225 K Street, N.W.
Washington, D.C. 20435

Continuation of Form 7000

Page 2 of 2

Name of Candidate or Committee

WALDA FOR CONGRESS

0735

Full Name, Mailing Address and ZIP Code

WHITLEY COUNTY DEMOCRATIC
WOMEN'S CLUB
120 W. VAN BUREN
COLUMBIA CITY, IND. 46725

Principal Place of Business

Occupation

Date (month,
day, year)

Amount of each Receipt
this Period

8/10/88

\$200.00

Receipt for:

☐ Primary ☒ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$200.00

Full Name, Mailing Address and ZIP Code

WHITLEY COUNTY DEMOCRATIC
CENTRAL COMM.
120 W. VAN BUREN
COLUMBIA CITY, IND. 46725

Principal Place of Business

Occupation

Date (month,
day, year)

Amount of each Receipt
this Period

9/1/88

1500.00

Receipt for:

☐ Primary ☒ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$1500.00

Full Name, Mailing Address and ZIP Code

Receipt for:

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Receipt for:

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Receipt for:

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Receipt for:

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

Full Name, Mailing Address and ZIP Code

Receipt for:

☐ Primary ☐ General ☐ Other

☐ Check if Contributor is self-employed

Aggregate Year-To-Date ... \$

SUBTOTAL of receipts this page (optional)

\$

TOTAL this period (last page this line number only)

\$1700.00

720343534496

00040204177

21 May 1973

Richard M. Batt
Treasurer
Bills for Congress Committee
704 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Batt:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the July 10 Quarterly Report of Receipts and Expenditures, we noticed an entry indicating that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act precludes individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

30040204178

Response to your letter within fifteen (15) days from the date of receipt of this communication made on this matter. If you have any questions regarding this matter, please do not hesitate to contact the Bureau at 523-4172, our Reports Analysis Division. Our Social Security Number is 523-4172.

Sincerely,

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

Enclosure
Certified Mails
Return Receipt Requested

00040204179

80040204180

1. The following service is requested (check one):
☐ Show to whom and date delivered
☒ Show to whom, date, and address of delivery
☐ RESTRICTED DELIVERY
☐ RESTRICTED DELIVERY
☐ RESTRICTED DELIVERY
☐ RESTRICTED DELIVERY
☐ RESTRICTED DELIVERY
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
15700
(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE ☐ Address ☐ Authorized agent
Margie C. Toole
DATE OF DELIVERY

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE

POSTMASTER
CLERK'S
INITIALS

PSN 1877-0-249-595

Katt

60040204181

60040204182

80040204183

Edmund L. Henshaw, Jr., Clerk
U. S. House of Representatives
Washington, D. C. 20515

Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20461

Dear Sirs:

Re: ID 673580

This letter is specifically in response to a request from Edmund L. Henshaw, Jr. for an explanation concerning a discrepancy in our April 10, 1979, Report of Receipts and Expenditures. That discrepancy was between our beginning balance of \$3199.49, and our closing balance of the previous report, \$9048.74. This letter and the enclosures will also constitute the filing of Amended Reports. In order to correct the erroneous balance reported at the beginning of the period covered in our April 10, 1979, Report, it has been necessary to amend each and every FEC Report filed by Walda For Congress since the report covering the period January 1, 1978, through April 17, 1978. Therefore, an amended report is enclosed for each period beginning with that date.

I will attempt through this letter to itemize each of the major changes which are reflected in the enclosed amendments. This procedure might appear to be unusual, but we have found it necessary under our present circumstances. We were prompted by Mr. Henshaw's letter of April 19, 1979, to thoroughly review all of our Reports and try to find the balance discrepancy. Just before the filing of our April 10 Report, we had changed bookkeepers, and our new bookkeeper had discovered that the balance which was being carried on our Reports to the FEC did not correspond with our actual cash balance in our bank account. Therefore, I have caused our new bookkeeper to review our daily records of receipts and expenditures to discover and rectify the cause of the discrepancy, and I believe that this has been accomplished.

In regard to the Report covering the period January 1, 1978, through April 17, 1978, we find that the following

Edward L. Renshaw, Jr.

Federal Election Commission -2-

June 14, 1979

amendments should be and are made: The salary report paid to Andrew Baron is amended to be \$2400, and was originally reported \$1500; a contribution from Boris of \$200 did not make the original report, and is included in the amended report. Please note that the original showed expenditures of \$10,693.24 and receipts of \$15,321.30; the amended report shows expenditures of \$10,994.49, and receipts of \$15,321.30.

In regard to the Report for the period April 18, 1978, through May 22, 1978, the following changes were made: The receipt of a contribution from William Scheels of \$250 has been deleted from this report since it is reflected in the previous report. In effect, the original reports had listed this contribution twice. Please note that the receipts in the original report were listed as \$5,507.50, and the expenditures as \$7,406.63; in the amended report, receipts are \$5,432 and expenditures are \$7,698.27.

In regard to the Report for the period May 23, 1978, through June 30, 1978, the following changes have been made: The original report listed expenses to Asher Agency as \$1,000, when the expenditure was actually \$6,000, so the amended report now reflects the actual charge; an in-kind contribution of \$125 from Robert Walters was omitted in the original report and is included in the amended form. Please note that the original report showed receipts of \$9,308 and expenditures of \$2,147.81; the amended report shows receipts of \$9,433 and expenditures of \$7,272.81.

The following changes have been made in the Report covering the period July 1, 1978, through September 30, 1978: The original report failed to list an \$600 receipt as the result of collections from a Pig Roast held in Albion, Indiana, and the amended report includes this amount. Please note that there are two different "Pig Roast" receipts on the amended report, and it seems that our old bookkeeper got confused as to whether or not there was one or two events. The original report showed receipts of \$18,210.40 and expenditures of \$20,555.64; the amended report shows receipts of \$19,916.04 and expenditures of \$21,474.79.

The following changes have been made in the Report covering October 1, 1978, through October 23, 1978: The original report showed a payment to Asher Agency of \$10,605, when it should have been \$7,605, and this amount is reflected in the new report. The original report showed receipts of \$11,569.20, and expenditures of \$13,668.57; the amended report shows receipts of \$11,246.20 and expenditures of \$11,006.42.

The Report covering the period October 24, 1978, through

82090101120541170053

James A. Henshaw, Jr.

Federal Election Commission -3- June 14, 1979

November 27, 1978, reflects the following changes: A contribution of \$100 from Robert Nebek, was made in the form of a check that ultimately bounced, and the amended report reflects the deletion of this amount as an expenditure. The original report showed receipts of \$6,838.68 and expenditures of \$4,646.13; the amended report shows receipts of \$6,818.68 and expenditures of \$4,267.63.

Please note that these changes now show a balance of \$3,199.49 for the beginning of the period covered in the latest report. We are quite sure that these figures are now accurate since we have checked and double-checked, and since our bank balance precisely corresponds with our ledger balance. There are numerous bookkeeping mistakes which were made by our former bookkeeper which have been corrected in the amended reports, but for which no lengthy explanation has been given. Suffice it to say that these corrections are for arithmetical errors and transcribing errors made by our former bookkeeper. Comparison of the original reports and the amended reports will reveal each of these changes.

One final matter needs to be commented on. We have received an inquiry from the FEC concerning the receipt of \$8,000 from the Allen County Democratic Central Committee as a subordinate committee of the Indiana Democratic Central Committee. That receipt is recorded in our report of May 23, 1978 through June 30, 1978. We have left that receipt on our books and in these reports as a contribution for special advertising services, made pursuant to FEC Regs 110.7 (b) (2) (ii). We are corresponding with the FEC on that specific point in a different letter.

I sincerely hope that these Amendments and this explanation will be sufficient to explain the question raised in Mr. Henshaw's letter of April 19, 1979. If you have any questions, please feel free to call me during the day at my office (219) 423-9551.

Yours truly,

John D. Walda

JDW:mv
Encs.

80040204187

Richard M. Katt, Treasurer
Waldo for Congress Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Mr. Katt:

On May 21, 1979, you were notified that certain entries in the July 10 Quarterly Report of Receipts and Disbursements filed by your committee raised problems under 2 U.S.C. 441a.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 441a.

The Commission intends to take no action against you until you have had a reasonable opportunity to respond to this letter. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact Susan Kaltenbaugh, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202)523-4172..

Sincerely,

Thomas E. Harris
Commissioner

Certified Mail:
Return Receipt Requested

80040204189

U.S. MAIL, 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one):
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY
Show to whom and date delivered.
☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Walla for Congress
Committee (Inv)

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
043471

(Always obtain signature of addressee or agent)

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

4. *Margie O. Jock*
DATE OF DELIVERY 8-17-79

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

POSTMARK

45V2/79 525K

☆GPO 1977-0-248-585

60040204190

Richard M. Katt, Treasurer
Waldo Fox Campaign
705 S. Clinton Street
Fort Wayne, Indiana 46802

Dear Mr. Katt:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. During review of the October 10 Amended Report of Receipts and Expenditures, we noticed an entry indicating that you may have received a contribution which exceeds the limits set forth in the Act. A copy of that portion of your report is attached so that a review of your records can be made.

The Act precludes individuals and political committees, other than multicandidate committees, from making political contributions to a candidate for Federal election in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office. The committee listed as the source of the contribution in question does not presently qualify as a multicandidate committee and we have notified them accordingly. We have recommended that the source committee notify you if it is confirmed that the contribution was in excess of the limits.

The Commission recommends that if you find the contribution you received was in excess of the limits set forth in the Act you return the amount in excess of \$1,000 to the donor. This return should be reported immediately by letter and should be reflected as a contribution refund on your next report of receipts and expenditures. If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

U.S. DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
FOURTH FLOOR, BUILDING 1000, WASHINGTON, D.C. 20004

[Signature]
Thomas J. [Name]
Assistant Staff Director

Enclosure
Certified Mail
Return Receipt Requested

7900313534492
80040204192

Reporting Line

79031350341493

Name of Candidate or Committee			
WALDA FOR CONGRESS			
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC WOMEN'S CLUB 120 W. VAN BUREN COLUMBIA CITY, IND. 46725	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year) 11/1/78	Amount of each Receipt this Period \$200.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code WHITLEY COUNTY DEMOCRATIC CENTRAL COMMITTEE 120 W. VAN BUREN COLUMBIA CITY, IND. 46725	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year) 11/1/78	Amount of each Receipt this Period 1500.00
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year)	Amount of each Receipt this Period
Receipt for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Full Name, Mailing Address and ZIP Code	Check if Contributor is self-employed Aggregate Year-To-Date ... \$	Date (month, day, year)	Amount of each Receipt this Period
SUBTOTAL of receipts this page (attach all).....			\$
TOTAL this period (list page this line number only).....			\$1700.00

80040204194

AUG 29 1979
CERTIFIED MAIL

3580
August 29, 1979

Thomas E. Harris
Commissioner
Federal Election Commission
1325 E Street N.W.
Washington, D. C. 20463

Dear Mr. Harris:

Re: 4572/79-5282

We are in receipt of your letter dated August 14, 1979. We received your earlier notification of May 21, 1979 also concerning our July 16 Quarterly Report and the problems under 2 U.S.C. 431a. Following that earlier communication, I spoke with members of the FEC staff and we outlined various alternatives for solving the problem. I apologize for not communicating with you since then, but it has been most difficult to solve the problem.

Some background on this particular problem would be helpful. My campaign originally accepted an \$8,000 contribution from the Allen County Democratic Central Committee with the understanding that the contribution was being made as a Subordinate Committee of the Indiana Democratic State Central Committee. If that were the case, the contribution which was made to pay specific advertising debts would be legal pursuant to Reg 110.7 (b) (2) (ii). Unfortunately, we have subsequently discovered that the Indiana Democratic State Central Committee has not complied with filing requirements and they are not a registered multicandidate committee. I am told by members of your staff that this failure to file by our State Committee makes the contribution illegal.

It appears that I have no alternative but to return \$7,000, to the Allen County Democratic Central Committee. As you have suggested in your letter of May 21, 1979 I am now repaying all money in excess of \$1,000 to

1

I trust that this letter answers your inquiry. If you have further questions, please write or feel free to contact me at (215) 523-9551.

Very truly yours,

John A. Wilson

JDW:BW

60040204197

ALCO
 1980
 Election Commission
 Street, N.W.
 Box, D.C. 20543

FINANCIAL DISCLOSURE FORM
 Reporting Transfers and Contributions to and
 from, from Candidates and Political Committees
 Supporting House, Senate, and State, and
 of P.O. FORM 2

Signature
 Date
 This financial disclosure is
 not required for

Name of Candidate or Committee in Full
WALDA FOR CONGRESS

Full Name, Mailing Address and ZIP Code	Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE 609 S. CLINTON FORTWAYNE, IND 46802	Expenditure for <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	9/17/79	\$7000.00
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, Mailing Address and ZIP Code	Expenditure for <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other Particulars of Expenditure	Date (month, day, year)	Amount of each expenditure this period
SUBTOTAL of expenditures this page (optional)			\$
TOTAL this period (last page the line number only)			\$7000.00

000402

DATE Jan 4 1980

TO: Office of General Counsel

THROUGH: STAFF DIRECTOR

FROM: ASSISTANT STAFF DIRECTOR FOR LEGAL COUNSEL

CANDIDATE/COMMITTEE: Whitley County Central Democratic Committee

TREASURER: Virgil Hicks

ADDRESS: RR 1

South Whitley, IN 46787

AFFILIATE(S): Information unavailable

ALLEGATION(S):

CITE:

ATTACHMENT(S)

Failure to register and report as a political committee 2 U.S.C. 435 & 434

1

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED: 8/24/79

☒ Normal Review

☐ Other:

ATTACHMENT

☐ Special Project:

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM: N/A TO: N/A

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A

CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW:

ATTACHMENT

3SV1/79-80 (8/24/79)

1

RTB has not been found on the committee

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

ATTACHMENT

Memorandum to the Files: Greevy (9/24/79)

2

REASON(S) FOR REFERRAL:

ATTACHMENT

No response to 3SV1/79-80

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

NONE

00040304199

D 2-674
RAD 301-24

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE Jan. 4, 1980 ANALYST Lisa Stolaruk
TO: Office of General Counsel TEAM CHIEF Bobby Worfel
THROUGH: STAFF DIRECTOR COMPLIANCE REVIEW CB/PS
FROM: ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS DH

CANDIDATE/COMMITTEE: Whitley County Central Democratic Committee

TREASURER: Virgil Hicks

ADDRESS: RR 1
South Whitley, IN 46787

AFFILIATE(S): Information unavailable

ALLEGATION(S): Failure to register and report as a political committee CITE: 2 U.S.C. 433 & 434

ATTACHMENT(S)

DATE INITIATED:

MANNER IN WHICH REVIEW WAS INITIATED: 8/24/79

☒ Normal Review
☐ Special Project:

☐ Other:

ATTACHMENT

REPORTS: All reports which are listed below have been reviewed. For all reports reviewed, see Attachment 1.

PERIOD COVERED FROM N/A TO N/A

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$ N/A

CASH ON HAND \$ N/A DEBTS \$ N/A

HISTORY:

RESULTS OF REVIEW:

3SV1/79-80 (8/24/79)

RTB has not been found on the committee

ATTACHMENT

1

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Memorandum to the Files: Greevy (9/24/79)

ATTACHMENT

2

REASON(S) FOR REFERRAL:

No response to 3SV1/79-80

ATTACHMENT

OTHER PENDING ACTIONS INITIATED BY RAD:

NONE

ATTACHMENT

OTHER RELEVANT INFORMATION:

ATTACHMENT

SEE COMPANION REFERRALS FOR WALDA FOR CONGRESS COMMITTEE AND ALLEN COUNTY
DEMOCRATIC CENTRAL COMMITTEE

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

NONE

Treasurer
Whitley County Central Democratic Committee
Columbia City, IN 46725

Dear Treasurer:

This letter is sent by the Commission's interest in monitoring committees who wish to comply with the Federal Election Campaign Act. Our review of the receipts reported by Whitley County Central Democratic Committee indicates that your organization may have made contributions which total in excess of \$1,000 during the calendar year. Enclosed is a copy(s) of the report(s) in which your contribution(s) is listed.

The Act defines "political committee" to mean any organization, or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees supporting Federal candidates), aggregating in excess of \$1,000 during a calendar year. It would appear that your organization may qualify as a "political committee" subject to registration, reporting, and contribution limitation requirements of the Act.

If you agree that your organization is a political committee, please submit a Statement of Organization on FEC Form 1, in accordance with 2 U.S.C. 433. In addition, your committee will be required to file disclosure reports in accordance with 2 U.S.C. 434 on FEC Form 3.

If you agree that your organization has made contributions or expenditures which qualify you as a "political committee", but you do not wish to be considered as a "political committee", you must request refund(s) from the candidate(s) and/or political committee(s) to which you have contributed. As an alternative, political committees to which you made contributions may transfer all or part of the contributions to accounts which are not used to influence Federal elections. Refunds or transfers must be made in such amounts that the total remaining contributions made by you do not exceed \$1,000 during a calendar year.

If you believe that your organization is not a political committee, or that the Commission is otherwise in error, please submit a statement which would clarify this matter for the public record. We have also enclosed relevant informational materials and forms for the registration of and reporting by the political committee. Please examine the enclosed materials.

00040204202

...within thirty (30) days of the date of your decision on this matter. ...
...World Group, in our Reports ...
...the local number is (202)433-7574.

Sincerely,

for 
Thomas J. Hasselhorst
Assistant Staff Director

Enclosure
Certified Mail
Return Receipt Requested

30040204203

60040204

1977-2011, Apr. 1977 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3541/77+1821

1. The following service is requested (check one).
☐ Show to whom and date delivered.
☐ Show to whom, date, and address of delivery.
☐ RESTRICTED DELIVERY Show to whom and date delivered.
☐ RESTRICTED DELIVERY Show to whom, date, and address of delivery. \$
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Whitely County Reno C

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
543936
(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
9-27-77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

7/24

SEP 27 1977
WHITELY CO. NV
POSTMARK

CLERK'S INITIALS

REFER TO INSTRUCTIONS ON REVERSE SIDE BEFORE COMPLETING

REPORTS ANALYSIS REFERRAL SHEET

DATE

January 7, 1980

ANALYST

Lisa Stolaruk

TO:

Office of General Counsel

TEAM CHIEF

Bobby Werfel

THROUGH

STAFF DIRECTOR

COMPLIANCE REVIEW

P/KB

FROM

ASSISTANT STAFF DIRECTOR FOR REPORTS ANALYSIS

CANDIDATE/COMMITTEE:

Allen County Democratic Central Committee
Unregistered

TREASURER:

Tom Clayton

ADDRESS:

706 South Clinton
Fort Wayne, IN 46802

AFFILIATE(S):

N/A

ALLEGATION(S):

Excessive contribution to a
federal candidate

CITE:

2 U.S.C. 441a

ATTACHMENT(S):

1

DATE INITIATED: 5/18/79

MANNER IN WHICH REVIEW WAS INITIATED:

☒ Normal review ☐ Other:
☐ Special Project:

ATTACHMENT

REPORTS: All reports within the dates listed below have received initial basic review. For all reports reviewed, see Attachment 1. N/A

PERIOD COVERED FROM N/A TO

TOTAL RECEIPTS \$ N/A TOTAL EXPENDITURES \$

CASH ON HAND \$ N/A DEBTS \$

HISTORY:

RESULTS OF REVIEW:

3SV1/79-28 (May 18, 1979)
3SV2/79-28 (July 16, 1979)

ATTACHMENT

1
5

COMMUNICATIONS WITH CANDIDATE/COMMITTEE:

Telecon: Brown with Clayton and Walda (6/7/79)
Telecon: Brown with Litchfield (6/8/79)
Telecon: Brown with O'Toole (6/8/79)
Telecon: Stolaruk with Clayton (9/18/79)

ATTACHMENT

2
3
4
6

REASON(S) FOR REFERRAL:

Excessive contribution meets RAD threshold for OGC review
Response to 3SV1/79-28 and 3SV2/79-28 (September 27, 1979)

ATTACHMENT

7

OTHER PENDING ACTIONS INITIATED BY RAD:

ATTACHMENT

Since the candidate committee returned the full amount of the contribution to the party committee, RAD will not pursue apparent violations of 2 U.S.C. 433 and 434.

OTHER RELEVANT INFORMATION:

ATTACHMENT 2

THE COMMITTEE'S ACCOUNT MAY CONTAIN PROHIBITED FUNDS

PREVIOUS OGC/AUDIT REFERRALS FROM RAD:

NONE

SEE COMPANION REFERRALS FOR ALLEN COUNTY DEMOCRATIC CENTRAL COMMITTEE AND WALDA FOR CONGRESS COMMITTEE

RAD Form 1



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

May 18, 1979

Treasurer
Allen County Democratic Central
Committee
706 South Clinton
Fort Wayne, Indiana 46802

Dear Treasurer:

This letter is prompted by the Commission's interest in assisting committees who wish to comply with the Federal Election Campaign Act. Our review of the receipts reported by Walda for Congress indicates that your organization may have made contributions which total in excess of \$1,000 during the calendar year. Enclosed is a copy(s) of the report(s) in which your contribution(s) is listed.

The Act defines "political committee" to mean any organization, or other group of persons which receives contributions or makes expenditures (which includes contributions to Federal candidates and committees supporting Federal candidates), aggregating in excess of \$1,000 during a calendar year. It would appear that your organization may qualify as a "political committee" subject to registration, reporting, and contribution limitation requirements of the Act.

If you agree that your organization is a political committee, please submit a Statement of Organization on FEC Form 1, in accordance with 2 U.S.C. 433. In addition, your committee will be required to file disclosure reports in accordance with 2 U.S.C. 434 on FEC Form 3.

If you agree that your organization has made contributions or expenditures which qualify you as a "political committee", but you do not wish to be considered as a "political committee", you must request refund(s) from the candidate(s) and/or political committee(s) to which you have contributed. As an alternative, political committees to which you made contributions may transfer all or part of the contributions to accounts which are not used to influence Federal elections. Refunds or transfers must be made in such amounts that the total remaining contributions made by you do not exceed \$1,000 during a calendar year.

If you believe that your organization is not a political committee, or that the Commission is otherwise in error, please submit a statement which would clarify this matter for the public record. We have also enclosed relevant informational materials and forms for the registration of and reporting by the political committee. Please examine the enclosed materials.

00040204208

1/10/70
10/10/70
10/10/70
(100) 400-0000

Enclosure
Certified Mail:
Return Receipts Requested

U.S.A.
1070
Executive Committee
Street, N.W.
Wash., D.C. 20542

Contributions, Transfers, Gifts, and Loans
Other Income, Loans, and Gifts
Supporting Lines 14a, 15a, 15b, 15c, 16a, 17a, and/or 18a
of FEC FORM 3

Name of Candidate or Committee to Whom

WILLIAM FOR CONGRESS COMMITTEE

WASHINGTON, D.C. 20540

Full Name, Mailing Address and ZIP Code

WILLIAM FOR CONGRESS COMMITTEE
CANTON, OH 44702
(FOR SPECIFIC AID
RETIREMENT)

Principal Place of Business

705 S. CANTON
CANTON, OH 44702

Date Received

(day, month, year)

6/20/78 \$2,000.00

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0
1

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0
4

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0
4

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

Receipt for

☐ Primary

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

Full Name, Mailing Address and ZIP Code

0

Principal Place of Business

Occupation

Date Received

(day, month, year)

Amount of each Receipt

(day, month, year)

☐ General

☐ Other

Check if Contributor is self-employed

Appropriate Year To Date

\$2,000.00

\$2,000.00

Tom Clayton, Treasurer
Allen County Democratic Central Committee
706 South Clinton
Fort Wayne, IN 46802

Dear Mr. Clayton:

On May 18, 1978, you were notified that you may have made contributions to a political committee which raised problems under 2 U.S.C. 433 and 434.

As of this date, however, we have received no response from you. Your failure to respond gives the Commission reason to believe that you may have committed a violation of 2 U.S.C. 433 and 434.

The Commission will take no action against you until you have had a reasonable opportunity to respond to this letter and demonstrate why no action should be taken against you. This response should be mailed to the Commission within fifteen (15) days from the date of this letter.

If you have responded to the above or you require additional information, please contact David Greevy, our Reports Analyst assigned to you on our toll free number (800)424-9530. Our local number is (202) 357-0023.

Sincerely,

Robert D. Tiernan
Commissioner

Certified Mail:
Return Receipt Requested

ADEQUATE RESPONSE REC'D

Refer To: 7903 136 5055

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

3502/79-25

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

1. The following service is requested (check one).
- ☐ Show to whom and date delivered.....
 - ☐ Show to whom, date, and address of delivery.....
 - ☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
 - ☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Allen City Demo Cent C
IN

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.

(Always obtain signature of addressee or agent)

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

Margie O. J. Wayne, IN
DATE OF DELIVERY *7-19-79*
POSTMARK

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE: _____
CERK'S INITIALS

☆GPO: 1977-0-248-595

7/16

3501/79-25

PS Form 3811, Apr. 1977

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).
- ☐ Show to whom and date delivered.....
 - ☐ Show to whom, date, and address of delivery.....
 - ☐ RESTRICTED DELIVERY
Show to whom and date delivered.....
 - ☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.....
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
Allen City Demo Cent C
IN

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. | INSURED NO.

94311

(Always obtain signature of addressee or agent)

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

[Signature]
DATE OF DELIVERY *7/18*
POSTMARK

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE: _____
CERK'S INITIALS

☆GPO: 1977-0-248-595

5/18

DATE: 9/18/79

TIME: 11:20

COMMITTEE: Allen County Democratic Central Committee

PERSON SPOKEN TO: Tom Clayton, Treasurer (219)426-3581

FEC'R: Lisa Stolaruk

SUBJECT: Excessive Contribution to Walda for Congress

I called Mr. Clayton to find out what the committee was going to do about the excessive contribution. He said that it has already been taken care of. He explained that Walda's committee returned \$7,000 to Allen County, and that Allen County in turn gave the money back to the original contributors. This, in fact was done, as I checked Walda's reports. I requested that Tom send a letter explaining the refund for Allen County's perspective, for the Public Record.

00040204213

democratic

James L. Kelley
CHAIRMAN

Lenore M. Buckstroh
VICE CHAIRMAN

Corrinne Brooks
SECRETARY

H. Thomas Clayton
TREASURER

Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20004

Attention: Lisa Stalworth

Joseph W. Kessler
EXECUTIVE DIRECTOR

Gentlemen:

Re: Allen County Democratic
Central Committee, 1979
for Congress Committee
File # 100-17-01

Pursuant to our telephonic communication concerning
the captioned matter, please be advised that on September
7, 1979, the Walda for Congress Committee did return the
total amount of money in question. Further, on September
10, 1979, the Allen County Democratic Central Committee
did return the money in question to the contributors.

I trust this information will solve and close this
matter. If you have further question or comment, please
do not hesitate to contact me.

Sincerely,

H. Thomas Clayton
Treasurer

HTC:ak

800.402.04215

THIS IS THE BEGINNING OF RUN # 1125

Date Filmed 9/9/80 Camera No. 2

Cameraman SPC