



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20461

THIS IS THE END OF TLR # 1277

Date Filmed 10/9/88 Camera No. --- 2

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PS Form 3811, Aug. 1978

● 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
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☐ RESTRICTED DELIVERY
Show to whom, date, and address of delivery.
(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:
William Berka
709 Marblehead
Lewisville, TX 75067

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
946593

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY
9-29-80

5. ADDRESS (Complete only if required)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

MUR-1277 Callahan

LEWISVILLE
TX
SEP 29 1980
USPO

PS Form 3811, Aug. 1970

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:

Jim Horn
1806 Southridge
Denton, TX 76201

3. ARTICLE DESCRIPTION:

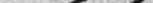
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946592

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent



4. ~~DATE OF DELIVERY~~

9-30-84

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

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UNIVERSITY**

RECEIVED
MAY 12 1977
Callahan

30040214317

PS Form 3811, Aug. 1978

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

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☐ 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:
Robert E. Smyth
Route 4, Hidden Valley
Denton, TX 76201

3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. INSURED NO.
2569733

4. (Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
J. M. Hall, Jr.
DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. ~~8000701810000~~

DECLARATION
R

RECEIVED
Callahan
SEP 12 1978

U.S. POSTAGE



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert E. Smith
Route 4, Hidden Valley 42
Denton, TX 76201

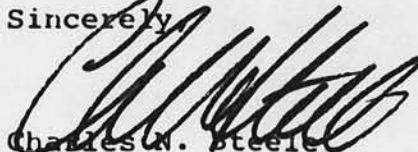
Re: MUR 1277

Dear Mr. Smith:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September 24, 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,


Charles W. Steele
General Counsel

30040211318



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert E. Smith
Route 4, Hidden Valley 42
Denton, TX 76201

Re: MUR 1277

Dear Mr. Smith:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

CS
9/24

30040214319



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Ben Campbell
4718 Lloyd
Lewisville, TX 75028

Re: MUR 1277

Dear Mr. Campbell:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September 24, 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele", is written over the typed name.

Charles N. Steele
General Counsel

30010211320



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Ben Campbell
4718 Lloyd
Lewisville, TX 75028

Re: MUR 1277

Dear Mr. Campbell:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on _____, 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely, *Sm*
9/24

Charles N. Steele
General Counsel

30040314321



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Horn
1806 Southridge
Denton, TX 76201

Re: MUR 1277

Dear Mr. Horn:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on September 24, 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

30040014322



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Horn
1806 Southridge
Denton, TX 76201

Re: MUR 1277

Dear Mr. Horn:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on _____, 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Sm
9/24

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 25, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Berka
1709 Marblehead
Lewisville, TX 75067

Re: MUR 1277

Dear Mr. Berka:

The Federal Election Commission has reviewed the allegations of your complaint dated August 13, 1980, and determined that on the basis of the information provided in your complaint that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed.

Your complaint does not state any acts which appear to constitute a violation of the Act under our jurisdiction. Specifically, the Federal Election Commission has jurisdiction over the Federal Election Campaign Act of 1971, as amended. A copy of the statute and the Commission's regulations are enclosed with this letter in the hope that these materials will answer most of your questions regarding Commission jurisdiction.

Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles N. Steele".

Charles N. Steele
General Counsel

30040214324



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Berka
1709 Marblehead
Lewisville, TX 75067

Re: MUR 1277

Dear Mr. Berka:

The Federal Election Commission has reviewed the allegations of your complaint dated August 13, 1980, and determined that on the basis of the information provided in your complaint that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed.

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Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

[Handwritten signature]
9/24

30010211325

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Jim Horn)

Ben Campbell)

Robert Smith)

MUR 1277

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on September 24, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1277:

1. Find NO REASON TO BELIEVE that Ben Campbell, Jim Horn, or Bob Smith have violated any provision of the Act.
2. Send the notification letters as attached to the First General Counsel's Report dated September 19, 1980.
3. CLOSE THE FILE.

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

Attest:

9/24/80

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of the Commission Secretary: 9-19-80, 12:12
Circulated on 48 hour vote basis: 9-22-80, 11:00

30010214326

September 19, 1980

MEMORANDUM TO: Marjorie W. Emmons

FROM: Elissa T. Garr

SUBJECT: MUR 1277

Please have the attached First GC Report distributed to the Commission on a 48 hour tally basis. Thank you.

30040214327

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

80 SEP 19 P12: 12

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 9-19-80

MUR # 1277
DATE COMPLAINT RECEIVED
BY OGC Aug. 18, 1980

STAFF MEMBER Callahan

COMPLAINANT'S NAME: William Berka
RESPONDENT'S NAMES: Jim Horn, Ben Campbell, Robert Smith
RELEVANT STATUTE: No Jurisdiction
INTERNAL REPORTS CHECKED: Computer Index of Party Committees
FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On August 18, 1980, William Berka filed a notarized complaint with the Commission alleging violations of the Federal Election Campaign Act by Jim Horn, Robert Smith, and Ben Campbell; the complainant did not provide specific citations of the sections of the Act which he believed to be violated.

According to the complainant, Mr. Smith offered him a bribe, in the form of a \$7,000 contribution to the Denton County Republican Committee ("the Committee"), if Berka would step down as the Committee's chairman. Apparently, the alleged contribution was contingent upon Berka's resignation, his recommendation that Ben Campbell fill his unexpired term, and Berka's endorsement of Jim Horn for State Representative.

LEGAL ANALYSIS

The allegations addressed by Mr. Berka are not within the purview of the Federal Election Campaign Act. Therefore, it is recommended that the Commission advise Mr. Berka that his complaint does not state any act which appears to constitute a violation of the Act under the Commission's jurisdiction.

30010214328

RECOMMENDATIONS

1. Find no reason to believe that Ben Campbell, Jim Horn, or Bob Smith have violated any provision of the Act.
2. Send attached notification letters.
3. Close the file.

Attachment
Complaint
Notification Letters

30040214329

SINGLE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for said County and state, on this day personally appeared William Berka, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of July,
A. D. 19 80.

Betty Simms
Notary Public In and For Denton
County, Texas

30040214330

STATEMENT

On Saturday, February 2, 1980, I received a telephone call from Bob Smith, who resides at Route 4, Hidden Valley, Denton, Texas 76201, 817/497-2730, to talk to me. I refused to do so. I had heard through the grapevine that Jim Horn was conducting meetings in Denton to recruit a candidate for County Chairman and for State Representative, District 25 in late January 1980.

On February 3, 1980, Sunday, Bob Smith telephoned me again and insisted that we meet to discuss political matters. We agreed to meet at Sambo's Restaurant in Lewisville, Texas at 9:30 A. M. We met at the restaurant and had a cup of coffee. I was accompanied by my four year old son, John. Smith was alone.

Smith said that he represented Jim Horn and Ben Campbell. Ben Campbell was solicited by Jim Horn as candidate for Republican County Chairman. Jim Horn was unannounced candidate for State Representative, district 25. Smith said that he represented a group of Denton financial contributors who were unhappy with my performance as County Chairman. During my tenure as County Chairman, I did not meet any of these financial contributors who were unhappy with my performance. Smith asked me to resign as Republican County Chairman immediately before the filing deadline on February 4, 1980, and recommend that the Republican County Executive Committee appoint Ben Campbell to fill my unexpired term. Campbell had never served the Republican Party of Denton County in any capacity as election worker, precinct chairman, or any other duties normally associated with a political party. Smith further insisted that I personally be responsible for making Bryan Walker withdraw from the primary race for State Representative, District 25 as a candidate. Smith said that Jim Horn did not want to run in contested primary because it would cost too much and reduce the number of volunteers available to him and reduce campaign funds for him.

Smith further stated that if I accepted his offer to resign and if I persuaded Bryan Walker to withdraw from the primary race as a candidate, he was ready, willing, and able to contribute \$7,000.00 to the County Executive Committee treasury immediately. In addition to the \$7,000.00, he said that he had a wealthy financial contributor that would buy a headquarters building for the party's use. The party would repay this individual in monthly installments until the note was paid off. Smith claimed that he ^{had} pledges from several individuals to make monthly contributions to the party to pay off the building.. I asked him for the names of these individuals. He would not divulge the names of these persons to me. He claimed that twenty one persons had pledged the \$7,000.00.

I refused Smith's offer because the offer sounded like a deliberate attempt to offer me, as a party official, a bribe and compromise my position as County Chairman. I believed that the Republican voters wanted a Chairman with political integrity and honesty, and I preserved that integrity and honesty for them. The Republican Party did not receive any funds from this group of persons.

William Berka
July 30, 1980

William Berka (Former Republican County Chairman (1977-1980))
1709 Marblehead
Lewisville, Texas 75067
214/221-3264

Names of persons that have knowledge concerning this allegation.

Jim Horn
1806 Southridge
Denton, Texas 76201
817/382-5567

Ben Campbell
4718 Lloyd
Lewisville, Texas 75028
214/221-3104

James P. Neill
1907 Cindy Lane
Denton, Texas 76201
817/382-0835

George Holladay
1913 Hollyhill
Denton, Texas 76201
817/387-8035

Jerry Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Nedra Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Joann Smith
Route 4, Hidden Valley
Denton, Texas 76201
817/497-2730

Donald H. Stone
3015 Thunderbird
Denton, Texas 76201
817/382-6120

Johnia Everett
Rt 4, Box 263
Denton, Texas 76201
817/497-2965

300402143332



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Berka
1709 Marblehead
Lewisville, TX 75067

Re: MUR 1277

Dear Mr. Berka:

The Federal Election Commission has reviewed the allegations of your complaint dated August 13, 1980, and determined that on the basis of the information provided in your complaint that there is no reason to believe that a violation of the Federal Election Campaign Act of 1971 as amended ("the Act") has been committed.

Your complaint does not state any acts which appear to constitute a violation of the Act under our jurisdiction. Specifically, the Federal Election Commission has jurisdiction over the Federal Election Campaign Act of 1971, as amended. A copy of the statute and the Commission's regulations are enclosed with this letter in the hope that these materials will answer most of your questions regarding Commission jurisdiction.

Accordingly, the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact Suzanne Callahan, the staff member assigned to this matter at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert E. Smith
Route 4, Hidden Valley 42
Denton, TX 76201

Re: MUR 1277

Dear Mr. Smith:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

30040214334



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURNED RECEIPT REQUESTED

Ben Campbell
4718 Lloyd
Lewisville, TX 75028

Re: MUR 1277

Dear Mr. Campbell:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

30040214335



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Horn
1806 Southridge
Denton, TX 76201

Re: MUR 1277

Dear Mr. Horn:

On August 21, 1980, the Commission notified you of a complaint alleging that you violated certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1980, determined that on the basis of the information in the complaint that there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission has closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

30040214336

MUR 1277

910028

2588

RECEIVED

80 SEP 10 09:31

August 28, 1980

Ms. Suzanne Callahan
Federal Election Commission
Washington, D.C. 20463

Dear Ms. Callahan:

Without boring you with specific details of inaccuracies in Mr. Burka's statement, I'll simply say that I met with Mr. Berka and discussed issues that I felt were for the good of the Republican Party.

In view of Mr. Berka's statement and my knowledge of our conversation, I cannot see how I may have violated any section of the Federal Election Campaign Act.

I will take no further action on this matter unless notified by your office.

Very truly yours,

Robert E. Smith

Robert E. Smith
Route 4, Hidden Valley 42
Denton, Texas 76201

I've enclosed a copy of an article in the Denton paper 9/4/80. Mr. Burka is releasing this information to the press.

20040214337

30 SEP 10 A10:29

ORIGINAL

Berka logs complaints of campaign violations

By JOANN MARTINDALE
Staff Writer

A complaint of possible violation of the Federal Election Campaign Act has been filed against Jim Horn, Republican candidate for state representative, District 25, Horn's employer, Robert Smith, and Ben Campbell, newly elected Denton County Republican chairman.

Complaints were filed by Bill Berka, former county chairman who was defeated in his re-election bid by Campbell in the May 3 Republican primary.

Berka alleges that Smith offered Berka a "bribe" of a \$7,000 cash donation to the Republican Party and a building for use as party headquarters, if Berka would withdraw from the county chairman race and persuade Bryan Walker to withdraw from the Republican state representative race, Berka said in a statement to the Federal Election Commission. The FEC is investigating the possible violations, which Berka said occurred Feb. 3, 1980.

Smith said he was representing Horn and Campbell, Berka said in his complaint. Smith is president of Aero-Smith Corp., which employs Horn.

The complaints were filed in August and the respondents were notified last week.

"It's so asinine what this man (Berka) is doing," Smith said when contacted Tuesday. "It's just harassment on his part. He's just a poor loser."

Smith said his reply to FEC will be a denial of any financial offer to Berka in return for Berka's resignation. Smith said he did meet with Berka "as a concerned Republican" and did ask Berka to withdraw from the race.

"I believe from talking to people in Washington that nothing will come of it (the complaint)," Smith said.

Horn's response to FEC was that he committed no violation, Horn said Wednesday.

FEC also has a complaint against CATV Systems Inc. of Lewisville, which is owned by Campbell. Berka filed the complaint alleging CATV made illegal financial contributions to influence the selection of delegates to the county and state Republican conventions.

Campbell agreed Tuesday the company was inadvertently guilty of violating the federal election code. He said he has sent a reply to the FEC saying the company made an illegal financial contribution of less than \$5.

The violation occurred before the May 3 Republican primary when Campbell's company secretary, Cynthia Dickerson, was mailing out a notice of the Republican Executive Committee, Campbell said. Ms. Dickerson also is the Executive Committee secretary. The meeting was called to appoint the county's convention committee and review the financial statement.

Ms. Dickerson was using personal stationery to mail the notice but ran out of envelopes, Campbell said. She then used CATV envelopes for the remaining notices, he said. Neither Campbell nor Ms. Dickerson was aware this was a violation of the election code, Campbell said. The company's expenditure was later reimbursed but this did not eliminate the violation, he said.

"We didn't realize we were breaking the law. We acknowledged (in reply to FEC) that we did wrong and that we would not do it again," Campbell said.

Denton Record Chronicle 9-4-80

800 402-14339



RECEIVED



80 SEP 10 A 9:31

Ms. Suzanne Callahan
Federal Election Commission
Washington, DC 20463

90994
JIM HORN
1806 Southridge
Denton, Texas 76201

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GCC#2524
80 SEP 2 P3:48

August 28, 1980

Ms. Suzanne Callahan
Federal Election Commission
Washington, D.C. 20463

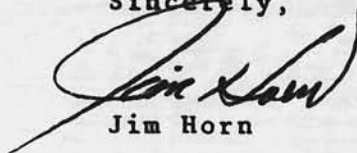
RE: MUR 1277(80)

Dear Ms. Callahan:

I am unable to determine how I may have
violated any section of the Federal Election
Campaign Act.

Unless notified by your office I will
take no further action in this matter.

Sincerely,


Jim Horn

30090219340
80 SEP 2 P5:36

JIM HORN

1806 Southridge

Denton, Texas 76201



80 SEP 2 P3:44

Ms. Suzanne Callahan
Federal Election Commission
Washington, D.C. 20463



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jim Horn
1806 Southridge
Denton, Texas 76201

Re: MUR 1277(80)

Dear Mr. Horn:

This letter is to notify you that on August 18, 1980 the Federal Election Commission received a complaint which alleges that you may have 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. A copy of this complaint is enclosed. We have numbered this matter MUR 1277. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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 intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Suzanne Callahan, the staff member assigned to this matter at 202-523-4057. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

3 0 7 1 0 2 1 1 3 4 3

PS Form 3811, Rev. 10/95

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

1. The following article is registered (check one):
☐ Show to whom and this return
☐ Show to whom, date and address of delivery
☐ REGISTERED DELIVERY
☐ Show to whom and date of delivery
☐ REGISTERED DELIVERY
☐ Show to whom, date, and address of delivery
(CONSULT POSTMASTER FOR RULES)

2. ARTICLE REGISTERED NO. *94591*

3. ARTICLE DESCRIPTION
REGISTERED NO. *94591* INSURED NO.

4. DATE OF DELIVERY *2-18-96*

5. HAVE RECEIVED (check one)
SIGNATURE *Charles N. Steele* ☐ I have
DATE *2-18-96* TIME *10:00 AM*

6. UNABLE TO DELIVER (check one)
REASON *1277 Callahan*



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

William Berka
1709 Marblehead
Lewisville, Texas 75067

Dear Mr. Berka:

This letter is to acknowledge receipt of your complaint of August 13, 1980, against Robert Smith, Jim Horn and Ben Campbell which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within 5 days and a recommendation to the Federal Election Commission as to how this matter should be initially handled will be made 15 days after the respondents' notification. You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

3 7 7 1 7 2 1 1 3 4 4

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: <i>William Berka</i>	
3. ARTICLE DESCRIPTION: REGISTERED NO. <i>445983</i>	CERTIFIED NO. <i>445983</i>	INSURED NO.	
I have received the article described above. ☒ Signature ☐ Address ☐ Authorized agent			
4. ADDRESS (Complete only if registered)		5. UNABLE TO DELIVER REASON	
<i>1277 Callahan</i>		<i>1277 Callahan</i>	

PS Form 3811, Aug. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert Smith
Route 4
Hidden Valley
Denton, Texas 76201

Re: MUR 1277 (80)

Dear Mr. Smith:

This letter is to notify you that on August 18, 1980 the Federal Election Commission received a complaint which alleges that you may have 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. A copy of this complaint is enclosed. We have numbered this matter MUR 1277. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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 intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

If you have any questions, please contact Suzanne Callahan the staff member assigned to this matter at 202-523-4057. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
Charles N. Steele
General Counsel

Enclosures
Complaint
Procedures

3 7 7 1 0 1 1 3 4 6

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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:
Robert Smith

3. ARTICLE DESCRIPTION:
REGISTERED NO. *045920* CERTIFIED NO. *045920* INSURED NO. *045920*

4. I have received the article described above:
SIGNATURE *Charles N. Steele* ☐ Address ☐ Postoffice box

5. ADDRESS (Complete only if registered)
1277 Callahan

RECEIVED
UNABLE TO DELIVER BECAUSE



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 21, 1980

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ben Campbell
4718 Lloyd
Lewisville, Texas 75028

Re: MUR 1277(80)

Dear Mr. Campbell:

This letter is to notify you that on August 18, 1980 the Federal Election Commission received a complaint which alleges that you may have 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. A copy of this complaint is enclosed. We have numbered this matter MUR 1277. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your Committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

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 intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

RECEIVED
799711 ACC# 0357
80 AUG 18 P12: 28

Federal Election Commission
Washington, D C 20463
Attn: Mr. Charles N. Steele

August 13, 1980

SUBJECT: Attempted Bribery allegation

Dear Mr. Steele,

I appreciate the effort that the Enforcement Division is taking into investigating possible federal election law violations in Denton County, Texas.

I'm submitting a sworn statement regarding an attempted bribery by Bob Smith upon me. Since there was not any monetary benefits accruing to me personally, the Denton County District Attorney has declined to look into the matter. He said it was not illegal under Texas Election Laws, but it was highly unscrupulous and unethical political conduct. Smith attempted to influence my actions as an elected Republican County Chairman to compromise my party position of recruiting qualified voters to become candidates for public office.

This incident should give you a background to these other allegations, if you choose to investigate it any further.

Sincerely,

William Berka

William Berka (Former Republican County Chairman, Denton County, Texas 1977-1980)
1709 Marblehead
Lewisville, Texas 75067
214/221-3264

92:18 81907 01

SINGLE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for said County and state, on this day personally appeared William Berka, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of July,
A. D. 19 80.

Betty Simms
Notary Public In and For Denton
County, Texas

30049214350

STATEMENT

On Saturday, February 2, 1980, I received a telephone call from Bob Smith, who resides at Route 4, Hidden Valley, Denton, Texas 76201, 817/497-2730, to talk to me. I refused to do so. I had heard through the grapevine that Jim Horn was conducting meetings in Denton to recruit a candidate for County Chairman and for State Representative, District 25 in late January 1980.

On February 3, 1980, Sunday, Bob Smith telephoned me again and insisted that we meet to discuss political matters. We agreed to meet at Sambo's Restaurant in Lewisville, Texas at 9:30 A. M. We met at the restaurant and had a cup of coffee. I was accompanied by my four year old son, John. Smith was alone.

Smith said that he represented Jim Horn and Ben Campbell. Ben Campbell was solicited by Jim Horn as candidate for Republican County Chairman. Jim Horn was unannounced candidate for State Representative, district 25. Smith said that he represented a group of Denton financial contributors who were unhappy with my performance as County Chairman. During my tenure as County Chairman, I did not meet any of these financial contributors who were unhappy with my performance. Smith asked me to resign as Republican County Chairman immediately before the filing deadline on February 4, 1980, and recommend that the Republican County Executive Committee appoint Ben Campbell to fill my unexpired term. Campbell had never served the Republican Party of Denton County in any capacity as election worker, precinct chairman, or any other duties normally associated with a political party. Smith further insisted that I personally be responsible for making Bryan Walker withdraw from the primary race for State Representative, District 25 as a candidate. Smith said that Jim Horn did not want to run in contested primary because it would cost too much and reduce the number of volunteers available to him and reduce campaign funds for him.

Smith further stated that if I accepted his offer to resign and if I persuaded Bryan Walker to withdraw from the primary race as a candidate, he was ready, willing, and able to contribute \$7,000.00 to the County Executive Committee treasury immediately. In addition to the \$7,000.00, he said that he had a wealthy financial contributor that would buy a headquarters building for the party's use. The party would repay this individual in monthly installments until the note was paid off. Smith claimed that he ^{had} pledges from several individuals to make monthly contributions to the party to pay off the building.. I asked him for the names of these individuals. He would not divulge the names of these persons to me. He claimed that twenty one persons had pledged the \$7,000.00.

I refused Smith's offer because the offer sounded like a deliberate attempt to offer me, as a party official, a bribe and compromise my position as County Chairman. I believed that the Republican voters wanted a Chairman with political integrity and honesty, and I preserved that integrity and honesty for them. The Republican Party did not receive any funds from this group of persons.

William Berka
July 30, 1980

William Berka (Former Republican County Chairman (1977-1980))
1709 Marblehead
Lewisville, Texas 75067
214/221-3264

Names of persons that have knowledge concerning this allegation.

Jim Horn
1806 Southridge
Denton, Texas 76201
817/382-5567

Ben Campbell
4718 Lloyd
Lewisville, Texas 75028
214/221-3104

James P. Neill
1907 Cindy Lane
Denton, Texas 76201
817/382-0835

George Holladay
1913 Hollyhill
Denton, Texas 76201
817/387-8035

Jerry Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Nedra Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Joann Smith
Route 4, Hidden Valley
Denton, Texas 76201
817/497-2730

Donald H. Stone
3015 Thunderbird
Denton, Texas 76201
817/382-6120

Johnia Everett
Rt 4, Box 263
Denton, Texas 76201
817/497-2965

SINGLE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for said County and state, on this day personally appeared William Berka, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of July,
A. D. 19 10.

Rebecca Simms
Notary Public In and For Denton
County, Texas

30040214353

STATEMENT

On Saturday, February 2, 1980, I received a telephone call from Bob Smith, who resides at Route 4, Hidden Valley, Denton, Texas 76201, 817/497-2730, to talk to me. I refused to do so. I had heard through the grapevine that Jim Horn was conducting meetings in Denton to recruit a candidate for County Chairman and for State Representative, District 25 in late January 1980.

On February 3, 1980, Sunday, Bob Smith telephoned me again and insisted that we meet to discuss political matters. We agreed to meet at Sambo's Resturant in Lewisville, Texas at 9:30 A. M. We met at the resturant and had a cup of coffee. I was accompanied by my four year old son, John. Smith was alone.

Smith said that he represented Jim Horn and Ben Campbell. Ben Campbell was solicited by Jim Horn as candidate for Republican County Chairman. Jim Horn was unannounced candidate for State Representative, district 25. Smith said that he represented a group of Denton financial contributors who were unhappy with my performance as County Chairman. During my tenure as County Chairman, I did not meet any of these financial contributors who were unhappy with my performance. Smith asked me to resign as Republican County Chairman immediately before the filing deadline on February 4, 1980, and recommend that the Republican County Executive Committee appoint Ben Campbell to fill my unexpired term. Campbell had never served the Republican Party of Denton County in any capacity as election worker, precinct chairman, or any other duties normally associated with a political party. Smith further insisted that I personally be responsible for making Bryan Walker withdraw from the primary race for State Representative, District 25 as a candidate. Smith said that Jim Horn did not want to run in contested primary because it would cost too much and reduce the number of volunteers available to him and reduce campaign funds for him.

Smith further stated that if I accepted his offer to resign and if I persuaded Bryan Walker to withdraw from the primary race as a candidate, he was ready, willing, and able to contribute \$7,000.00 to the County Executive Committee treasury immediately. In addition to the \$7,000.00, he said that he had a wealthy financial contributor that would buy a headquarters building for the party's use. The party would repay this individual in monthly installments until the note was paid off. Smith claimed that he had pledged from several individuals to make monthly contributions to the party to pay off the building.. I asked him for the names of these individuals. He would not divulge the names of these persons to me. He claimed that twenty one persons had pledged the \$7,000.00.

I refused Smith's offer because the offer sounded like a deliberate attempt to offer me, as a party official, a bribe and compromise my position as County Chairman. I believed that the Republican voters wanted a Chairman with political integrity and honesty, and I preserved that integrity and honesty for them. The Republican Party did not receive any funds from this group of persons.

William Berka
July 30, 1980

William Berka (Former Republican County Chairman (1977-1980))
1709 Marblehead
Lewisville, Texas 75067
214/221-3264

30040214354

Names of persons that have knowledge concerning this allegation.

Jim Horn
1806 Southridge
Denton, Texas 76201
817/382-5567

Ben Campbell
4718 Lloyd
Lewisville, Texas 75028
214/221-3104

James P. Neill
1907 Cindy Lane
Denton, Texas 76201
817/382-0835

George Holladay
1913 Hollyhill
Denton, Texas 76201
817/387-8035

Jerry Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Nedra Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Joann Smith
Route 4, Hidden Valley
Denton, Texas 76201
817/497-2730

Donald H. Stone
3015 Thunderbird
Denton, Texas 76201
817/382-6120

Johnia Everett
Rt 4, Box 263
Denton, Texas 76201
817/497-2965

20010214355

SINGLE ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DENTON

BEFORE ME, the undersigned, a Notary Public in and for said County and state, on this day personally appeared William Berka, known to me to the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 31st day of July,
A. D. 19 19.

Arthur Sima
Notary Public In and For Denton
County, Texas

30040214356

STATEMENT

On Saturday, February 2, 1980, I received a telephone call from Bob Smith, who resides at Route 4, Hidden Valley, Denton, Texas 76201, 817/497-2730, to talk to me. I refused to do so. I had heard through the grapevine that Jim Horn was conducting meetings in Denton to recruit a candidate for County Chairman and for State Representative, District 25 in late January 1980.

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William Berka
July 30, 1980

William Berka (Former Republican County Chairman (1977-1980))
1709 Marblehead
Lewisville, Texas 75067
214/221-3264

30010214357

Names of persons that have knowledge concerning this allegation.

Jim Horn
1806 Southridge
Denton, Texas 76201
817/382-5567

Ben Campbell
4718 Lloyd
Lewisville, Texas 75028
214/221-3104

James P. Neill
1907 Cindy Lane
Denton, Texas 76201
817/382-0835

George Holladay
1913 Hollyhill
Denton, Texas 76201
817/387-8035

Jerry Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Nedra Mitchell
3300 Santa Monica
Denton, Texas 76201
817/382-6553

Joann Smith
Route 4, Hidden Valley
Denton, Texas 76201
817/497-2730

Donald H. Stone
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Denton, Texas 76201
817/382-6120

Johnia Everett
Rt 4, Box 263
Denton, Texas 76201
817/497-2965

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1277

Date Filmed 10/9/80 Camera No. --- 2

Cameraman LPC