



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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GRIFFIN & GRIFFIN
ATTORNEYS AT LAW
221 S. MAIN
VICTORIA, TEXAS 77901
(512) 573-1004

JOHN GRIFFIN, JR.
DAVID C. GRIFFIN

July 7, 1988

Lawrence Noble, Esq.
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, DC

Dear Mr. Noble:

This letter constitutes an official request for immediate action by the Federal Election Commission to require compliance by Congressman Mac Sweeney with the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended ("FECA").

INTRODUCTION

Mr. Sweeney has declared indifference to the law and the limits. In particular, he insists that campaign expenses paid directly on his behalf by wealthy supporters do not constitute "in kind" contributions, subject to the FECA. His position is that these contributions can be ignored and kept secret from the public FEC is assigned to protect. See the press clippings attached hereto. This is a threat to the integrity of the FECA, and also to the integrity of the 14th District Congressional election in Texas this November.

Sweeney's version of the law came to public attention when he made arrangements for an endorsement of his candidacy by former President Gerald Ford. Ford traveled to Sweeney's district for the occasion. He also charged a fee of \$10,000.00 - either because he required compensation or because he viewed it more as a commercial than a political endorsement. This fee, as well as costs of travel (\$2,800.00), were directly related to Sweeney's campaign and represented obligations incurred by the campaign.¹

¹ The high travel costs apparently include the expenses of Secret Service protection for the former President.

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FEDERAL ELECTION COMMISSION

Lawrence Noble, Esq.
Page 2
July 7, 1988

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Sweeney and his campaign representatives arranged to have wealthy supporters pay these obligations. Press reports, which are attached, confirm this. Sweeney does not deny these facts, at least not anymore.² He does deny the obvious legal conclusion that every penny paid to secure Ford's endorsement and appearance is an "in-kind contribution" to the Sweeney campaign. In fact, the contribution limitations apply, and so do the reporting requirements of federal law.

LEGAL ISSUES

The FECA broadly defines a "contribution" as:

any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office.

§ 431(8)(A)(i). Commission regulations define "anything of value" to include "all in-kind contributions." 11 C.F.R. 100.7(a)(1)(iii). The nature of in-kinds is explained in numerous FEC Advisory Opinions. See, e.g., AO 1986-30, Fed. Elec. Camp. Fin. Guide (CCH) § 5868 (August 21, 1986). By paying the costs of the Ford endorsement, something of value to candidate Sweeney, each of the individuals who did so made an indisputable "in-kind contribution." This contribution is not different than any other under the Act, and the public is entitled to know about it.

² Sweeney's campaign first confessed total involvement in arranging for third-party payment, then retreated. The response was, therefore, something less than candid, but now he concedes that "he arranged 'less than half a dozen' contributions, for Ford's benefit, to Ford's political action committee, the New Leadership Committee. He denies any knowledge of when the payments were made or of their amounts. Houston Chronicle, April 28, 1988 at p. 8 (Section 1.)

Lawrence Noble, Esq.
Page 3
July 7, 1988

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Sweeney disagrees. He insists that any payments made for Ford's appearance are no concern of the campaign and that the campaign will not report them. He will not voluntarily divulge details of the payments, including the names of the donors. Contrary to the explicit public statements of his own press aide, Sweeney rejects the suggestion that the payments were made to meet a condition of Ford's later appearance on his behalf. The press aide, he now says, "sort of misspoke himself." The Houston Chronicle, April 28, 1988, p. 8 (Section 1). Perhaps fearful of misspeaking himself, Sweeney will not speak, much less report, at all about these payments on his behalf. It is likely that the contributions themselves were illegal.

The facts known to date speak loudly for themselves. Sweeney has admitted that "less than a half a dozen" individuals provided the \$10,000.00. The arithmetic shows that at least one, probably more, paid more than a \$1,000.00 share. The Sweeney campaign, because it can accept only \$1,000.00 from any individual in the general election, obviously accepted excessive contributions from certain of these individuals. 2 U.S.C. 441a. This is nothing short of money laundering to benefit his candidacy.

There is an additional problem with Sweeney's explanation that the funding of the Presidential visits were "separate" from the campaign and thus not "in-kinds." Somehow, the visit was sufficiently connected to the campaign that the Sweeney Committee paid Ford's travel expenses. This payment of expenses was an acknowledgment by none other than Sweeney that the visit was campaign-related. Because this campaign-related visit involved both expenses and the fee for Ford's personal service, both fees and expenses must be paid as integral parts of the same campaign expense. If either or both are paid by third-parties, the result is a contribution in-kind which must be limited and reported under the federal law. Otherwise, Sweeney will have created a money laundering scheme to hide contributions.

Although the implication is obvious, it has not stopped the National Republic Congressional Committee ("NRCC") from coming to

Lawrence Noble, Esq.
Page 4
July 7, 1988

Sweeney's defense. Shortly after the story of Sweeney's misadventures broke in the Houston Chronicle, the NRCC issued a memorandum, dated May 2, 1988, over the name of its Western Field Representative. This memorandum suffers from the same anguished contradictions which have characterized Sweeney's accounts. In the second paragraph, NRCC attempts the argument that while Ford may well have demanded a fee from Sweeney as a condition of his appearance, it is not truly a condition. "In some instances, when Ford appears on behalf of a candidate," the memorandum reads, "he asks that a donation be made to one of his causes." In the immediate next sentence the memorandum suggests that appearances are misleading: "However, (this request) should not be interpreted as a quid pro quo." The memorandum does not suggest why it should not be interpreted as a quid pro quo when, apparently, Ford's request for a donation is made in conjunction with, and to all appearances, in consideration of his appearance on behalf of the candidate.

This is only the first of the NRCC arguments. The second, which is very different, is that Ford did not request a donation but that Sweeney offered it. This, the memorandum states, Sweeney did because "of his long-term relationship with Ford." This explanation not only contradicts the first, but it is inconsistent with the account of both Sweeney and his press secretary. The latter, a Mr. Alexieff, has stated flatly that Ford demanded the payment as a condition of his appearance, while Sweeney has admitted his active involvement in securing the donation but has denied, as a matter of federal election law, that it makes any difference. At no time did Sweeney suggest that he was seized with a charitable impulse and raised this money on his own initiative -- as a matter separate from the campaign and free of any obligation imposed him by President Ford. In any event, whether there was a quid pro quo or not, the money paid to Ford certainly was made to influence the election.

CONCLUSION

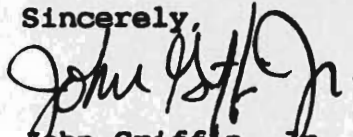
It appears on these facts that, at a minimum, a Commission investigation is warranted. If Sweeney truly believes that in

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Lawrence Noble, Esq.
Page 5
July 7, 1988

these circumstances there has occurred no in-kind contribution, there may be other similar cases where Sweeney launders money for his campaign and ignores it for FECA limitation and reporting purposes. His campaign should be set on the proper course, both in the matter of the Ford appearance and in all similar matters where Sweeney shows disregard for election law requirements. The integrity of our election process is threatened when candidates seek means to avoid the law by this sort of money laundering scheme. It is our hope that the Commission will take action with respect to Mr. Sweeney to ensure honest and fair elections.

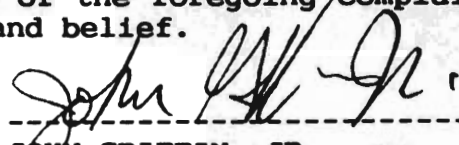
Sincerely,


John Griffin, Jr.

JGjr:vlb

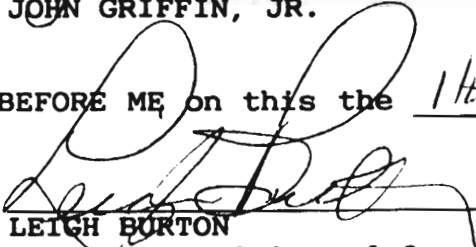
THE STATE OF TEXAS §
COUNTY OF VICTORIA §

BEFORE ME, the undersigned authority, on this date personally appeared JOHN GRIFFIN, JR., who is known to me and who, after having first been duly sworn by me under oath, stated and deposed that each and all of the foregoing complaint is true and correct upon information and belief.



JOHN GRIFFIN, JR.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 11th day of July, 1988.


LEIGH BURTON
NOTARY PUBLIC in and for
The State of Texas

My Commission Expires: 06/12/89

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Backers' Pay to Ford

Sweeney Won't Include \$10,000

HOUSTON (AP) — Rep. Mac Sweeney said his campaign finance report will not include a \$10,000 payment some of his backers made to former president Gerald Ford, who attended a fund-raiser for Sweeney and has endorsed his campaign.

The payment could be viewed by the Federal Election Commission as a violation of federal law if the Wharton congressman does not include it on his campaign finance report due in mid-July.

A commission spokeswoman suggested that Sweeney should report it because he received something of value from Ford's appearance, mainly his endorsement, the Houston Chronicle reported Wednesday.

But Sweeney said last week he considered the backers' efforts to be separate from his re-election campaign and would not report the contributors' names.

Sweeney, whose campaign was about \$70,000 in debt March 31, said he asked less than half a dozen of his backers to pay the money.

His campaign paid about \$2,800 in expenses for Ford and a Secret Service agent for the April 18 fund-raiser in Wharton, the Houston Chronicle reported.

In a memo to the press secretaries of the 10 House Republicans from Texas, an official of the National Republican Campaign Committee urged them to support Sweeney's assertion that the payment was made only as a courtesy to Ford for his previous support, the Chronicle reported.

"In some instances, when Ford appears on behalf of a candidate, he asks that a donation be made to one of his causes. However, it should not be interpreted as a quid pro quo," wrote Mark Maddox, the committee's western field representative, who monitors House campaigns in Texas.

In Sweeney's case, the money went to Ford's political action committee, according to Ford's executive assistant, Penny Circle.

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THE POLITICS PAGE

THE VICTORIA ADVOCATE, Thursday, May 5, 1988-7A

Backers' Pay to Ford

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Ex-President Ford Gets \$10,000 'Fee' For Role in Texas Fund-Raising Event

A politician caught in a spate of adverse publicity can offer the excuse of good intentions. But getting caught a second time for a similar action suggests either bad judgment or rampant hubris.

For the second time in three years, former President Ford appeared at a campaign fund-raiser for Rep. Mac Sweeney, R-Texas, and received a large payment that generated considerable local news coverage. In 1985, Sweeney reportedly spent about \$30,000 for Ford's expenses on a visit to his district. For a Ford visit last month, Sweeney arranged for some of his campaign contributors to pay at least \$10,000 to Ford, with the money apparently directed either to Ford's political action committee or his wife's drug and alcohol rehabilitation clinic. Sharon Snyder, a Federal Election Commission (FEC) spokeswoman, said the donors' money could be considered an in-kind contribution to Sweeney because the candidate received "something of value from Ford's visit."

Democrats, who say that Sweeney is one of the most endangered Republican incumbents this year, were quick to take advantage of the incident. A campaign aide, recalling Ford's reported agreement in 1984 to speak on behalf of Republican House candidates in exchange for donations of



Former President Ford

culated a copy of a recent memorandum from the National Republican Congressional Committee (NRCC) advising press secretaries for Texas Republicans on how to handle the issue.

"In some instances, when Ford appears on behalf of a candidate, he asks that a donation be made to one of his causes," according to the internal NRCC memorandum. "However, it should not be interpreted as a quid pro quo. The truth of the matter is that the Democrats are trying to discredit Ford because he is one of our most effective fund-raising draws."

Sweeney apparently needs the estimated \$10,000 that he cleared from the Ford event. His latest report filed with the FEC showed that he had \$46,076 in cash on hand and \$69,276

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Houston Chronicle

Wednesday
May 4, 1988

Section 1, Page 7

Fund-raisers try to limit Ford payment fallout

By JAMES R. PIEROBON
Houston Chronicle Washington Bureau

WASHINGTON — House Republican fund-raisers are seeking to limit the political fallout from a \$10,000 payment by backers of Rep. Mac Sweeney, R-Wharton, in connection with former President Ford's endorsement of Sweeney's re-election bid.

In a memo to the press secretaries of the 10 House Republicans from Texas, an official of the National Republican Campaign Committee urged them to support Sweeney's assertion that the payment was made only as a courtesy to Ford for his previous support.

"In some instances, when Ford appears on behalf of a candidate, he asks that a donation be made to one of his causes. However, it should not be interpreted as a quid pro quo," wrote Mark Maddox, the NRCC's western field representative, who monitors House campaigns in Texas.

The causes included a drug rehabilitation clinic founded by Ford's wife, Betty, his presidential library in Grand Rapids, Mich., and his political action committee. The Gerald R. Ford New Leadership Committee. In Sweeney's case, the money went to Ford's PAC, according to Ford's executive assistant, Penny Circle.

Some aides to Republican lawmakers in Washington viewed the memo as an attempt to perform

some "damage control" on questions prompted by the \$10,000 payment.

The Republican committee did not follow through on a staff member's pledge Tuesday to "clear the air" about the payment by making Ford or the director of his PAC available for comment.

Sweeney, whose campaign was about \$70,000 in debt March 31, said he asked "less than a half dozen" backers of his to pay the money.

On six trips to Texas he has made since 1980 for other candidates, Ford was paid only for his travel expenses, representatives of five Texas House members said.

Sweeney's campaign paid about \$2,800 in expenses Ford and a Secret Service agent for the April 18 fundraiser in Wharton.

The \$10,000 payment could be viewed by the Federal Election Commission as a violation of federal law if the congressman does not include it on his campaign finance report due in mid-July. An FEC spokeswoman suggested that Sweeney should report it because he received something of value from Ford's appearance, mainly his endorsement.

Sweeney said last week he considered their efforts to be separate from his re-election campaign and would not report the contributors' names.

Sharon Sheldon, who handles Ford's appearances on behalf of candidates, said some candidates decide how to express "their thanks" by paying Ford directly or contributing to one of his causes.

"We welcome the contribution. If they want to pay him directly, they can pay him directly," Sheldon said by telephone from Rancho Mirage, Calif., where Ford lives.

Asked if direct payments or contributions are expected in return for some of Ford's appearances, or discussed as a condition of an appearance, Sheldon would say only, "I couldn't answer for President Ford."



Sweeney



Ford

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EDITORIAL

Matter of appearances

Appearances count — nowhere more than in politics. Former President Gerald Ford shouldn't create the impression that he is endorsing political candidates for money.

Rep. Mac Sweeney, R-Texas, denies that \$10,000 he contributed to Ford's political action committee was payment for the former chief executive's campaign assistance and recent endorsement. The Wharton congressman insists that Ford never asked him for any money. Sweeney raised it voluntarily, he says, to benefit such causes as the Ford Presidential Library and the Betty Ford Clinic.

Nevertheless, the timing of the gift and the endorsement raises the suspicion of a *quid-pro-quo* connection that reflects more adversely on the endorser than on the endorsed. Ford could have foregone the \$10,000 — for appearances' sake.

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Sweeney payment to Ford questioned

Donations made after appearance

HOUSTON (AP) — Payments of at least \$10,000 to former President Gerald Ford were a courtesy and not a condition of his appearance at a fund-raiser where he endorsed U.S. Rep. Mac Sweeney, the two-term Republican congressman said.

But last week, Mike AlexiEFF, Sweeney's campaign press aide, said Sweeney's campaign made the payment to Ford as a condition of his appearance.

"Mike sort of misspoke himself," Sweeney told the Houston Chronicle's Washington bureau.

"There was no requirement, no stipulation" that the payments be made for Ford's participation at an April 18 fund-raiser in Wharton, Sweeney said.

The congressman said he had arranged for a small number of his donors to contribute either to Ford's presidential library, a drug and alcohol rehabilitation clinic organized by Ford's wife, Betty, or Ford's political action committee.

Sweeney insisted his campaign

was not involved in raising the Ford money, but AlexiEFF told the El Campo Leader-News in a story published Wednesday that Sweeney's "staff assisted in raising" the money.

The money went to Ford's PAC, the New Leadership Committee, according to Ford's executive assistant, Penny Circle.

Sweeney refused to identify the donors. He said he would not include them in a campaign finance report scheduled in late July because, he contended, they were not involved with the campaign.

The Federal Election Commission might view the money raised for Ford's causes differently.

"As far as election law is concerned, (the payment) should be considered a contribution, or an in-kind contribution, because (the campaign) received something of value from Ford's visit," said Sharon Snyder, an FEC spokeswoman.

Federal election law defines a contribution as a "gift of cash or anything of value," such as an appearance, or endorsement, by a former president, she said.

Depending on the FEC view, if any of the contributors gave more than \$1,000 toward the Ford payment, it also could raise the issue of donation limits. Individuals can contribute no more than \$1,000 to a candidate for each election.



SWEENEY

91040873311

Sweeney denies fund raising paid for Ford's endorsement

By John Gravols
POST POLITICAL WRITER

Wharton Congressman Mac Sweeney raised \$10,000 for former President Gerald Ford's political action committee, but Sweeney denied Thursday the money amounted to a payment for Ford's recent campaign appearance for him.

Sweeney, a Republican seeking his third two-year term, said Ford has been helping him on the campaign trail and on Capitol Hill for three years. During that time, Ford made five campaign appearances on behalf of Sweeney, helping the congressman raise about \$150,000.

Ford's latest appearance on April 18 in Wharton came on the heels of Sweeney's fund-raising effort that netted \$10,000 for the former president's PAC. Sweeney said he raised the money by calling several of his key supporters and asking them to help Ford's various causes, including the Gerald Ford Presidential Library and the Betty Ford Clinic.

"The \$10,000 contribution "in no way was a condition of his appearance on my behalf," Sweeney in-

sisted. "Gerald Ford has never asked me for a dime for anything."

He described the contribution as an effort to repay Ford for all the help he received over the past three years.

"I decided to help President Ford help other people," said Sweeney, whose sprawling 14th



SWEENEY:
Congressman

Congressional District is bounded roughly by the Gulf Coast to the south, Harris and Fort Bend counties to the east, College Station to the north and San Antonio to the west.

However, to some people — including Sweeney's Democratic opponent, Greg Laughlin — it appeared as if Ford was paid to go to Wharton and endorse the congressman.

"He's played games with money before," Laughlin said of Sweeney. "To me, if Mr. Sweeney is going to be going around saying he's been

endorsed by Ford, he ought to be telling people that he paid for it."

Laughlin said he's skeptical of Sweeney's explanation, especially because one of the congressman's aides told reporters last week that the payment was a condition of Ford's appearance. "It certainly sounds like damage control to me," said Laughlin, who also ran against Sweeney in 1986.

Sweeney said his aide "mis-spoke" when explaining the situation last week.

Ford's executive assistant, Penny Circle, supported Sweeney's explanation. When asked whether the \$10,000 contribution served as payment for Ford's endorsement, Circle said, "Of course not."

Circle described the controversy that has blown up over the contribution as "ridiculous."

"We think it's been blown way out of proportion," she said.

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Sweeney's Ford 'Pay' Questioned

Contradicting one of his aides, U.S. Rep. Mac Sweeney, R-Wharton, said payments of at least \$10,000 to former President Gerald Ford were a courtesy and not a condition for Ford's appearance at a fund-raiser for the congressman recently in Wharton, the Associated Press reported Thursday.

"There was no requirement, no stipulation" that the payments be made for Ford's participation at an April 18 fund-raiser in Wharton in which Ford endorsed Sweeney, the two-term Republican congressman told the Houston Chronicle's Washington bureau.

But last week, Mike Alexieff, Sweeney's campaign press aide, said Sweeney's campaign made the payment to Ford as a condition of his appearance.

"Mike sort of misspoke himself," said Sweeney who is being challenged for a second time by Democrat Greg Laughlin of West Columbia in the November general election.

Sweeney said he had arranged for a small number of his donors to contribute either to Ford's presidential library, a drug and alcohol rehabilitation clinic organized by Ford's wife, Betty, or Ford's political action committee.

In this case, the money went to Ford's PAC, the New Leadership Committee, according to Ford's executive assistant, Penny Circle.

Sweeney refused to identify the donors. He said he would not include them in a campaign finance report scheduled in late July because, he contended, they were not involved with the campaign.

The Wharton congressman acknowledged that he has been a "direct beneficiary" of Ford's presence in the 14th District dating back to his first run for the U.S. House in 1984.

Sweeney insisted his campaign was not involved in raising the Ford money, but the El Campo Leader-News quoted Alexieff as saying earlier that Sweeney's "staff assisted in raising" the money.

The Federal Election Commission might view the money raised for Ford's causes differently than Sweeney, the AP report noted.

"As far as election law is concerned, (the payment) should be

(See SWEENEY, Page 12A)

Victoria Advocate
April 29, 1988

SWEENEY

(Continued from Page 1A)

considered a contribution, or an in-kind contribution, because (the campaign) received something of value from Ford's visit," said Sharon Snyder, an FEC spokeswoman.

Federal election law defines a contribution as a "gift of cash or anything of value," such as an appearance, or endorsement, by a former president, she said.

Depending on the FEC view, if any of the contributors gave more than \$1,000 toward the Ford payment, it also could raise the issue of donation limits. Individuals can contribute no more than \$1,000 to a candidate for each election.

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Campaign '88

Sweeney says aide wrong on Ford 'payment'

By JAMES R. PIEROBON
Houston Chronicle Washington Bureau

WASHINGTON — Rep. Mac Sweeney, R-Wharton, contradicting an aide, said Wednesday that payments of at least \$10,000 to Gerald Ford were made as a courtesy — and not a condition of the former president's appearing at fund-raiser where he endorsed Sweeney.

"There was no requirement, no stipulation" that the payments be made for Ford's participation in event at Wharton on April 18, Sweeney said.

Mike Alexieff, Sweeney's campaign press aide, said last week that the congressman's campaign made a \$10,000 payment to Ford as a condition of his appearance.

"Mike sort of misspoke himself," Sweeney said.

The congressman said he arranged for "less than half a dozen" of his donors, some of whom have raised money for the two-term congressman before, to contribute either to Ford's presidential library, a drug and alcohol rehabilitation clinic organized by Ford's wife Betty or Ford's political action committee.

In this case, the money went to Ford's PAC, the New Leadership Committee, according to Ford's executive assistant, Penny Circle.

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Mac Sweeney

Ford's causes differently.

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Depending on the FEC view, if any of the contributors gave more than \$1,000 toward the Ford payment, it could also raise the issue of donation limits. Individuals can contribute no more than \$1,000 to a candidate for each election.

Sweeney acknowledged that he has been a "direct beneficiary" of Ford's presence in the district dating back to his first run for Congress in 1984. But the congressman tried to distance himself from the payment.

He said he did not know when the payment was made or if more than \$10,000 had been raised on Ford's behalf. He said he contacted the donors during the months leading up to the April 18 event.

91040873314



Mac Sweeney with President Ford last week.

Ford's political action committee earned \$10,000 'courtesy' for endorsing Sweeney

By RICHARD GOLDSMITH

Whether or not former President Gerald Ford was paid \$10,000 to appear for Congressman Mac Sweeney in Wharton last week is open to interpretation.

Ford made a 90-minute appearance for Sweeney April 18 at the home of Myrtis and Dr. Boulton Outlar Jr. Ford endorsed Sweeney in his speech before approximately 500 persons. His visit and endorsement were duly reported in local papers, including the Leader-News.

At the event, Sweeney said expenses for Ford's appearance were approximately \$4,000 to \$5,000 and no mention was made of a payment to Ford. The next day, Sweeney's Campaign Press

Secretary Michael Alexieff said to the best of his knowledge Ford was not paid for the appearance.

The Leader-News was then surprised to learn from Saturday's Houston Chronicle of a \$10,000 payment to Ford's political action committee in connection with the Sweeney appearance.

The Chronicle story, written by Washington Bureau Reporter James Pierobon, said that the \$10,000 was "a condition" for Ford's appearance with Alexieff given as the source for the information.

Pierobon said he had called the Sweeney campaign after he failed to find campaign expense reports filed with either the Federal Election Commission or the Clerk of

the U.S. House. Questions about campaign finance matters brought up the subject of Ford's appearance and Pierobon said he was told Ford was paid a \$10,000 "honorarium."

However, Alexieff said Monday that the payment was not a condition for Ford's visit and that the information he gave to Pierobon in that regard was incorrect.

Alexieff said the payment to the Gerald R. Ford New Leadership Committee was "a courtesy" to Ford for his appearance.

"As a courtesy to the former president our staff assisted in raising approximately \$10,000 for Ford's PAC. Ford agreed to appear with no discussion — other than paying his expenses to

come down here — of raising any money for him or his PAC. It was a courtesy that the campaign staff did as a way of saying thank you for Ford's current and past very strong support for us," Alexieff said.

He said he didn't know if Ford was aware when he made the appearance that \$10,000 had been contributed to his PAC.

He said the money did not come out of Sweeney's campaign fund, but was given to Ford's PAC by individual contributors at the request of Sweeney and his staff.

"They were supporters of ours who also support what the presi-

(See SOURCE, Page 3)

Wednesday, April 27, 1988 El Campo Leader-News

ology specializes in research on McNamara decided to let the

more contributive, more positive

DR. RICHARD THOMAS

visited Moscow last October. He Union and Great B.

Source of Ford payment remains a mystery

Page 3-A

(Continued from Page 1)

dom (Ford) stands for," he said.

Alexieff said he did not know the names of those contributing the \$10,000.

"That \$10,000 did not come out of the money we raised at the Ford event. It did not come out of our existing funds. It has nothing to

do with us," he said.

Sharyn Sheldon, an aide to Ford and treasurer of his PAC, said Monday that whenever congressional or senate candidates request Ford to appear, they always offer to contribute to the PAC.

Sheldon said Ford in turn con-

tributes to campaigns which are faltering.

Asked if the \$10,000 payment was a condition of Ford's appearance she said, "Not to my knowledge and I'm the one who sets these little hummers up."

Sheldon refused to name the contributors of the \$10,000.

Instead she told the Leader-News to wait for the next quarterly report to be filed in Washington with the Federal Election Commission.

"What happens is when congressmen and senators request President Ford to attend fund-raisers and benefits on their

behalf, they offer to contribute to his political action committee for his time invested in them. He in turn makes contributions to campaigns that are faltering and need some financial assistance," she said.

"There's nobody out there saying if you don't pay it we're not

going to be there. It's my responsibility to make certain the funds get in, but they've always made the offer of making a contribution," she said.

Efforts to learn the names of those giving the \$10,000 were unsuccessful.

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Wednesday, April 27, 1988

Sweeney's office denies allegation

by Ronald K. Sanders
News Editor

U.S. Rep. Mac Sweeney's campaign press secretary has denied a news report that the congressman's re-election campaign paid a \$10,000 "honorarium" to former President Gerald R. Ford to appear at an April 18 fund raiser here.

"It was not given to Gerald R. Ford," said Sweeney campaign press secretary Mike Alexieff of the so-called \$10,000 payment. "It was not offered. Nor was it given."

Saturday's *Houston Chronicle* alleged that the \$10,000 was paid to the former president as a condition for his appearance at the fund

raising event.

Attended by some 500 guests, the fund raiser was held at the home of Dr. and Mrs. Bolton Outlar Jr.

"If anyone thinks Gerald R. Ford put that money in his hip pocket he is sadly mistaken," said Sharon Sheldon, Ford's secretary and political action committee

treasurer.

Alexieff said the only out-right payment to Ford is for his trip expenses and Secret Service protection.

However, Alexieff did acknowledge that the Sweeney campaign assisted in raising \$10,000 which was contributed to Ford's

See PAC, Page A6

• PAC gives
to campaign

Continued from Page A1
political action committee.

The PAC, called the Gerald R. Ford New Leadership Committee, makes contributions to Republican senatorial and congressional candidates such as Sweeney.

Sweeney has received Ford PAC money in his previous campaigns, and the PAC treasurer said Sweeney is likely to receive money this year as Sweeney seeks a third term in the U.S. House of Representatives.

The \$10,000 donation to Ford's PAC "was something we did as a courtesy," said Alexieff. It was for all Ford has done to help Sweeney in Sweeney's previous campaigns.

"He (Ford) has never asked for an honorarium," Alexieff said. "He has always enthusiastically supported the congressmen in the past, and we hope he will continue to do so."

Sheldon, Ford PAC committee treasurer, said it is likely that the PAC has contributed nearly \$10,000 to Sweeney's prior campaigns.

She confirmed Alexieff's report that the \$10,000 contribution from Sweeney's campaign was deposited into the account of Ford's PAC.

She said Ford does not personally accept honorariums when his appearance is of a political nature.

Sweeney had mentioned the honorarium when he wrote a letter inviting the former president to speak in Wharton, Sheldon said, adding that politicians implicitly understand that such honorariums are given to PACs and not to politicians.

Ford's PAC money is circulated to the Republican campaigns of senators and congressmen who need financial help, Sheldon said. The goal is to "circulate money to build a stronger America," she added.

CAMPAIGN '88

Sweeney paid \$10,000 to Ford for appearance

By JAMES R. PIEROBON
Houston Chronicle Washington Bureau

WASHINGTON — Rep. Mac Sweeney, R-Wharton, touted a decision by former President Ford to endorse him at a hometown fund-raiser Monday, but an aide to the congressman confirmed Friday that Sweeney's campaign paid Ford \$10,000 for the appearance.

The \$10,000 "honorarium" was a condition for Ford's appearance, Mike Alexieff, Sweeney's campaign press secretary, said.

Alexieff said Sweeney's campaign committee also would reimburse Ford

for travel expenses incurred by him and a Secret Service agent who accompanied him. The expenses, including round-trip, first-class air travel from California, likely totaled about \$2,800.

Campaigns often pay expenses for well-known politicians who make appearances for candidates, but at least one Republican Party professional said the payment of a fee to Ford appeared to be unusual.

"I've never heard of (Ford) charging campaigns except for his expenses," said Sam Richardson, a spokesman for the National Republican Congressional Committee. He said, however, that honorarium payments to Ford are "negotiable."

Ford, who lives in Rancho Mirage, Calif., could not be reached for comment. His executive assistant, Penny Cle, said she was told the money would be deposited in his political action committee fund.

Donald K. Sanders, news editor of the Wharton Journal Spectator, a weekly newspaper, said he be-

lieved people at the event would be surprised Ford was paid for the endorsement.

"I don't think there was any impression that Ford was paid," Sanders said. "I don't think it crossed anyone's mind. I think people believe he did it out of his own political judgment."

In a late-March press release touting the Ford appearance, Sweeney said, "Rarely does a former president of the United States agree to travel to the heartland of our country. Most prefer to visit only the large cities."

Ford has visited the 14th Congressional District on Sweeney's behalf two previous occasions, Alexieff said.

Alexieff said the early evening reception, at the home of Dr. Bolton Outlar Jr., drew about 600 persons. Attendees were asked to make a contribution of at least \$25 to Sweeney's campaign.

In its first quarter 1988 report, Sweeney's campaign committee reported that it was almost \$70,000 in debt. The committee reported that Sweeney raised \$109,000 during the first three months of the year and spent about \$71,000. The two-term congressman, who narrowly barely beat his Democratic opponent two years ago, finished repaying his 1986 campaign debts April 1, Alexieff said. Alexieff added that Sweeney had about \$33,000 after he paid a loan from the Wharton Bank & Trust Co. April 1.

Greg Laughlin, who ran against Sweeney in 1986 and faces him again this year, said he respected Ford's right to charge an appearance fee. "But to me it's no rare event to pay someone \$10,000 to say some nice words about someone," Laughlin said.

Laughlin's campaign report showed he had debts of about \$81,000 on March 31. Laughlin's cash on hand was about \$13,000.



Sweeney

91040873317

THE VICTORIA ADVOCATE

VICTORIA, TEXAS, 77901, TUESDAY, APRIL 19, 1966

PAGE 1

Ex-President Ford Endorses Sweeney

Advocate News Service

WHARTON — A crowd of 600 friends and supporters of U.S. Rep Mac Sweeney, R-Wharton, Monday heard former U.S. President Gerald R. Ford praise the two-term legislator, saying "It's vitally important for Mac to be re-elected."

Ford spoke at a reception at the home of Dr. and Mrs. L. Bolton Outlar Jr. of Wharton.

Ford emphasized the fact that Congressman Sweeney has been on the House Arms Services Committee since his freshman term.

"This part of Texas has a vital interest in someone who represents their military installation," Ford said.

Ford also recounted Sweeney's service on the Merchant Marine and Fisheries Committee, saying, "You have more than 200 miles of coastline in this Congressional District, so Mac is on the right committee to do the job on behalf of all 22 counties."

Sweeney has established himself among his peers in the nation's capital, according to Ford, who served 25 years in Congress before becoming president.

"Mac now is in a position where your investment in him as a member of the House can start to pay bigger and bigger dividends for the district," Ford said.

"The longer you are in the legisla-

ture the more you are respected by your colleagues and the more influence you have. As a consequence, you 550,000 constituents are the beneficiaries," the former president said.

Turning to the national political scene, Ford admitted the republicans have a "tough year ahead. I happen to think the national elections are going to be very close."

However, he predicted Republican presidential candidate George Bush would emerge as a "first class candidate and could win with the help of people like yourself all over the country."

Looking at Sweeney, Ford said, "You have a first class outstanding young member of the House of Representatives here. Send him back to Washington and he'll do in the future the same kind of first class job he has done in the past."

Outlar, who hosted the former president, said, "I think it is a singular honor to get a president of the United States to come here."

Outlar delivered Sweeney's son, Stuart, six months ago. Thirty-two years ago, Outlar's father, the late L. Bolton Outlar Sr., delivered Sweeney.

Ford advised that his wife, Betty, had been ill and was unable to attend.

91040373318



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 19, 1988

John

Mr. John Griffin, Jr.
221 S. Main
Victoria, TX 77901

RE: MUR 2644

Dear Mr. Griffin:

This letter acknowledges receipt of your complaint, received on July 12, 1988, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Texans For Sweeney and Miles Sweeney, as treasurer, and the Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2644. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
by [Signature]

By: Lois G. Lerner
Associate General Counsel

Enclosure
Procedures

91040373319



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 19, 1988

Myles Sweeney, Treasurer
Texans For Sweeney
PO Box 1297
Round Rock, TX 78680

RE: MUR 2644
Texans For Sweeney
and Myles Sweeney, as
treasurer

Dear Mr. Sweeney:

The Federal Election Commission received a complaint which alleges that Texans For Sweeney and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2644. 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 you and Texans For Sweeney in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 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 completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

91040873320

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
by HGL

By: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

cc: Congressman David McCann (Mac) Sweeney
214 Mayfair Circle
Wharten, TX 77488

91040873321



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 19, 1988

Sharyn J. Sheldon, Treasurer
Gerald R. Ford - New
Leadership Committee
1200 19th Street, NW
Washington, DC 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee
and Sharyn J. Sheldon,
as treasurer

Dear Ms. Sheldon:

The Federal Election Commission received a complaint which alleges that the Gerald R. Ford - New Leadership Committee and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2644. 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 you and the Gerald R. Ford - New Leadership Committee in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

This matter will remain confidential in accordance with Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 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 completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

91040873322

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel

Lois G. Lerner
by HLL

By: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040873323

BCC K6

RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG -4 AM 11:06

August 1, 1988

Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
88 AUG -4 PM 12:33

Dear Mr. Noble:

This statement is in response to MUR 2644 for your analysis and review.

President Ford has appeared on my behalf on five separate occasions in five separate cities in less than a three and one-half year period of time. This might be unusual, but surely not illegal, especially where an abiding personal friendship has developed--a friendship that has also prompted the former President to assist me in my capacity as a U.S. Congressman in Washington by providing advice and other help.

To suggest that President Ford's "endorsement" of me represents a one-time "in-kind" contribution suggests in turn that I have not held former President Ford's continuous endorsement since announcing for Congress in 1984--an allegation which is patently untrue.

To suggest that President Ford has appeared on my behalf only when money has been raised for any of his causes is not only a false allegation, but also an irresponsible slander of a former President who has appeared willingly without payment of any kind on my behalf. He in fact has made several contributions to my past campaigns.

On the occasion of all five visits the former President has asked only two things of me in an almost jocular fashion:

- a. "vote right"
- b. "win the election"

I can only assume that as I continue doing both of these things President Ford will agree in the future, as he has in the past, to appear voluntarily at political gatherings or fundraisers on my behalf.

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To my knowledge in every case except one, including the most recent case, the former President coordinates his visits to my district, which abuts Houston, with his regular visits to Houston's Texas Commerce Bank, on whose Board of Directors he sits.

Finally, where I find myself in a position to help the former President--help with any causes that are important to him and his family--I will also voluntarily commit of my time to do so out of a deep sense of appreciation and admiration for what Gerald Ford stands for, both as a former President of the United States and a nationally recognized public citizen interested in leaving a legacy well beyond his presidential years.

I would respectfully petition the Federal Election Commission to dismiss immediately a complaint based on partisan newspaper accounts, the suspicions or innuendos of election-year critics, the one-time misstatement of a junior campaign staffer employed at the office for less than three months, and the musings of a Victoria, Texas, Democratic County Chairman who has developed a most recent fetish for filings of frivolous election-year complaints.

The facts clearly speak for themselves. I will be happy to address this matter in person and under oath should it help expedite a prompt dismissal.

Respectfully submitted,

Mac Sweeney
Mac Sweeney
Member of Congress

91040373325

600# 20

GRIFFIN & GRIFFIN

ATTORNEYS AT LAW

221 S. MAIN

VICTORIA, TEXAS 77901

(512) 573-1004

RECEIVED
FEDERAL ELECTION COMMISSION

88 AUG -5 AM 11:04

JOHN GRIFFIN, JR.
DAVID C. GRIFFIN

July 25, 1988

Lawrence Noble, Esq.
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, DC

RECEIVED
FEDERAL ELECTION COMMISSION
88 AUG -5 PM 1:35

RE: MUR 2644

Dear Mr. Noble:

Thank you for your July 19, 1988 letter. Pursuant to your request that I forward additional information, I am enclosing a news account which shows that Congressman Sweeney has systematically been taking money from the Gerald R. Ford - New Leadership Committee in the past few years. In fact, Sharyn J. Sheldon, Treasurer of the Ford PAC, says that "Sweeney has received Ford PAC money in his previous campaigns and....is likely to receive money this year." She added that "it is likely that the PAC has contributed nearly \$10,000.00 to Sweeney's prior campaigns."

Of course, if Sweeney's supporters keep paying Ford PAC for Ford's appearance (three in the past four years), without Sweeney reporting them, and if Ford PAC contributes money to Sweeney, there is an on-going laundering scheme operating here.

For example, Mr. Temple Webber gave Sweeney \$1,000.00 on February 4, 1988, then he gave \$2,000.00 to Ford PAC six days before Ford's appearance in Wharton. If the PAC follows through and contributes the money to Sweeney this year, then Webber will have managed to circumvent the contribution limits as well as the disclosure requirements.

While it is immaterial whether or not Ford PAC gives money to Sweeney for purposes of whether Sweeney must report the payments to Ford PAC, it does suggest the motives of Sweeney's campaign.

Last, 2 U.S.C. § 431(8) defines contribution as being "the payment by any person of compensation for the personal service of another person which are rendered to a political committee without charge for any purpose." Certainly, when Sweeney's

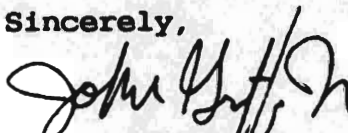
2104037526

Lawrence Noble, Esq.
Page 2
July 25, 1988

supporters paid Ford PAC for the Wharton appearance, it was for Ford's service to Texans for Sweeney whether or not Ford charged anything or not.

I hope this additional information assists the Commission in its inquiry.

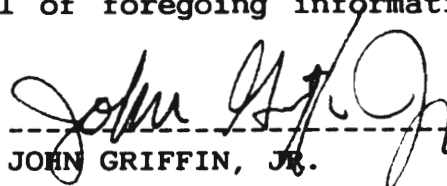
Sincerely,


John Griffin Jr.

JGjr:vlb
Enclosure

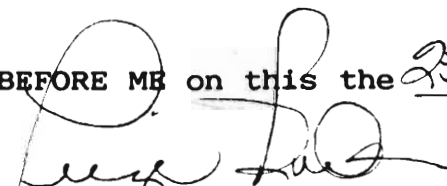
THE STATE OF TEXAS §
COUNTY OF VICTORIA §

BEFORE ME, the undersigned authority, on this date personally appeared JOHN GRIFFIN, JR., who is known to me and who, after having first been duly sworn by me under oath, stated and deposed that each and all of foregoing information is true upon information and belief.



JOHN GRIFFIN, JR.

SUBSCRIBED AND SWORN TO BEFORE ME on this the 25th day of July, 1988.



LEIGH BURTON
NOTARY PUBLIC in and for
The State of Texas

My Commission Expires: 06-12-89

91040373327

9 1 0 4 0 5 7 3 3 2 0
 Wednesday, April 27, 1988

Sweeney's office denies allegation

by Ronald K. Sanders
News Editor

U.S. Rep. Mac Sweeney's campaign press secretary has denied a news report that the congressman's re-election campaign paid a \$10,000 "honorarium" to former President Gerald R. Ford to appear at an April 18 fund raiser here.

"It was not given to Gerald R. Ford," said Sweeney campaign press secretary Mike Alexieff of the so-called \$10,000 payment. "It was not offered. Nor was it given."

Saturday's *Houston Chronicle* alleged that the \$10,000 was paid to the former president as a condition for his appearance at the fund

raising event.

Attended by some 500 guests, the fund raiser was held at the home of Dr. and Mrs. Bolton Outlar Jr.

"If anyone thinks Gerald R. Ford put that money in his hip pocket he is sadly mistaken," said Sharon Sheldon, Ford's secretary and political action committee

treasurer.

Alexieff said the only out-right payment to Ford is for his trip expenses and Secret Service protection.

However, Alexieff did acknowledge that the Sweeney campaign assisted in raising \$10,000 which was contributed to Ford's
 See PAC, Page A6

• PAC gives to campaign

Continued from Page A1

political action committee.

The PAC, called the Gerald R. Ford New Leadership Committee, makes contributions to Republican senatorial and congressional candidates such as Sweeney.

Sweeney has received Ford PAC money in his previous campaigns, and the PAC treasurer said Sweeney is likely to receive money this year as Sweeney seeks a third term in the U.S. House of Representatives.

The \$10,000 donation to Ford's PAC "was something we did as a courtesy," said Alexieff. It was for all Ford has done to help Sweeney in Sweeney's previous campaigns.

"He (Ford) has never asked for an honorarium," Alexieff said. "He has always enthusiastically supported the congressmen in the past, and we hope he will continue to do so."

Sheldon, Ford PAC committee treasurer, said it is likely that the PAC has contributed nearly \$10,000 to Sweeney's prior campaigns.

She confirmed Alexieff's report that the \$10,000 contribution from Sweeney's campaign was deposited into the account of Ford's PAC.

She said Ford does not personally accept honorariums when his appearance is of a political nature.

Sweeney had mentioned the honorarium when he wrote a letter inviting the former president to speak in Wharton, Sheldon said, adding that politicians implicitly understand that such honorariums are given to PACs and not to politicians.

Ford's PAC money is circulated to the Republican campaigns of senators and congressmen who need financial help, Sheldon said. The goal is to "circulate money to build a stronger America," she added.



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

88 AUG 17 AM 10:47

RECEIVED
FEDERAL ELECTION COMMISSION

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
BY: Lois Lerner *LL*
Associate General Counsel
SUBJECT: MUR 2644

91040873329

On July 12, 1988, John Griffin, Jr. filed a complaint with the Commission alleging that Texans for Sweeney and Miles Sweeney, as treasurer, and Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, had violated the Federal Election Campaign Act of 1971, as amended. The respondents were notified of this complaint on July 19, 1988. On August 5, 1988, John Griffin, Jr., the complainant, submitted the attached amendment to the complaint. A copy of this amendment, which contains allegations against W. Temple Webber, Jr. in addition to the aforementioned respondents, has been mailed to the respondents. Accordingly, the respondents have been given an additional 15 days to respond to the complainant's allegations.

After all responses have been received and reviewed, this Office will prepare and submit a report with appropriate recommendations.

Attachment
Amendment to complaint

Staff Person: Judybeth Greene



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

August 18, 1988

Mr. John Griffin, Jr.
Griffin & Griffin
221 S. Main
Victoria, Texas 77901

RE: MUR 2644

Dear Mr. Griffin:

This letter acknowledges receipt on August 5, 1988, of the amendment to the complaint you filed on July 12, 1988, against Texans for Sweeney and Miles Sweeney, as treasurer, and the Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer. The respondents, including Temple Webber, will be sent copies of the amendment. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in cursive script, appearing to read "Lois G. Lerner", written over a horizontal line.

BY: Lois G. Lerner
Associate General Counsel

9104087330



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 18, 1988

Myles Sweeney, Treasurer
Texans for Sweeney
P.O. Box 1297
Round Rock, TX 78680

RE: MUR 2644
Texans for Sweeney and
Myles Sweeney, as
treasurer

Dear Mr. Sweeney:

On July 19, 1988, you were notified that the Federal Election Commission received a complaint from John Griffin, Jr. alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On August 5, 1988, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure

cc: Congressman David McCann (Mac) Sweeney

9104087331



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 18, 1988

Ms. Sharyn Sheldon, Treasurer
Gerald R. Ford - New Leadership
Committee
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee
and Sharyn J. Sheldon,
as treasurer

Dear Ms. Sheldon:

On July 19, 1988, you were notified that the Federal Election Commission received a complaint from John Griffin, Jr. alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

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If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY:


Lois G. Lerner
Associate General Counsel

Enclosure

91040873332



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 18, 1988

Mr. W. Temple Webber, Jr.
2933 Del Monte
Houston, Texas 77019

RE: MUR 2644
W. Temple Webber, Jr.

Dear Mr. Webber:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2644. 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 you in this matter. 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. Your response, which should be addressed to the General Counsel's Office, 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.

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 completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

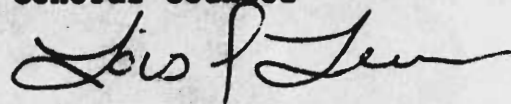
91040373333

Mr. W. Temple Webber, Esquire
Page 2

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosures

1. Complaint
2. Procedures
3. Designation of Counsel Statement

91040373334

600#279

August 31, 1988

Mr. Lawrence Noble
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 SEP - 1 AM 10:54

Dear Mr. Noble:

On August 18, 1988, Texans For Sweeney received a letter from the Federal Election Commission containing additional allegations regarding MUR 2644. This statement, for your review and analysis, will serve as our response.

President Gerald Ford's PAC, the New Leadership Committee, has contributed two times to my campaign. On October 30, 1984, the PAC gave \$2,000 earmarked for the general election. On August 13, 1986, \$1,000 was donated, also earmarked for the general election. Both of these contributions were well within the legal limits of the law.

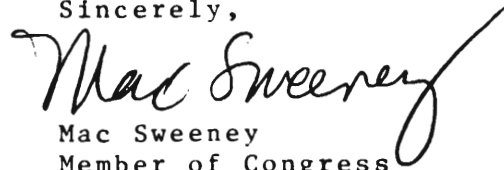
As to Mr. Griffin's allegations that Mr. Temple Webber will "manage to circumvent the contribution limits as well as the disclosure requirements," this is blatantly false. Mr. Webber contributed \$1,000 to my campaign on February 4, 1988. This money was earmarked for the primary election. He has not made a subsequent contribution, nor has the New Leadership Committee contributed during the 1988 election cycle.

Noting the dates of the contributions from the New Leadership Committee, it is clear that these contributions had not been predicated on any funds given to President Ford's PAC by Mr. Webber, or any other contributor.

The weakness of Mr. Griffin's allegations point to the fact that his efforts are partisan harassment and not fit for FEC attention. This, combined with our earlier response of August 1, 1988, show the frivolous nature of Mr. Griffin's complaint.

Thank you for your consideration. I will be happy to address this matter in person and under oath, should it help to expedite a prompt dismissal.

Sincerely,



Mac Sweeney
Member of Congress

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FEDERAL ELECTION COMMISSION

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HAND DELIVERED

6 Oct 346

REC
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

PIPER & MARBURY

88 SEP -8 PM 3:58

1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

202-661-3900

TELECOPIER 202-223-2088

CABLE PIPERMAR WSH

TELEX 904248

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-661-3938

September 8, 1988

CRANE, WEST, WEST

Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attn: Judybeth Greene, Esq.

Re: MUR 2644
Gerald R. Ford - New Leadership Committee and
Sharyn J. Sheldon, as treasurer

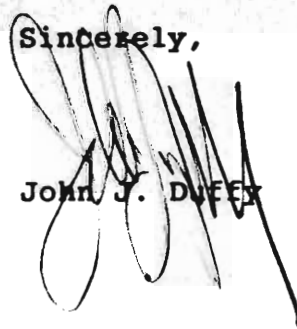
Dear Ms. Lerner:

We submit, on behalf of the Gerald R. Ford - New
Leadership Committee and Sharyn J. Sheldon, as treasurer, a
statement of designation of counsel.

If you have any questions concerning this matter,
please contact the undersigned.

Sincerely,

John J. Duffy



JJD:dp

RECEIVED
FEDERAL ELECTION COMMISSION
88 SEP -9 AM 11:50

9104087336

GERALD R. FORD
NEW LEADERSHIP COMMITTEE
P. O. Box 301, RANCHO MIRAGE, CALIFORNIA 92270

SEPTEMBER 7, 1988

FEDERAL ELECTION COMMISSION
999 E STREET, N.W.
WASHINGTON, D.C. 20463

RE: MUR 2644

THE GERALD R. FORD NEW LEADERSHIP COMMITTEE HEREBY DESIGNATES AS
COUNSEL, AUTHORIZED TO RECEIVE ANY NOTIFICATION AND OTHER
COMMUNICATIONS FROM THE COMMISSION AND TO ACT ON MY BEHALF
BEFORE THE COMMISSION, JOHN J. DUFFY, ESQUIRE, PIPER AND
MARBURY, 1200 NINETEENTH STREET, N.W., WASHINGTON, D.C. 20036,
202-861-3938.

WITH KIND REGARDS, I AM

SINCERELY,

Sharyn Sheldon
SHARYN A. SHELDON
TREASURER

91040873337

000# 359

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

1001 FANNIN, SUITE 4860
HOUSTON, TEXAS 77002
713-951-9544

W. TEMPLE WEBBER, JR.

88 SEP 12 AM 11:17

September 7, 1988

Federal Election Commission
Washington, D.C. 20463

Attention: Lois G. Lerner
Associate General Counsel

Re: MUR 2644
W. Temple Webber, Jr.

RECEIVED
FEDERAL ELECTION COMMISSION
88 SEP 12 PM 2:17

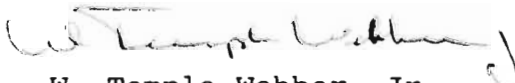
Gentlemen:

Your letter of August 18, 1988 was received upon my return from vacation on August 31, 1988. In regard to your inquiry please be advised as follows: My wife and I contributed \$1,000 each to the Sweeney campaign in February 1988 as we have done in each of his previous campaigns.

In April 1988 Congressman Sweeney asked our assistance in raising funds for President Ford's Political Action Committee. Having been supporters of President Ford in years past we were pleased to respond with contributions of \$1,000 each.

I have no additional information which would be relevant to your analysis.

Sincerely,


W. Temple Webber, Jr.

WTW/cj

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STATE OF TEXAS X
COUNTY OF HARRIS X

On September 7, 1988, subscribed and sworn to before me personally appeared W. Temple Webber, Jr.



CYNTHIA M. JOHNSON
Notary Public State of Texas
My Commission Expires 11/9/89

Cynthia M. Johnson
Cynthia M. Johnson, Notary
in and for the County of Harris

My Commission expires 11/9/89

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88 SEP 28 AM 9:35

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

CONFIDENTIAL

FIRST GENERAL COUNSEL'S REPORT

MUR 2644
DATE COMPLAINT RECEIVED
BY OGC: July 12, 1988
DATE OF NOTIFICATION TO
RESPONDENTS: July 19 and
August 18, 1988
STAFF MEMBER: Judybeth Greene

COMPLAINANT: John Griffin, Jr.

RESPONDENTS: Texans For Sweeney and
Myles Sweeney, as treasurer
Gerald R. Ford - New Leadership Committee
and Sharyn J. Sheldon, as treasurer
W. Temple Webber, Jr.

RELEVANT STATUTES: 2 U.S.C. § 434(b)(2) and (3)
2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)

INTERNAL REPORTS CHECKED: Public Records

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of General Counsel received a complaint on July 12, 1988 from John Griffin, Jr. The complainant alleges that supporters of Representative "Mac" Sweeney paid \$10,000 to former President Ford's PAC, Gerald R. Ford - New Leadership Committee, as payment for President Ford's appearance at a Sweeney fundraiser and his endorsement of Sweeney. He alleges that these payments have not been reported as "in-kind" contributions by the Texans For Sweeney. The complainant further alleges that Sweeney arranged for less than half a dozen contributors to make the required \$10,000 contribution to the New Leadership Committee. Thus, the complainant asserts that at

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least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Complainant contends that these activities violate the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended.

The complainant filed an amendment to his complaint on August 5, 1988, alleging that Congressman Sweeney's committee has also been evading election laws by "laundering" would-be excessive contributions through the New Leadership Committee. The complainant claims that the New Leadership Committee has accepted contributions from individuals who have made the maximum legal contribution to the Texans For Sweeney and cites Temple Webber, Jr. as example. He further asserts that the New Leadership Committee has contributed to Sweeney's campaign committee in the past and expects to contribute again this year. Thus, he claims that the New Leadership Committee has acted as a conduit for excessive contributions from Sweeney supporters.

Notification of the original complaint was sent to all respondents on July 19, 1988. Respondents were further notified of the amendment to the complaint on August 18, 1988 and given an additional fifteen days to respond to the amendment. The Commission received responses from Congressman "Mac" Sweeney on August 4 and September 1, 1988 and received a response from W. Temple Webber, Jr. on September 12, 1988.

II. STATUS OF THE MATTER

On August 17, 1988, the initial notification letter to the

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Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, was returned to this Office. The letter had been sent to the address for the committee which was listed in the B Index as 1200 19th Street, N.W. Washington, D.C. 20036. After the letter was returned, this Office checked the Committee's 1988 July Quarterly Report which indicated that the Committee's correct address was 40365 Sand Dune Road, Rancho Mirage, California 92270.¹ On August 17, 1988, a copy of the original complaint was sent to the Committee at the California address and on August 19, 1988, a copy of the amendment was sent to that address. Counsel for the Committee has informed this Office that the Committee did not receive the complaint and the amended complaint until September 6, 1988. Accordingly, the Committee was given an extension of time to submit a response to the complaint and amended complaint. After receiving and evaluating these responses, the Office of General Counsel will report to the Commission with appropriate recommendations.

Lawrence M. Noble
General Counsel

9/27/88
Date

BY: 
Lois G. Lerner
Associate General Counsel

1. This Office has recently learned that the Gerald R. Ford - New Leadership Committee filed a change of address with the Commission on June 6, 1988, asking that all correspondence be sent to Sharyn Sheldon, as treasurer, c/o John Duffy, Esquire, Piper & Marbury, 1200 19th Street, N.W., Washington, D.C. 20036. The B Index only reflected the street address and did not make any reference to John Duffy at Piper & Marbury. The first letter was returned because there was no Sharyn Sheldon at that address. RAD has been informed of this situation and is making appropriate changes to the B Index.

91040373342



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: *mwe* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: SEPTEMBER 29, 1988

SUBJECT: MUR 2644
FIRST GENERAL COUNSEL'S REPORT
SIGNED SEPTEMBER 27, 1988

The above-captioned report was received in the Secretariat at 9:35 a.m. on Wednesday, September 29, 1988 and circulated to the Commission on a 24-hour no-objection basis at 4:00 p.m. on Wednesday, September 29, 1988.

There were no objections to the report.

21040873343

NOV 23 AM 11:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Texans For Sweeney and)
Myles Sweeney, as treasurer)
Gerald R. Ford - New Leadership)
Committee and Sharyn Sheldon, as)
treasurer)
W. Temple Webber, Jr.)

MUR 2644

SENSITIVE
EXECUTIVE SESSION
DEC 08 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The Office of General Counsel received a complaint on July 12, 1988 from John Griffin, Jr. The complainant alleges that supporters of Representative "Mac" Sweeney paid \$10,000 to former President Ford's PAC, Gerald R Ford - New Leadership Committee, as payment for President Ford's appearance at a Sweeney fundraiser and his endorsement of Sweeney. He alleges that these payments have not been reported as "in-kind" contributions by Texans For Sweeney. The complainant further alleges that Sweeney arranged for less than half a dozen contributors to make the required \$10,000 contribution to the New Leadership Committee. Thus, the complainant asserts that at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Complainant contends that these activities violate the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended.

The complainant filed an amendment to his complaint on August 5, 1988, alleging that Congressman Sweeney's committee has

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also been evading election laws by "laundering" would-be excessive contributions through the New Leadership Committee. The complainant claims that the New Leadership Committee has accepted contributions from individuals who have made the maximum legal contribution to the Texans For Sweeney and cites Temple Webber, Jr. as an example. He further asserts that the New Leadership Committee has contributed to Sweeney's campaign committee in the past and expects to contribute again this year. Thus, he claims that the New Leadership Committee has acted as a conduit for excessive contributions from Sweeney supporters.

Notification of the original complaint was sent to all respondents on July 19, 1988. Respondents were further notified of the amendment to the complaint on August 18, 1988 and given an additional fifteen days to respond to the amendment. The Commission received responses from Congressman "Mac" Sweeney on August 4 and September 1, 1988 and received a response from W. Temple Webber, Jr. on September 12, 1988.

As explained in the First General Counsel's Report dated September 27, 1988, the New Leadership Committee did not receive a copy of the complaint and amendment to the complaint until September 6, 1988. The New Leadership Committee's counsel initially informed staff in this Office that he intended to file a response. After providing the committee with its statutory opportunity to respond and receiving no response, an attorney from this Office contacted the New Leadership Committee's counsel and was informed that the committee does not plan to file a response.

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II. ANALYSIS

Pursuant to 2 U.S.C. § 434(b)(2) and (3), authorized committees must report all contributions from individuals and must identify each person who makes a contribution of over \$200 to the committee within the reporting period. The Federal Election Campaign Act of 1971, as amended ("the Act"), defines an "authorized committee" as the principal campaign committee of a candidate for federal office. 2 U.S.C. § 431(6). Texans For Sweeney is the principal campaign committee of Representative David McCann ("Mac") Sweeney and is, therefore, an authorized committee within the meaning of the Act. Thus, Texans For Sweeney is subject to the Act's reporting requirements.

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). The complainant contends that Ford's appearance at a Sweeney fundraiser was "of value" to the Sweeney campaign. Therefore, he asserts that the \$10,000 in contributions made to the New Leadership Committee to secure Ford's appearance at the event was an "in-kind" contribution to Texans For Sweeney. In support of these contentions, complainant submitted newspaper articles which quote Mike Alexieff, a Sweeney campaign staff member, as stating that Sweeney arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. The 1988 July Quarterly Report of the New Leadership Committee reveals that five contributors made a total

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of \$10,000 in contributions to the committee on April 12, 1988, six days before the Sweeney fundraiser which President Ford attended.

Sweeney contends that President Ford's endorsement and personal appearance at his fundraiser was not secured by payment; rather, he contends that President Ford has continuously endorsed him ever since he announced his candidacy in 1984 and that President Ford "has appeared willingly without payment of any kind." Moreover, he notes that President Ford has made several contributions to his past campaigns. He claims that this complaint is based on the one-time misstatement of a junior campaign staffer that the \$10,000 in contributions was a condition of President Ford's appearance. Sweeney states that the only things which Ford asked him to do were to "vote right" and "win the election." While Sweeney does not deny contacting supporters and urging them to contribute to the New Leadership Committee, he claims that his efforts to assist President Ford were not motivated by anything other than a "deep sense of appreciation and admiration for what Gerald Ford stands for."

The New Leadership Committee did not respond to the complaint. However, it should be noted that evidence obtained in another matter before the Commission indicates that President Ford had made arrangements for political committees to make contributions to the New Leadership Committee in return for his appearance at committee fundraisers. See MUR 2537.

The timing of the payments to the New Leadership Committee (six days before Ford's appearance at the Sweeney fundraiser)

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tends to support the allegations raised in the complaint and indicates that an investigation is necessary to determine whether Texans For Sweeney and Myles Sweeney, as treasurer, failed to report this \$10,000 payment to the New Leadership Committee as an in-kind contribution in violation of 2 U.S.C. § 434(b)(2) and (3). Accordingly, this Office recommends that the Commission find reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C § 434(b)(2) and (3).

In order to conduct an effective investigation to determine whether these payments to the New Leadership Committee were in-kind contributions to Texans For Sweeney, this Office recommends that the Commission approve the attached interrogatories to the New Leadership Committee contributors to ascertain their understanding of the arrangement for Ford's appearance at the Sweeney fundraiser.¹ This Office also recommends that the Commission send interrogatories to the Gerald R. Ford - New Leadership Committee, as a non-respondent witness and to Texans For Sweeney to further explore these arrangements. Although the complainant averred that Texans For Sweeney paid \$2,800 in travel expenses for the former President, the committee's reports do not clearly indicate payment for these expenses. Therefore, the questions to the New Leadership

1. The proposed interrogatories will be sent to Webber, Ansary, Stanton and Perry as respondents given the Section 441a(a)(1)(A) recommendations. However, the letter to Dan Sweeney will be sent to him as a non-respondent witness because he only made a \$1,000 contribution to the New Leadership Committee and there is no indication that he made a contribution to Texans For Sweeney. Therefore, there is no indication that he may have made an excessive contribution with respect to this matter. See infra, pp. 6-8.

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Committee and Texans For Sweeney will also include questions regarding the payment of President Ford's travel expenses.

Complainant's allegations that various individuals paid the New Leadership Committee a "fee" for President Ford's appearance at a Sweeney fundraiser does not provide any basis for a reason to believe finding against the New Leadership Committee. While President Ford's appearance may have been "of value" to the Sweeney campaign and was allegedly secured by the \$10,000 in contributions to the New Leadership Committee, it was not something supplied by the New Leadership Committee. Therefore, there is no contribution from this committee to Texans For Sweeney.

Similarly, the complainant's allegations do not provide any basis for a reason to believe finding against former President Ford. Although President Ford's appearance was most likely "of value" to Texans For Sweeney, a fee was allegedly paid for his services to the New Leadership Committee. As his services were allegedly paid for, there does not appear to be any contribution from former President Ford to Texans For Sweeney.

B. Excessive Contributions - 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f).

Pursuant to 2 U.S.C. § 441a(a)(1)(A), individuals are specifically prohibited from making contributions in excess of \$1,000 to authorized political committees. An authorized political committee may not accept contributions from any individual in excess of \$1,000 per election. 2 U.S.C. § 441a(f).

As explained in the preceding section, there are indications that Sweeney supporters made contributions to the New Leadership

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Committee in order to secure President Ford's attendance at a Sweeney fundraiser on April 18, 1988. On that basis, this Office recommended that the Commission find reason to believe that these payments should be considered as in-kind contributions to Texans For Sweeney. If these payments are considered as contributions, it follows that they are subject to the Act's \$1,000 limitation on contributions to authorized political committees.

A review of the New Leadership Committee's reports indicates that W. Temple Webber, Jr., Cyrus Ansary, Dan Sweeney, R. John Stanton, Jr. and Kathy Perry were probably the individuals who made these contributions. Of the ten contributors listed on the New Leadership Committee's 1988 July Quarterly Report, the above-named individuals made contributions aggregating to \$10,000 on April 12, 1988. The contributions were made in the following amounts: Cyrus Ansary (\$3,000), Dan Sweeney (\$1,000), R. John Stanton, Jr. (\$2,000), W. Temple Webber, Jr. (\$2,000) and Kathy Perry (\$2,000). A review of Texans For Sweeney's reports reveals that W. Temple Webber, Jr. also made a contribution for \$1,000 to Texans For Sweeney on February 4, 1988.

In response to the amended complaint, Webber confirmed that he and his wife had each made \$1,000 contributions to Sweeney's campaign in February 1988. He stated that he and his wife also made \$1,000 contributions to "President Ford's Political Action Committee" in April 1988 at Congressman Sweeney's request. Webber does not state whether this request was connected to securing Ford's appearance at the Sweeney fundraiser in April, but he did state that he and his wife had been supporters of

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President Ford in the past. Regardless of whether he made a \$1,000 or \$2,000² contribution to New Leadership Committee, if this payment constituted an in-kind contribution to Texans For Sweeney, it would amount to an excessive contribution when added to the previous \$1,000 contribution he had made to Texans For Sweeney.

As the contributions of four of the above-named individuals exceed the \$1,000 limit on contributions to authorized committees, this Office recommends that the Commission find reason to believe that Cyrus Ansary, R. John Stanton, Jr., W. Temple Webber, Jr. and Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A). This Office also recommends that the Commission find reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441a(f).

C. Other Allegations

While the complainant has also alleged that the New Leadership Committee has been used to funnel money from Sweeney supporters back into Sweeney's campaign, the complainant has presented no evidence to this effect. Although the complainant has noted that Mr. Webber, a Sweeney supporter, contributed to the New Leadership Committee in April 1988, and both committees' 1988 October Quarterly Reports reveal that the New Leadership Committee made a \$500 contribution to Texans For Sweeney on September 19, 1988, there is no evident link between Webber's

2. Mr. Webber's response indicated that he and his wife made contributions of \$1,000 each to President Ford's political action committee in April 1988. Yet, the New Leadership Committee reports a \$2,000 contribution from Mr. Webber alone.

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contribution to the New Leadership Committee and that committee's contribution to Texans For Sweeney. The New Leadership Committee's reports also reveal that the committee received over \$48,800 in contributions between the date it received the contribution from Mr. Webber and the date it made a contribution to Texans For Sweeney. As the complainant presented no information to support its allegation that the New Leadership Committee was a conduit for excessive contributions to Texans For Sweeney, this Office recommends that the Commission find no reason to believe that Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.

III. RECOMMENDATIONS

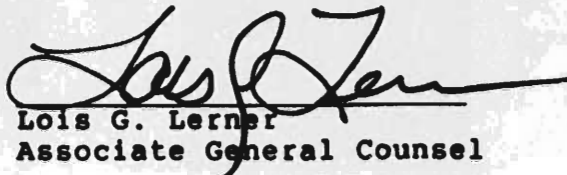
1. Find reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).
2. Find reason to believe that W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that Cyrus Ansary violated 2 U.S.C. § 441a(a)(1)(A).
4. Find reason to believe that R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A).
5. Find reason to believe that Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).
6. Find no reason to believe that Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.
7. Approve the attached letters, Questions and Factual and Legal Analyses to Texans For Sweeney and Myles Sweeney, as treasurer, W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., and Kathy Perry.

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8. Approve the attached letters and questions to Gerald R. Ford New Leadership Committee and Sharyn Sheldon, as treasurer and Dan Sweeney, as non-respondent witnesses.

Lawrence M. Noble
General Counsel

11-22-88
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Responses to Complaint
2. Proposed Letters and Factual and Legal Analyses (5)
3. Questions and Requests for Documents

Staff Person: Judybeth Greene

91040873353



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/CANDACE M. JONES *my*
COMMISSION SECRETARY

DATE: NOVEMBER 28, 1988

SUBJECT: OBJECTION to MUR 2644 - General Counsel's Report
Signed November 22, 1988.

The above-captioned document was circulated to the Commission on Wednesday, November 23, 1988 at 4:00 P.M.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	<u>X</u>
Commissioner Elliott	<u>X</u>
Commissioner Josefiak	<u> </u>
Commissioner McDonald	<u> </u>
Commissioner McGarry	<u> </u>
Commissioner Thomas	<u> </u>

This matter will be placed on the meeting agenda for Tuesday, December 6, 1988.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Texans For Sweeney and)
Myles Sweeney, as treasurer)
Gerald R. Ford - New Leadership) MUR 2644
Committee and Sharyn Sheldon,)
as treasurer)
W. Temple Webber, Jr.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of December 8, 1988, do hereby certify that the Commission decided by a vote of 4-2 to take the following actions in MUR 2644:

1. Find reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).
2. Find reason to believe that W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A).
3. Find reason to believe that Cyrus Ansary violated 2 U.S.C. § 441a(a)(1)(A).
4. Find reason to believe that R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A).
5. Find reason to believe that Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).
6. Find no reason to believe that Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.

(continued)

91040873355

Federal Elect
Certificatio
December 8

the letters, Questions and Factual
Legal Analyses to Texans For Sweeney
Myles Sweeney, as treasurer; W. Temple
7ebber, Jr.; Cyrus Ansary; R. John Stanton,
Jr.; and Kathy Perry, as recommended in the
General Counsel's report dated November 22,
1988.

8. Approve the letters and questions to
Gerald R. Ford New Leadership Committee and
Sharyn Sheldon, as treasurer, and Dan
Sweeney, as non-respondent witnesses, as
recommended in the General Counsel's report
dated November 22, 1988.

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

Attest:

12/9/89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

7. Approve the letters, Questions and Factual and Legal Analyses to Texans For Sweeney and Myles Sweeney, as treasurer; W. Temple Webber, Jr.; Cyrus Ansary; R. John Stanton, Jr.; and Kathy Perry, as recommended in the General Counsel's report dated November 22, 1988.
8. Approve the letters and questions to Gerald R. Ford New Leadership Committee and Sharyn Sheldon, as treasurer, and Dan Sweeney, as non-respondent witnesses, as recommended in the General Counsel's report dated November 22, 1988.

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

Attest:

12/9/89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

Myles Sweeney, Treasurer
Texans For Sweeney
P.O. Box 1297
Round Rock, TX 78680

RE: MUR 2644
Texans For Sweeney and
Myles Sweeney, as
treasurer

Dear Mr. Sweeney:

On July 19, 1988 and August 18, 1988, the Federal Election Commission notified Texans for Sweeney ("the Committee") and you, as treasurer, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by Congressman David McCann "Mac" Sweeney, the Commission, on December 8, 1988, found that there is reason to believe the Committee and you, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f), provisions of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against the Committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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Myles Sweeney
Page 2

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

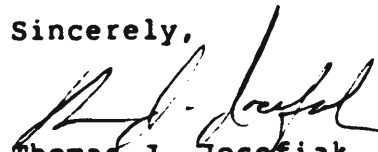
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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 Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosure
Questions
Designation of Counsel Form
Factual & Legal Analysis

cc: Congressman David McCann "Mac" Sweeney

91040373358

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Myles Sweeney, Treasurer
Texans For Sweeney
P.O. Box 1297
Round Rock, Texas 78680

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Myles Sweeney, Treasurer
Texans For Sweeney

1. State whether Representative Sweeney or any of his campaign or congressional staff members had any role in arranging for \$10,000 in contributions to the Gerald R. Ford - New Leadership Committee. If so, please explain and provide copies of all documents relating to these solicitations for contributions to the New Leadership Committee.
2. State whether a \$10,000 payment to Gerald R. Ford - New Leadership Committee was required as a condition of former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988.
3. State whether Representative Sweeney or any of his campaign

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or congressional staff members suggested that Cyrus Ansary, W. Temple Webber, Jr., R. John Stanton, Jr., Kathy Perry, Dan Sweeney or anyone else make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who were contacted, explain the circumstances and provide copies of all documents pertaining to these solicitations.

4. Identify the individual(s) who arranged for former President Ford's appearance at the Sweeney fundraiser in April 1988. Please provide copies of all documents relating to these arrangements.

5. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements to any of the individuals identified in Question 3 regarding any connection between their contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what was said.

6. Identify who paid the former President Ford's travel expenses to attend a fundraiser for Representative Sweeney in April 1988 and provide copies of all documents in your possession pertaining to the payment of such expenses.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Texans For Sweeney and
Myles Sweeney, as treasurer

MUR: 2644

I. BACKGROUND

This matter was generated as a result of a complaint and an amended complaint filed with the Federal Election Commission on July 12, 1988 and August 5, 1988, respectively. The complainant alleges that supporters of Representative David McCann "Mac" Sweeney paid \$10,000 to former President Ford's political action committee, Gerald R. Ford - New Leadership Committee, as payment for President Ford's appearance at a Sweeney fundraiser. The complainant further alleges that Representative Sweeney arranged for less than half a dozen contributors to make the required \$10,000 payment to the New Leadership Committee.

II. ANALYSIS

Pursuant to 2 U.S.C. § 434(b)(2) and (3), authorized committees must report all contributions from individuals and must identify each person who makes a contribution of over \$200 to the committee within the reporting period. The Federal Election Campaign Act of 1971, as amended ("the Act") prohibits authorized committees from knowingly accepting contributions from any individual in excess of \$1,000 per election. 2 U.S.C. § 441a(f).

The Act defines an "authorized committee" as the principal campaign committee of a candidate for federal office. 2 U.S.C. § 431(6). Texans For Sweeney is the principal campaign committee

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of Representative David McCann "Mac" Sweeney and is, therefore, an authorized committee within the meaning of the Act. Thus, Texans For Sweeney is subject to the Act's reporting requirements and contribution limitations.

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i).

It appears that former President Ford's appearance at a Sweeney fundraiser may have been "of value" to the Sweeney campaign. Therefore, payments made to secure such an appearance constitute reportable in-kind contributions to Texans For Sweeney which are subject to the Act's contribution limitations.

The New Leadership Committee's reports reveal that five contributors (four of them from Texas) made a total of \$10,000 in contributions to the committee on April 12, 1988 - six days before the Sweeney fundraiser at which former President Ford appeared. This report tends to support the allegations raised in the complaint that \$10,000 in contributions to the New Leadership Committee were made by Sweeney supporters to secure former President Ford's attendance at a Sweeney fundraiser. Therefore, there is reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, failed to report this \$10,000 in payments to the New Leadership Committee as an in-kind contribution to Texans For Sweeney, in violation of 2 U.S.C. §§ 434(b)(2) and (3). As four of the five April 12, 1988 contributors to the

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New Leadership Committee made individuals contributions in excess of \$1,000, there is also reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441a(f) by knowingly accepting excessive in-kind contributions.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee
and Sharyn J. Sheldon,
as treasurer

Dear Mr. Duffy:

On August 19, 1988, the Federal Election Commission notified your clients, Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, of a complaint and an amendment to the complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On December 8, 1988, the Commission found, on the basis of the information in the complaint, that there is no reason to believe Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.

However, the Commission has issued the attached questions in connection with an investigation it is conducting. The Commission requests that your clients submit this information within 15 days of your receipt of this letter. The Commission no longer considers your clients as respondents in this matter, but rather as witnesses only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. §§ 437g(A)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. These sections prohibit making public any investigation

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John Duffy, Esquire
Page 2

by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Sharyn J. Sheldon, Treasurer
Gerald R. Ford - New Leadership Committee
c/o John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Sharyn J. Sheldon, Treasurer
Gerald R. Ford - New Leadership Committee

1. State whether a \$10,000 payment to Gerald R. Ford - New Leadership Committee was required as a condition of former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988.
2. State whether Representative Sweeney or any of his campaign or congressional staff members arranged for Cyrus Ansary, W. Temple Webber, Jr., R. John Stanton, Jr., Kathy Perry, and Dan Sweeney or to make contributions to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please explain the circumstances and provide copies of all documents pertaining to these solicitations.

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3. Identify the individual(s) who arranged for former President Ford's appearance at the Sweeney fundraiser in April 1988. Please provide copies of all documents relating to these arrangements.

4. Explain whether there is any connection between the individuals named in Question 2 as contributors to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please explain the nature of the connection.

5. Identify who paid former President Ford's travel expenses to the fundraiser for Representative Sweeney in April 1988 and provide copies of all documents pertaining to these expenses.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

Mr. W. Temple Webber, Jr.
2933 Del Monte
Houston, Texas 77019

RE: MUR 2644
W. Temple Webber, Jr.

Dear Mr. Webber:

On August 18, 1988, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on December 8, 1988, found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that

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W. Temple Webber, Jr.
Page 2

pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

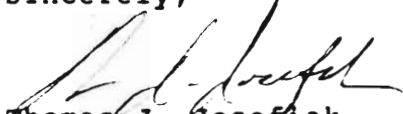
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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 Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosure
Questions
Designation of Counsel Form
Factual & Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Mr. W. Temple Webber, Jr.
2933 Del Monte
Houston, Texas 77019

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: W. Temple Webber, Jr.

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.
2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford - New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

5. State whether both you and your wife signed a \$2,000 check to the Gerald R. Ford - New Leadership Committee.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: W. Temple Webber, Jr. **NUM:** 2644

I. BACKGROUND

This matter was generated by the Federal Election Commission ("the Commission") based on information ascertained in the normal course of its supervisory duties.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), individuals are specifically prohibited from making contributions in excess of \$1,000 per election to authorized committees. Texans For Sweeney is an authorized committee within the meaning of 2 U.S.C. § 431(6). Therefore, an individual cannot make contributions to Texans For Sweeney in excess of \$1,000 per election cycle.

The Federal Election Campaign Act of 1971, as amended ("the Act") defines the term "contribution" broadly to include not only direct monetary contributions but also "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(ii).

Based on information currently possessed by the Commission, it appears that former President Ford's appearance at a fundraiser for Representative David McCann "Mac" Sweeney may have been secured by the payment of \$10,000 to the Gerald R. Ford - New Leadership Committee. This appearance was apparently "of value" to Representative Sweeney's re-election campaign. Therefore, payments made to secure former President Ford's

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appearance at the Sweeney fundraiser constituted "in-kind" contributions to Texans For Sweeney which are subject to the Act's contribution limitations.

The New Leadership Committee's 1988 July Quarterly Report indicates that W. Temple Webber, Jr. was one of five contributors who made a contribution to the New Leadership Committee on April 12, 1988 - six days before the Sweeney fundraiser which former President Ford attended. The report further reveals that W. Temple Webber, Jr. made a contribution of \$2,000. As this payment may be considered as a contribution to Texans For Sweeney in that it was allegedly made for the purpose of securing former President Ford's attendance at the fundraiser for Representative Sweeney, it appears to exceed the \$1,000 limitation on contributions to authorized committees. Additionally, Mr. Webber made a direct contribution to Texans For Sweeney for the 1988 primary in February 1988. Therefore, there is reason to believe that W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

Mr. Dan Sweeney
620 Tennis Avenue
Wharton, Texas 77488

RE: MUR 2644

Dear Mr. Sweeney:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached questions which request that you provide certain information in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to these questions. However, you are requested to submit the information with 15 days of your receipt of this letter.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (800) 424-9530.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Mr. Dan Sweeney
620 Tennis Avenue
Houston, Texas 77488

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Mr. Dan Sweeney

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.
2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature what you were told.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford - New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

5. State whether you had any role in arranging for \$10,000 in contributions to the Gerald R. Ford - New Leadership Committee. If so, please explain and provide copies of all documents relating to your solicitations for contributions to the New Leadership Committee and copies.

6. State whether you had any role in arranging for former President Ford's appearance at the Sweeney fundraiser in April 1988. If so, please provide copies of all documents relating to these arrangements.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

Mr. Cyrus Ansary
5425 Falmouth Road
Bethesda, Maryland 20816

RE: MUR 2644
Cyrus Ansary

Dear Mr. Ansary:

On December 8, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.

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Cyrus Ansary
Page 2

Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

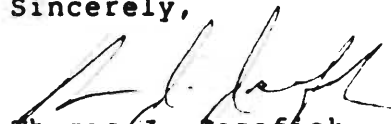
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Mr. Cyrus Ansary
5425 Falmouth Road
Bethesda, Maryland 20816

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Cyrus Ansary

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.
2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

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**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Cyrus Ansary

NUR: 2644

I. BACKGROUND

This matter was generated by the Federal Election Commission ("the Commission") based on information ascertained in the normal course of its supervisory duties.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), individuals are specifically prohibited from making contributions in excess of \$1,000 per election to authorized committees. Texans For Sweeney is an authorized committee within the meaning of 2 U.S.C. § 431(6). Therefore, an individual cannot make contributions to Texans For Sweeney in excess of \$1,000 per election cycle.

The Federal Election Campaign Act of 1971, as amended ("the Act") defines the term "contribution" broadly to include not only direct monetary contributions but also "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(ii).

Based on information currently possessed by the Commission, it appears that former President Ford's appearance at a fundraiser for Representative David McCann "Mac" Sweeney may have been secured by the payment of \$10,000 to the Gerald R. Ford - New Leadership Committee. This appearance was apparently "of value" to Representative Sweeney's re-election campaign. Therefore, payments made to secure former President Ford's

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appearance at the Sweeney fundraiser constituted "in-kind" contributions to Texans For Sweeney which are subject to the Act's contribution limitations.

The New Leadership Committee's 1988 July Quarterly Report indicates that Cyrus Ansary was one of five contributors who made a contribution to the New Leadership Committee on April 12, 1988 - six days before the Sweeney fundraiser which former President Ford attended. The report further reveals that Cyrus Ansary made a contribution of \$3,000. As this payment may be considered as a contribution to Texans For Sweeney in that it was allegedly made for the purpose of securing former President Ford's attendance at the fundraiser for Representative Sweeney, it appears to exceed the \$1,000 limitation on contributions to authorized committees. Therefore, there is reason to believe that Cyrus Ansary violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 19, 1988

Mr. R. John Stanton, Jr.
Post Office Box 3226
Houston, Texas 77253-3226

RE: MUR 2644
R. John Stanton, Jr.

Dear Mr. Stanton:

On December 8, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter.

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R. John Stanton, Jr.
Page 2

Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

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

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Mr. R. John Stanton, Jr.
Post Office Box 3226
Houston, Texas 77253-3226

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: R. John Stanton, Jr.

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.

2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: R. John Stanton, Jr.

MUR: 2644

I. BACKGROUND

This matter was generated by the Federal Election Commission ("the Commission") based on information ascertained in the normal course of its supervisory duties.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), individuals are specifically prohibited from making contributions in excess of \$1,000 per election to authorized committees. Texans For Sweeney is an authorized committee within the meaning of 2 U.S.C. § 431(6). Therefore, an individual cannot make contributions to Texans For Sweeney in excess of \$1,000 per election cycle.

The Federal Election Campaign Act of 1971, as amended ("the Act") defines the term "contribution" broadly to include not only direct monetary contributions but also "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(ii).

Based on information currently possessed by the Commission, it appears that former President Ford's appearance at a fundraiser for Representative David McCann "Mac" Sweeney may have been secured by the payment of \$10,000 to the Gerald R. Ford - New Leadership Committee. This appearance was apparently "of value" to Representative Sweeney's re-election campaign. Therefore, payments made to secure former President Ford's

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appearance at the Sweeney fundraiser constituted "in-kind" contributions to Texans For Sweeney which are subject to the Act's contribution limitations.

The New Leadership Committee's 1988 July Quarterly Report indicates that R. John Stanton, Jr. was one of five contributors who made a contribution to the New Leadership Committee on April 12, 1988 - six days before the Sweeney fundraiser which former President Ford attended. The report further reveals that R. John Stanton, Jr. made a contribution of \$2,000. As this payment may be considered as a contribution to Texans For Sweeney in that it was allegedly made for the purpose of securing former President Ford's attendance at the fundraiser for Representative Sweeney, it appears to exceed the \$1,000 limitation on contributions to authorized committees. Therefore, there is reason to believe that R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

December 19, 1988

Ms. Kathy K. Perry
18630 Barbuda Lane
Houston, Texas 77058

RE: MUR 2644
Kathy K. Perry

Dear Ms. Perry:

On December 8, 1988, the Federal Election Commission found that there is reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office along with answers to the enclosed questions within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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Kathy Perry
Page 2

pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

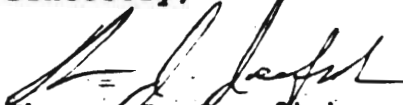
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Thomas J. Josefiak
Chairman

Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Ms. Kathy K. Perry
18630 Barbuda Lane
Houston, Texas 77058

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1, 1987 to the present.

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

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DEFINITIONS

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Kathy K. Perry

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.
2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

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**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Kathy K. Perry

NUR: 2644

I. BACKGROUND

This matter was generated by the Federal Election Commission ("the Commission") based on information ascertained in the normal course of its supervisory duties.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441a(a)(1)(A), individuals are specifically prohibited from making contributions in excess of \$1,000 per election to authorized committees. Texans For Sweeney is an authorized committee within the meaning of 2 U.S.C. § 431(6). Therefore, an individual cannot make contributions to Texans For Sweeney in excess of \$1,000 per election cycle.

The Federal Election Campaign Act of 1971, as amended ("the Act") defines the term "contribution" broadly to include not only direct monetary contributions but also "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(ii).

Based on information currently possessed by the Commission, it appears that former President Ford's appearance at a fundraiser for Representative David McCann "Mac" Sweeney may have been secured by the payment of \$10,000 to the Gerald R. Ford - New Leadership Committee. This appearance was apparently "of value" to Representative Sweeney's re-election campaign. Therefore, payments made to secure former President Ford's

91040873407

appearance at the Sweeney fundraiser constituted "in-kind" contributions to Texans For Sweeney which are subject to the Act's contribution limitations.

The New Leadership Committee's 1988 July Quarterly Report indicates that Kathy Perry was one of five contributors who made a contribution to the New Leadership Committee on April 12, 1988 - six days before the Sweeney fundraiser which former President Ford attended. The report further reveals that Kathy Perry made a contribution of \$2,000. As this payment may be considered as a contribution to Texans For Sweeney in that it was allegedly made for the purpose of securing former President Ford's attendance at the fundraiser for Representative Sweeney, it appears to exceed the \$1,000 limitation on contributions to authorized committees. Therefore, there is reason to believe that Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).

21040373408

HAND DELIVERED OGC #1490
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

Singleton & Cooksey

09 JAN -3 AM 10: 15

A Professional Corporation
Attorneys at Law
1600 Smith, Suite 3100
Houston, Texas 77002

Of Counsel
Robert H. Singleton

Telephone (713) 651-0175
Telefax (713) 651-0251

Robert H. Singleton, Jr.
Taylor V. Cooksey
John T. Ridout
Kevin H. Bell
Paula K. Fisher
Robert P. McDonald
Randall L. Brim
James D. Lawson

December 30, 1988

By Federal Express

Ms. Judybeth Greene
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2644
W. Temple Webber, Jr.

09 JAN -3 PM 12: 21

RECEIVED
FEDERAL ELECTION COMMISSION

Dear Ms. Greene:

This will confirm our telephone conversation today. I have just received the Interrogatories and Request for Production of Documents propounded in the referenced matter and will not have time to prepare answers by the original deadline. We respectfully request an extension of time in which to submit such answers. I would like to have the opportunity to discuss the case with you prior to preparing them and, accordingly, have enclosed a completed Statement of Designation of Counsel signed by Mr. Webber so that you will be free to discuss the case with me.

I will call you after your receipt of the Statement of Designation of Counsel. I appreciate your consideration in this matter.

Very truly yours,

SINGLETON & COOKSEY



Taylor V. Cooksey

TVC/bgr
tca:web-fec-01
Enclosure

xc: Mr. W. Temple Webber, Jr.
(with enclosure)

21340373409

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2644

NAME OF COUNSEL: Taylor V. Cooksey

ADDRESS: Singleton & Cooksey
1600 Smith, Suite 3100
Houston, Texas 77002

TELEPHONE: (713) 651-0175

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

December 30, 1988
Date

W. Temple Webber, Jr.
Signature

RESPONDENT'S NAME: W. Temple Webber, Jr.

ADDRESS: 2933 Del Monte
Houston, Texas 77019

HOME PHONE: (713) 522-9502

BUSINESS PHONE: (713) 951-9544

91040373410

06C 1494

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D. C. 20006
(202) 429-7000

FRED F. FIELDING
(202) 429-7320

January 3, 1989

TELECOPIER
(202) 429-7049
TELEX 248349 WYRN UR

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attn: Judybeth Greene

Re: MUR 2644

Dear Mr. Noble:

This office has been obtained to represent Cyrus Ansary ("Respondent") in the above-caption matter. Enclosed please find an executed Statement of Designation of Counsel form.

Chairman Thomas J. Josefiak's letter of December 19, 1988 notified Respondent of a reason to believe finding against him. The letter was accompanied by Interrogatories and Request for Production of Documents with a requested response date of 15 days after receipt, which in this case would be January 6, 1989. In order to fully confer with Respondent with respect to this matter and to produce documents, I respectfully request a twenty day extension of time to and including January 26, 1989 within which to respond.

Your favorable consideration of this request will be appreciated.

Sincerely,


Fred F. Fielding

Enclosure

91040373411

89 JAN -4 PM 12:22

FEDERAL ELECTION COMMISSION

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2644

NAME OF COUNSEL: Fred F. Fielding

ADDRESS: Wiley, Rein & Fielding

1776 K Street, N.W.

Washington, D.C. 20006

TELEPHONE: (202) 429-7000

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

1/3/89
Date

Cyrus A. Ansary
Signature

RESPONDENT'S NAME: Cyrus Ansary

ADDRESS: 5425 Falmouth Road

Bethesda, Maryland 20316

HOME PHONE: _____

BUSINESS PHONE: (202) 785-1080

91040373412

OGC 1499

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036

202-661-3900

TELECOPIER 202-223-2088

CABLE PIPERMAR WSH

TELEK 904246

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-661-3938

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

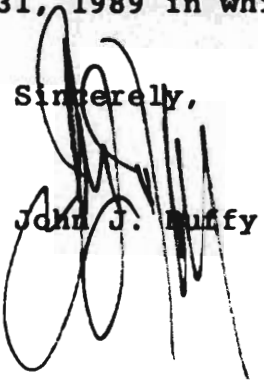
January 4, 1989

Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644
Gerald R. Ford - New Leadership Committee and
Sharyn J. Sheldon, as treasurer

Dear Ms. Lerner:

We have received your letter dated December 19, 1988, enclosing interrogatories and requests for production of documents. Because of Ms. Sheldon's absence from the Committee's headquarters, we have not been able to prepare a response within the time allotted. We request, therefore, on behalf of Ms. Sheldon and the Committee, an extension of time up to and including January 31, 1989 in which to prepare a response.

Sincerely,

John J. Duffy

JJD:dp

91040373413

09 JAN -4 PM 4:25

RECEIVED
FEDERAL ELECTION COMMISSION

HAND DELIVERED 06C1534
RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

Singleton & Cooksey

89 JAN 10 AM 10:47

A Professional Corporation
Attorneys at Law
1600 Smith, Suite 3100
Houston, Texas 77002

Robert H. Singleton, Jr.
Taylor V. Cooksey
John T. Ridout
Kevin H. Bell
Paula K. Fisher
Robert P. McDonald
Randall L. Brim
James D. Lawson

Of Counsel
Robert H. Singleton

Telephone (713) 651-0175
Telefax (713) 651-0251

January 9, 1989

By Federal Express

Ms. Judybeth Greene
Office of the General Counsel
Federal Election Commission
Room 659
999 E. Street N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION COMMISSION
89 JAN 10 PM 2:44

Re: W. Temple Webber, Jr.;
Mur 2644


Dear Ms. Greene:

Enclosed please find W. Temple Webber, Jr.'s Response to Interrogatories and Requests for Production of Documents in the above referenced inquiry.

Thank you for your cooperation in this matter. If I can provide additional assistance or information, please call.

Sincerely,

SINGLETON & COOKSEY



Taylor V. Cooksey

RLB:psp
rba:web-fec-02
Enclosure

91040373414

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

W. Temple Webber, Jr.

**§
§
§**

MUR 2644

**RESPONSE TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

To: Ms. Judybeth Greene, Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463

Comes now, W. Temple Webber, Jr. and submits his Response to the Interrogatories and Request for Production of Documents previously propounded by the Federal Election Commission in connection with the above referenced case number.

1. **State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.**

RESPONSE:

Representative Sweeney contacted me concerning making a contribution to assist former President Ford with one or more of his various charitable organizations and activities, which Representative Sweeney stated were the Betty Ford Clinic, the Ford Presidential Library and the New Leadership Committee. Representative Sweeney stated that he wanted to help President Ford and in a subsequent conversation, he suggested the contribution be made to the New Leadership Committee.

2. **State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.**

RESPONSE:

Neither Representative Sweeney nor any member of his campaign or congressional staff made any such statement.

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3. State whether Representative Sweeney or any of his campaign or congressional staff members made any such statement.

RESPONSE:

Neither Representative Sweeney nor any member of his campaign or congressional staff made any such statement.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford - New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

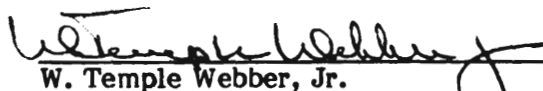
RESPONSE:

In April, 1988, after speaking with Representative Sweeney, I became interested in making a contribution to assist former President Ford with his various charitable organizations and activities which I learned included the Betty Ford Clinic, the Ford Presidential Library and the New Leadership Committee. I learned from Representative Sweeney that former President Ford's office was instructing that new contributions be directed to the New Leadership Committee and my contribution was made to that committee.

5. State whether both you and your wife signed a \$2,000.00 check to the Gerald R. Ford - New Leadership Committee.

RESPONSE:

The \$2,000.00 check was signed by me alone and not by my wife.


W. Temple Webber, Jr.

Dated: January 9, 1989

rlb:web-fec-01

91040373416

W. TEMPLE WEBBER, JR.
2833 DEL MONTE
HOUSTON, TEXAS 77018

Nº 13822

22-1021
1136

April 6, 19 88

Y TO THE
ORDER OF

Gerald R. Ford New Leadership Committee

\$ 2,000.00**

*****Two Thousand and no/100's*****

DOLLARS

W. Temple Webber, Jr.
424 Westmore • P.O. Box 8928
Houston, Texas 77268 • 7047-4224

NON NEGOTIABLE

⑆013822⑆ ⑆113012914⑆ 1015036⑆06

W. TEMPLE WEBBER, JR.

910403734-17

DATE	DESCRIPTION	AMOUNT
4/6/88	Contribution	\$2,000.00 ^{A2}

NON-NEGOTIABLE

W. TEMPLE WEBBER, JR.
2933 DEL MONTE
HOUSTON, TEXAS 77019

No: 13822

88-1281
1130

APR 12 1988
1130 129

PAY TO THE ORDER OF Gerald R. Ford New Leadership Committee 4 1 3 0 8 \$ 2,000.00**

*****Two Thousand and no/100's***** DOLLARS

Webber National Bank
4200 Washington • P.O. Box 5025
Houston, Texas 77056 • 726-7355

W. Temple Webber, Jr.

⑆013822⑆ ⑆113012914⑆ 1015036⑆06 ⑆000020000⑆

91040873418

APR 13 1988
LOS ANGELES, CA

APR 12 88

16-66 4954
PALM SPRING, P/C
#103 16-66

New Leadership Committee
1114 19116 91941

120165257

flm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 10, 1989

Randall L. Brim, Esquire
Singleton & Cooksey
1600 Smith, Suite 3100
Houston, TX 77002

RE: MUR 2644
W. Temple Webber, Jr.

Dear Mr. Brim:

At your request I have enclosed copies of the complaint and the amendment to the complaint in MUR 2644, which concerns your client, W. Temple Webber, Jr. If you have any further question with regard to this matter, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lois G. Lerner
Associate General Counsel

Enclosures

21040873419



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1989

Fred Fielding, Esquire
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2644
Cyrus Ansary

Dear Mr. Fielding:

This is in response to your letter dated January 3, 1989, requesting an extension until January 26, 1989, to respond to the interrogatories and requests for production of documents in this matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on January 26, 1989.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

91040873420

plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 18, 1989

John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

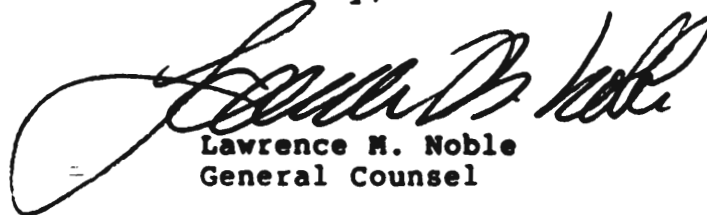
RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Sharyn J. Sheldon, as
treasurer

Dear Mr. Duffy:

This is in response to your letter dated January 4, 1989, requesting an extension until January 31, 1989, to respond to the interrogatories and requests for production of documents in this matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on January 31, 1989.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Lawrence M. Noble
General Counsel

91040373421

R. JOHN STANTON, JR.

5410 WEST LOOP SOUTH
BELLAIRE, TEXAS 77401
(713) 666-7522

HAND DELIVERED

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

89 JAN 26 AM 9:00

WWT 2644

BY FEDERAL EXPRESS

January 25, 1989

**Ms. Judybeth Greene
Federal Election Commission
Washington, D.C. 20463**

Dear Ms. Greene:

I received a letter from Mr. Thomas J. Josefiak dated December 19, 1988, on January 10, 1989 (copy attached). Mr. Josefiak's letter was addressed to me at the post office box of Rotan Mosle Inc., whose employ I left on January 26, 1988. Therefore, I would like to request a 20-day extension of the date by which I must respond from today to Monday, February 13, 1989.

I will be out of town from January 28 until February 4, but my assistant, Jeannie Campbell, with whom you have spoken, will be able to reach me should you have any questions.

I appreciate very much your consideration.

Sincerely,



Attachment

91040373422

89 JAN 26 AM 10:23

FEDERAL RECORDS

06C1662



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 6, 1989

Mr. R. John Stanton, Jr.
5410 West Loop South
Bellaire, TX 77401

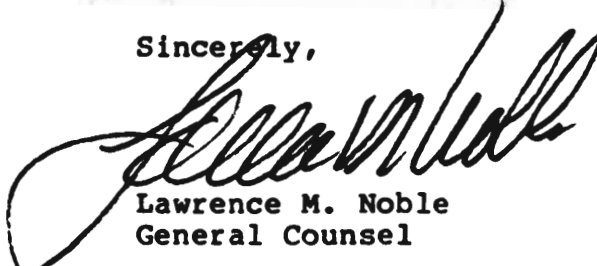
RE: MUR 2644
R. John Stanton, Jr.

Dear Mr. Stanton:

This is in response to your letter dated January 25, 1989, which we received on January 26, 1989, requesting an extension of 20 days until February 13, 1989 to respond to the Commission's reason to believe findings and questions in the above-captioned matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on February 13, 1989.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble
General Counsel

91040873423

06C 1668

WILEY, REIN & FIELDING

1776 K STREET, N. W.
WASHINGTON, D. C. 20006
(202) 429-7000

FRED F. FIELDING
(202) 429-7320

January 26, 1989

TELECOPIER
(202) 429-7049
TELEX 248349 WYRN UR

Lawrence M. Noble, Esquire
General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attn: Judybeth Greene

Re: MUR 2644
Cyrus Ansary

89 JAN 26 PM 1:09
FEDERAL ELECTION COMMISSION

91040373424

Dear Mr. Noble:

This response is submitted on behalf of Cyrus Ansary in reply to the interrogatories and request for documents issued by the Federal Election Commission to Mr. Ansary on December 19, 1988.

Enclosed are his sworn answers to these interrogatories and requests, along with the corresponding Exhibit.

Thank you again for your courtesy in granting the extension of time in which to supply this information to you on behalf of Mr. Ansary.

We trust the enclosed data meets your need for information on this matter.

Sincerely,



Fred F. Fielding

Enclosure
cc: Cyrus Ansary

FFF/CAL:co

**RESPONSE OF CYRUS ANSARY TO THE INTERROGATORIES OF THE
FEDERAL ELECTION COMMISSION IN MUR 2644**

QUESTION 1.

State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.

RESPONSE

Neither Representative Sweeney nor any of his campaign or congressional staff members suggested that I make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988, as explained at greater length in my response (below) to Question 4.

QUESTION 2.

State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

RESPONSE

As explained at greater length in my response (below) to Question 4, I did not intend to make a contribution to the Gerald R. Ford - New Leadership Committee, but rather I intended to make a contribution to the Gerald Ford Library

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Foundation. Further, I did not know of any specific fundraiser for Representative Sweeney in April, 1988, although Representative Sweeney told me, in general terms, that he was hoping to have President Ford as a speaker at a fundraiser at some future point and that President Ford raised money for his library through his appearances. Finally, I did not, at any time, speak to members of either Representative Sweeney's campaign or congressional staffs about any fundraising appearance by President Ford or any other individual.

QUESTION 3.

State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

RESPONSE

As explained above, at the time of my dinner with Representative Sweeney, I did not know of the scheduling of any particular fundraiser featuring Gerald Ford. However, Representative Sweeney had explained to me that he was hoping several individuals would make a contribution to the Gerald Ford Library in connection with a potential appearance by Gerald Ford at a Sweeney fundraiser.

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QUESTION 4.

Explain the circumstances under which you made a contribution to the Gerald R. Ford New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

RESPONSE

Representative Sweeney and I have been friends for many years. As a result, a mutual friend arranged to have dinner with Congressman Sweeney and me in March 1988, purely for social purposes. Over dinner we naturally discussed Representative Sweeney's on-going campaign for re-election. At no time during dinner did Representative Sweeney request that I make a contribution to him, or on his behalf to any other individual or entity.

However, during the course of the conversation, the names of several well-known public figures who were of assistance to Republican Fundraising activities were discussed, including Henry Kissinger, Oliver North, and Gerald Ford. Congressman Sweeney informed me that Gerald Ford was a good friend of his, and that he was going to try to arrange to have Gerald Ford appear at an event on his behalf. Congressman Sweeney also noted that Gerald Ford attempted to raise approximately \$9,000 for his library from each personal appearance he made.

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As we were leaving the restaurant I decided, of my own volition, to make a contribution to the Gerald Ford Library. Because I did not know the name of the foundation specifically, I wrote the check leaving the payee on the check blank, and gave the check to Representative Sweeney asking him to forward it to Gerald Ford. Again, however, Congressman Sweeney never asked or suggested that I make a contribution to either himself or the Gerald Ford Library.

I later received a phone call from Gerald Ford's office questioning whether the donation was "excessive". I told the woman to whom I spoke that I had understood there was no restriction on the amount of a donation to the library but that if there was any difficulty at all I would like to have the check returned. At this point she said that they would check with counsel regarding the appropriateness of my contribution. When I heard from this woman a second time she told me that they checked with their lawyers and that there was no problem. My wife received a similar phone call from Gerald Ford's office (the check was on our joint account) and also asked, at my request, that the donation be returned if there was any problem. She too was told that after checking with counsel there were no problems.

Finally, while I had noticed that the check was made payable to the Gerald R. Ford New Leadership Committee, it did not occur to me that this was a political group rather than part of the Library. I did not discover that the

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"Gerald R. Ford New Leadership Committee" is a political action committee until after I received these materials from the Federal Election Commission. A copy of the check has been enclosed at Attachment 1.

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The above statements are true to the best of my knowledge and belief.

Cyrus A. Ansary
Cyrus A. Ansary

WASHINGTON, D.C.

Subscribed and sworn before me this 26th day of January, 1989.

Suzanne M. Bassett
Notary Public

Suzanne M. Bassett
Notary Public, District of Columbia
My Commission Expires Jan. 14, 1993

My Commission Expires: _____

CYRUS A. OR JANET H. ANSARY

4-88

421

March 31 1988 88 05-300/550 00

PAY TO THE ORDER OF The Gerald R. Ford New Leadership Committee \$ 3,000.00
Three Thousand & no/100 00 DOLLARS

1st AMERICAN
FIRST AMERICAN BANK OF BOSTON, MASS.

FOR Cyrus A. Ansary
⑆055003094⑆0421 02935635⑆ ⑆0000300000⑆

9 1 0 4 0 8 7 3 4 3 0

91040373431

PAY TO THE ORDER OF
F. A. B. - 100
04-14-88 004
12 83

PAY TO THE ORDER OF
F. A. B. - 100
04-14-88 004
12 83

PAY TO THE ORDER OF
F. A. B. - 100
04-14-88 004
12 83

PAY TO THE ORDER OF
F. A. B. - 100
04-14-88 004
12 83

AP 88 12
PAY ANY BANK, P.E.G.
BANK OF AMERICA, BT & SA
LOS ANGELES, CA.

AP 88-14
PAY ANY BANK, P.E.G.
BANK OF AMERICA, BT & SA
LOS ANGELES, CA.

#103

16-86

1001000000

1001000000

06C 1702

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036

202-861-3900
TELECOPIER 202-223-2085
CABLE PIPERMAR WSH
TELEX 904246

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

CRANES REST

January 31, 1989

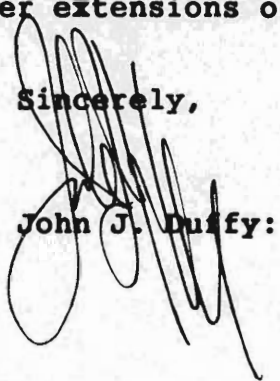
Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644
Gerald R. Ford - New Leadership Committee and
Sharyn J. Sheldon, as treasurer

Dear Ms. Lerner:

I am writing to request an additional short period of time in which to respond to the interrogatories and requests for production of documents in the above-referenced matter. Ms. Sheldon has resigned as the Committee's treasurer and has moved from Palm Springs, California, the Committee's headquarters. Consequently, we are having difficulty in making sure that we have located all of the documents requested. We ask, therefore, that the Commission extend the time for the Committee and Ms. Sheldon to respond up to and including February 10, 1989. No further extensions of time will be requested.

Sincerely,


John J. Duffy:

JJD:kag

21040373432

89 JAN 31 PM 4:54

FEDERAL ELECTION COMMISSION

0601727

PORTER & CLEMENTS

FIRST REPUBLICBANK CENTER
700 LOUISIANA, SUITE 3600

HOUSTON, TEXAS 77002-9700

89 FEB -2 PM 4:33

SECRETARIAT

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL E. HEDGES
PARTNER
1713 226-0641

TELEPHONE (713) 226-0600
TELECOPIER (713) 226-1391
TELECOPIER (713) 224-4935
TELEX 775-348

January 31, 1989

89 FEB -2 PM 4:33

Mr. Thomas J. Josefiak
Chairman
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2644, Texans for Sweeny and
Miles Sweeney, as treasurer

Dear Mr. Josefiak:

Enclosed is a statement of Designation of Counsel to be
filed in the above matter. Please file stamp the enclosed copy
and return it to this office in the enclosed self-addressed,
stamped envelope.

Very truly yours,

Daniel K. Hedges

Daniel K. Hedges

DKH:cb
SWE26/05

89 FEB -2 PM 5:22

RECEIVED

OK

21040373433

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2644

NAME OF COUNSEL: Daniel K. Hedges

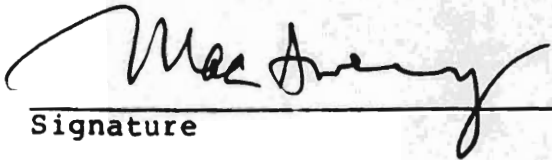
ADDRESS: Porter & Clements

Suite 3500, First Republic Bank Center
700 Louisiana
Houston, Texas 77002-2730

TELEPHONE: (713) 226-0600

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

1/31/89
Date


Signature

RESPONDENT'S NAME: Mr. Mac Sweeney

ADDRESS: 214 Mayfair Circle

Wharton, Texas 77488

HOME PHONE: (409) 532-2024

BUSINESS PHONE: (713) 831-6352

91040873434

HAND DELIVERED

0601751

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB -6 AM 10:56

PORTER & CLEMENTS

FIRST REPUBLICBANK CENTER

700 LOUISIANA, SUITE 3500

HOUSTON, TEXAS 77008-8730

TELEPHONE (713) 226-0600

TELECOPIER (713) 226-1333

TELECOPIER (713) 224-4886

TELEX 776-348

SWE26/001

89 FEB -6 PM 3:23

FEDERAL ELECTION COMMISSION

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0641

February 3, 1989

Ms. Judybeth Greene
Federal Elections Commission
999 E. Street N.W.
Washington, D.C. 20463

Re: MUR 2644, Texans for Sweeney and
Myles Sweeney, as treasurer

Dear Ms. Greene:

You have informed us that the date on which you will submit a brief to the Commission in the Texans for Sweeney matter is February 9, 1989. We hereby request that you extend that date until March 1, 1989.

We are anxious to develop the facts surrounding the complaint as fully and precisely as possible. To that end, we need more time to contact people who might have relevant information. No Texans for Sweeney staff remains who might assist in this task.

Additionally, Texans for Sweeney has just this week retained this firm to represent it before the Commission. A certain amount of time is needed to review and develop all appropriate information. We feel that the extension requested will be to the benefit of all parties involved, since additional time will allow an efficient investigation and prompt solution.

Very truly yours,

Daniel K. Hedges

Daniel K. Hedges

AOH:cb
SWE26/08

91040373435

plan



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

February 10, 1989

Daniel K. Hedges, Esquire
Porter & Clements
700 Louisiana, Suite 3500
Houston, TX 77002-2730

RE: MUR 2644
Texans for Sweeney and
Myles Sweeney, as treasurer

Dear Mr. Hedges:

This is in response to your letter dated February 3, 1989, which we received on February 6, 1989, requesting an extension until March 1, 1989 to respond to the Commission's interrogatories in the above-captioned matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on March 1, 1989.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

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06C#1775

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB -8 PM 2:40

PORTER & CLEMENTS

FIRST REPUBLICBANK CENTER
700 LOUISIANA, SUITE 3800

HOUSTON, TEXAS 77002-2730

TELEPHONE (713) 226-0800
TELECOPIER (713) 226-1331
TELECOPIER (713) 224-4836
TELEX 775-348

HAND DELIVERED

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0841

February 7, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
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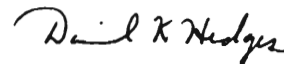
Ms. Judybeth Greene
Federal Elections Commission
999 E. Street Northwest
Washington, D.C. 20463

Re: MUR 2644, Texans for Sweeny and
Myles Sweeney, as treasurer

Dear Ms. Greene:

Enclosed is a revised statement of Designation of Counsel to be filed in the above matter. Please file stamp the enclosed copy and return it to this office in the enclosed self-addressed, stamped envelope.

Very truly yours,



Daniel K. Hedges

DKH:cb
SWE26/05

91040373437

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2644

NAME OF COUNSEL: Daniel K. Hedges

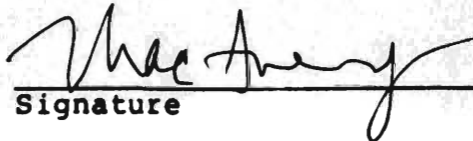
ADDRESS: Porter & Clements

Suite 3500 First Republic Bank Center
700 Louisiana
Houston, Texas 77002-1730

TELEPHONE: (713) 226-0600

The above-named individual is hereby designated as my
counsel and is authorized to receive any notifications and other
communications from the Commission and to act on my behalf before
the Commission.

2/4/89
Date


Signature

RESPONDENT'S NAME: Texans for Sweeney

ADDRESS: P.O. Box 1144

Wharton, Texas 77488

HOME PHONE: (409) 532-2024

BUSINESS PHONE: (713) 831-6352 .

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89 FEB -7 PM 1:37



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

February 7, 1989

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
SUBJECT: MUR 2644
Request for Extension of Time

By letter dated January 31, 1989, counsel for Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, requested an additional extension of 10 days in which to respond to the Commission's interrogatories and requests for production of documents in this matter. (Attachment 1) This Office previously granted the Committee an extension of approximately 25 days to submit a response.

The letter explains that an extension is necessary because Sharyn Sheldon has resigned as treasurer and moved from Palm Springs, California, the Committee's headquarters. As a result, the Committee has encountered some difficulty in locating all the documents requested. The Committee reported its change of treasurer in an amendment to its Statement of Organization. The amendment, which was filed on January 9, 1989, named Peggy L. Circle as treasurer.

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The Office of the General Counsel recommends that the Commission grant the requested extension.

RECOMMENDATIONS

1. Grant an extension of 10 days to Gerald R. Ford - New Leadership Committee and Peggy L. Circle, as treasurer.
2. Approve the attached letter.

Attachments

1. Request for Extension
2. Letter

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Gerald R. Ford - New Leadership Committee
and Sharyn J. Sheldon, as treasurer

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)

MUR 2644

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 9, 1989, the Commission decided by a vote of 6-0 to take the following actions in MUR 2644:

1. Grant an extension of 10 days to Gerald R. Ford - New Leadership Committee and Peggy L. Circle, as treasurer, as recommended in the General Counsel's memorandum to the Commission dated February 7, 1989.
2. Approve the letter, as recommended in the General Counsel's memorandum to the Commission dated February 7, 1989.

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

Attest:

2-9-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in the Office of Commission Secretary:	Tues.,	2-7-89,	1:37
Circulated on 48 hour tally basis:	Tues.,	2-7-89,	4:00
Deadline for vote:	Thurs.,	2-9-89,	4:00

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flm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 16, 1989

John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Peggy L. Circle, as
treasurer

Dear Mr. Duffy:

This is in response to your letter dated January 31, 1989, requesting an additional extension until February 10, 1989, to respond to the interrogatories and requests for production of documents in this matter. After considering the circumstances presented in your letter, the Commission has granted the requested extension. Accordingly, your response is due by the close of business on February 10, 1989.

If you have any questions, please contact Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Danny L. McDonald
Danny L. McDonald
Chairman

91040373442

OGC 1846

WTR 2644

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOPIER 202-223-2088
CABLE PIPERMAR WSH
TELEX 804248

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-839-2530

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

February 14, 1989

By Hand

Lois G. Lerner
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Ms. Lerner:

On behalf of Sharyn J. Sheldon I enclose her response to the interrogatories and request for production of documents that accompanied your letter dated December 19, 1988.

Sincerely,


John J. Duffy

JJD:cce
Enclosures

89 FEB 14 PM 4:57

RECEIVED

21040373443

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
)

MUR 2644

**ANSWERS OF SHARYN J. SHELDON TO
INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS**

Interrogatory No. 1

State whether a \$10,000 payment to Gerald R. Ford - New Leadership Committee was required as a condition of former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988.

Answer

It was not a required condition.

Interrogatory No. 2

State whether Representative Sweeney or any of his campaign or congressional staff members arranged for Cyrus Ansary, W. Temple Webber, Jr., R. John Stanton, Jr., Kathy Perry, and Dan Sweeney to make contributions to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please explain the circumstances and provide copies of all documents pertaining to these solicitations.

Answer

I have no knowledge of the activities of Representative Sweeney or his campaign or congressional staff members in arranging contributions from these persons to the Gerald R. Ford New Leadership Committee. Although I have no recollection of any specific conversation, I believe I was told that these persons would make contributions to the Gerald R. Ford New Leadership Committee. To my knowledge, the Gerald R. Ford New Leadership Committee has no copies of any documents pertaining to any solicitations by Representative Sweeney or any of his campaign or congressional staff members.

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Interrogatory No. 3

Identify the individual(s) who arranged for former President Ford's appearance at the Sweeney fundraiser in April 1988. Please provide copies of all documents relating to these arrangements.

Answer

Congressman Sweeney, Sharyn Sheldon, Mike Lopez, Maureen Calloway.

Interrogatory No. 4

Explain whether there is any connection between the individuals named in Question 2 as contributors to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please explain the nature of the connection.

Answer

These persons made contributions to the Gerald R. Ford New Leadership Committee, presumably at the request of Representative Sweeney or his staff, although I have no knowledge of any contacts between Representative Sweeney or members of his staff and any of these contributors. Although I have no recollection of any specific conversation, I believe I was told that these persons would make contributions to the Gerald R. Ford New Leadership Committee.

Interrogatory No. 5

Identify who paid former President Ford's travel expenses to the fundraiser for Representative Sweeney in April 1988 and provide copies of all documents pertaining to these expenses.

Answer

Travel was arranged by President Gerald R. Ford's office (commercial airline ticket) and the bill was sent to Representative Sweeney's campaign committee.

I declare under penalty of perjury that the foregoing is true and correct. Executed on this 10th day of February, 1989.

Sharyn J. Sheldon
Sharyn J. Sheldon

89 FEB 14 PM 4:57
FEDERAL BUREAU OF INVESTIGATION
RECEIVED

2 1 0 3 7 3 4 4 5

Sweeney's Hometown

Date after noon event

DATE _____ AGENCY _____

\$ 10K PAC DATE OF EVENT 4-18-88 TYPE OF EVENT Political Fundraiser

HOTEL ACCOMODATIONS: NAME _____ ADDRESS _____

CITY _____ STATE _____ ZIP _____ PHONE () _____

EVENT CONTACT Mike Lopez

ADDRESS _____ CITY _____ STATE _____ ZIP _____

PHONE 512-863-6870 ALTERNATE CONTACT OR MESSAGE PHONE _____

PLACE OF EVENT _____ ADDRESS _____

CITY Warden STATE Texas ZIP _____ PHONE () _____

RECEPTION _____ WHAT ROOM _____ TIME _____ ATTENDANCE _____

DRESS _____ ADDITIONAL INFORMATION _____

BREAKFAST, LUNCH, OR DINNER _____ WHAT ROOM _____ TIME _____ ATTENDANCE _____

DRESS _____ ADDITIONAL INFORMATION _____

HEAD TABLE _____ GUEST LIST _____

PRESS CONFERENCE _____ WHAT ROOM _____

SPEECH TOPIC _____ LENGTH _____ QUESTION & ANSWER _____

TRAVEL AIDE _____

TRANSPORTATION _____ (COM'L OR PVT)

70 miles from Houston
Cocktail grip + gun 6:00p - 8:00p
for Center residence

DRIVE TIMES:

A/C Billing
Trav. for Sweeney
PO Box 1297
Round Rock, Texas 78680
512-863-6870
✓ 388-2500

9:00
7:45
Houston
R 511

91040373446

*trip file
F/10/88*

TO: Sharyn Sheldon

FROM: Maureen Calloway, Campaign Coordinator
Texans for Sweeney

DATE: March 23, 1988

SUBJECT: President Gerald Ford's tentative schedule for
Wharton, Texas event on April 18, 1988

Tentative schedule subject to change due to flight itinerary
from California to Texas and ground transportation from Houston
to Wharton.

Hosted by Sweeney

- 6:20pm President Ford arrives Outlar home
- 6:20pm Personal time for President Ford
- 6:25pm Break time with Host and Hostess (Bolton and Myrtis Outlar)
(409) 532-4723 (409) 532-4114
- 6:40pm Private reception with Presidential Host Committee
Allen: 300
- 6:55pm Mix and mingle with invited guests (Local supporters
from Wharton, Eagle Lake, Bay City, El Campo, Boling,
and East Bernard)
- 7:15pm Rest period for President Ford (Heavy snack will be served)
- ~~7:20pm~~ *drp*
- 7:30pm Speeches, introduction of President Ford by Congressman
Sweeney *5 Min* *at: 450*
10 Min Sp.
- 7:55pm Continue to mix and mingle with invited guests
- ~~8:15pm~~ President Ford departs

21040373447

EP

*Dress: Coat & Tie / Suit
Allen:*

*Maureen Calloway
P.O. Box 1297
Round Rock, Tx 78680*

Watson/
off ^{Co Road} 231

From Hwy 102
off ^{Co R} 231.

1.6 miles, on left
long windy drive
way (Gravel)

RT: 1½ to 2 hrs,
Holding Room -

91040373448

NOV 9 1987



S.

512-863-6870

CONGRESSMAN MAC SWEENEY
WASHINGTON, DC 20518

November 4, 1987

P/Talk with me

The Honorable
Gerald Ford
P.O.Box 927
Rancho Mirage, CA
92270

Dear Mr. Ford:

Unfortunately for me and for Republicans in Texas, some historically Democratic congressional districts take three complete election cycles for us to secure.

During 1985-86 I returned home an average of 43 week-ends out of 52; so far this year, 35 of 41. After only thirty-four months in office, I am about to turn the corner.

Farm Advisory Committees established in every county. Veteran, Senior Citizen, and Hispanic Steering Committees--all of these carved out of Democratic strongholds. Conference, door-to-door walks, fifteen early morning, hour-long radio "talk shows," 1200 miles by car in-district of scheduled events and appearances on weekends, etc., etc.

Now seeing the opportunity to switch this district permanently for the first time in the state's 145-year history, I am gearing up to plant the Republican flag decisively in all 22 counties in my district.

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"Roll Call" magazine says I'm "at best an even bet to claim the district for good in 1988." Texas Business magazine says the Texas Democrats have targeted my district as the one to "prove the significance of Wright's speaker-ship to Texas." The NRCC feels the district is still years away from becoming "even marginally safe" territory.

But they are all wrong. They do not know what I know from three years of direct association.

In 1985 and 1986 I adopted an extreme strategy of spending only three days per week in Washington, while using my 29 year-old youthfulness to advantage--spending fully four days of heavily scheduled 14- or 15-hour days in the district. The strategy paid dividends as I prevailed even over the highly targeted partisan, dirty politics employed on the largest possible scale by the Democrats locally and nationally against my efforts back home.

Now I have the chance, strengthened and broadened by such a re-election, to put this district in the GOP column for good. And at the same time, to begin taking all the energy of these last three years and begin applying it to two more important purposes: (1) building the party outside my single district, and (2) committing my efforts toward pushing a Republican agenda legislatively for the first time (for me) in Washington.

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I cannot tell you how much I look forward to moving into this "second phase" of my young public service career. It is, alas, why I ran for office in the first place.

I can be, with time, a real leader in the U.S. House for the Republican Party. I hope I can begin work on this in 1988, so that with six or ten years I can begin to make a difference as I have already done back home.

In working toward this goal, I have tried to accommodate two competing impulses: one, to "pull my own wagon" back home and not rely easily on others to come in from outside and do the work that naturally and ultimately falls to me; and, two, to not let a strong sense of pride, independence, or self-respect stand in the way of allowing others who share my goals--collectively or personally--to help.

Reconciling these the best I can, I have decided not to be reticent about asking for your help yet another time--and presumably, for a final time, assuming progress back home continues at its present pace. In other words, within the year I hope to be enabled to fight more of the battle in Washington for the first time and less of a battle back home in my district.

I have attached a proposed scheduled event for your consideration, and thank you once again most sincerely for all your help in the past and gratefully in the future.

Very truly yours,



Mac Sweeney
Member of Congress

91040873451

**Proposed Scheduled Event:
Former PRESIDENT GERALD FORD**

Location: Since President Ford travels periodically to Houston and because the biggest "swing" area of our district is only a few miles from Houston, an event in Washington County (Brenham) or Austin County (Bellville) would seem to be most convenient and most effective in achieving our goal.

☛ **Date:** Anytime during the next three months, December to February, as we conclude efforts to demonstrate publicly our widespread support from Independents and Conservative Democrats in this key area of the district.

Time: A standard two-tiered event covering a total of one hour, forty minutes--including travel from Houston in executive-class helicopter or plane.

Costs: All costs for President Ford to be borne by our campaign, to include not only travel (from Houston and/or California), security, and staff expenses, but also the cost of an "honoraria" if desired. The objective is not so much to raise money, as it is to exhibit support of local Democrats for a local Congressman with GOP bi-partisan statesman.

21040873452

06C1871

RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB 16 AM 10:02

FIRST CITY CENTRE
816 CONGRESS AVENUE
AUSTIN, TEXAS 78701-2496
TELEPHONE 512 495-8400

VINSON & ELKINS
ATTORNEYS AT LAW

3300 FIRST CITY TOWER
1001 FANNIN

HOUSTON, TEXAS 77002-6760

TELEPHONE 713 651-2222 TELEX 762146

THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20004-1007
TELEPHONE 202 639-6500 TELEX 89680

47 CHARLES ST., BERKELEY SQUARE
LONDON W1X 7PB, ENGLAND
TELEPHONE 01 441 491-7236
CABLE VINELKINS LONDON W1-TELEX 2440

3700 TRAMMELL CROW CENTER
2001 ROSS AVENUE
DALLAS, TEXAS 75201-2816
TELEPHONE 214 220-7700

February 15, 1989

BY FEDERAL EXPRESS

Ms. Judybeth Greene
Federal Election Commission
999 E Street NW
Washington, D.C. 20463

RE: MUR 2644 R. John Stanton, Jr.

Dear Ms. Greene:

Enclosed are the answers of Mr. R. John Stanton, Jr. to the Interrogatories and Request for Production of Documents in the matter of MUR 2644.

Please call me at (713) 651-2462 if you have any questions about these answers or wish to discuss them further.

Sincerely,
Thomas P. Marinis, Jr.
Thomas P. Marinis, Jr.

cc: Mr. R. John Stanton, Jr.

0228:3369
\TPM\FIRM\04.TXT

89 FEB 16 PM 3:35

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

**R. JOHN STANTON, JR.
ANSWERS TO INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

R. John Stanton, Jr., after being duly sworn, answers the Interrogatories of the Federal Election Commission as follows:

1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford - New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.

Shortly before April 6, 1988, Representative Mac Sweeney contacted me by telephone and asked me to make a \$2,000 contribution to the Gerald R. Ford - New Leadership Committee.

2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the

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Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

I do not recall the specifics of my conversation with Representative Sweeney. I do recall that he mentioned that President Ford was to make an appearance at a fundraiser for him in Wharton, Texas and his belief that this would be a positive factor for his campaign for reelection.

3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford - New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.


I do not recall Representative Sweeney stating that a contribution to the Gerald R. Ford New-Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford - New Leadership Committee

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in April 1988 and provide a copy of all documents relating to that contribution.

I made the contribution to the Gerald R. Ford - New Leadership Committee in April, 1988 because Representative Sweeney asked me to make such contribution. I had supported Representative Sweeney in the past, and his father-in-law is a close personal friend. The contribution was accomplished by issuing two checks for \$1,000 each made out to the Gerald R. Ford - New Leadership Committee and causing those checks to be delivered to Congressman Sweeney's office in Round Rock, Texas by Federal Express. A copy of the checks and Federal Express receipt are attached to these answers. I made two checks for \$1,000, because it was my intent that one-half of the contribution be treated as a contribution from my wife. At the time that I sent the contribution, I was unaware of any requirement of the Federal Election Commission that the contribution be accompanied by a written statement that one-half of the contribution was to be attributed to my wife. Since I was not contacted either by Representative Sweeney or the Gerald R. Ford - New Leadership Committee about the reason for issuing two checks, I assumed that they understood my intent in this respect.


R. John Stanton, Jr.

0228:3369
\TPM\FIRM\01.TXT

9 1 0 4 0 3 7 3 4 5 6

State of Texas
County of Harris

§
§
§

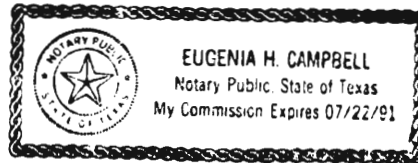
Before me, a notary public, on this day personally appeared John R. Stanton, Jr., known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 15th day of February, 1989.

Eugenia H. Campbell
Notary Public in and for
The State of T E X A S

My Commission expires:

7-22-91



91040873457

R. JOHN STANTON, JR.
% ROTAN MOSLE INC.
P. O. BOX 3226
HOUSTON, TEXAS 77253-3226

2905

April 6 19 88

35-6/1130

PAY TO THE ORDER OF Ronald R. Ford New Leadership Committee \$ 1000.00

DOLLARS

R. JOHN STANTON, JR.

R John Stanton Jr

⑆00 2905⑆ ⑆113000065⑆ 0000581925⑆



R. JOHN STANTON, JR.
% ROTAN MOSLE INC.
P. O. BOX 3226
HOUSTON, TEXAS 77253-3226

2904

April 6 19 88

35-6/1130

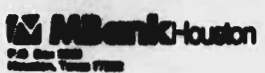
PAY TO THE ORDER OF Ronald R. Ford New Leadership Committee \$ 9100.00

DOLLARS

R. JOHN STANTON, JR.

R John Stanton Jr

⑆00 2904⑆ ⑆113000065⑆ 0000581925⑆



For the Secretary

8 5 4 3 7 8 0 4 0 1 6

PLEASE DETACH CHECK BEFORE DEPOSITING

DESCRIPTION	AMOUNT	CODE
FEDERAL EXPRESS CO	57.25	
FEDERAL EXPRESS CO		

TO: UNITED BEVERAGE CO
5410 H LOOP S
BELLAIR, TX 77401

SENDER ACTIVITY SUMMARY

INVOICE NO. 6-83-11847 ACCOUNT NO. 8770-7841-0
PAGE 1 OF 2
DATE 04/20/88

PACKING NOS REFERENCE	SENDER'S NAME AND ACCOUNT ADDRESS	RECIPIENT INFORMATION (AND PROOF OF DELIVERY)	PACKAGES & SERVICES	CHARGES	NET CHARGES
7290529956 6197035 1	TRAVIS EDWIN UNITED BEVERAGE CO 5410 H LOOP S BELLAIR, TX 77401 SHIPPED 04/06/88	JULIE CORDRY MILLER OF DALLAS 2730 IRVING BLVD DALLAS, TX 75294 DELIVERED 04/07/88 08:11 SIGNED: J. SIEBENTHAL	MATH PRIORITY MAIL CORR CHK	23.00 706.00 4.27	23.00
7290529960 6152651 1	UNITED BEVERAGE CO 5410 H LOOP S BELLAIR, TX 77401 SHIPPED 04/06/88	LINDA SISULAK 1511-M BLUEHOUND RD STE B BROOKFIELD, RI 01505 AA DELIVERED 04/07/88 08:35 SIGNED: J. NEBS	OVERNIGHT ENV	20.25	20.25
7290530100 * 5443651 1	UNITED BEVERAGE CO 5410 H LOOP S BELLAIR, TX 77401 SHIPPED 04/06/88	CONGRESSIONAL MAC SHEENEY 1717 NORTH IN-15 STE 201 DALLAS, TX 75244 AA DELIVERED 04/07/88 09:22 SIGNED: A. BOWELL	APPROVAL OVERNIGHT LTR	14.00	14.00
SENDER SUBTOTAL			57.25	PAY THIS AMOUNT	57.25

FEC-44-145 8/84

NON NEGOTIABLE

AL EXPRESS CLUP
502 11-70 1-1 T. A
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RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 FEB 27 AM 11:30

ROBINSON C. RAMSEY
ATTORNEY AT LAW
300 WEST BURLESON STREET
WHARTON, TEXAS 77488

BOARD CERTIFIED-FAMILY LAW
TEXAS BOARD OF LEGAL SPECIALIZATION

22 February 1989

P.O. BOX 1176
(409) 532-0902

Lawrence M. Noble
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2644

Mr. Noble:

I am enclosing Dan Sweeney's responses to your questions.

If you need any further information, please let me know.

Sincerely,



Rob Ramsey

RR/km

Enclosure

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
#P 916 708 744

cc: Dan Sweeney
620 Tennie Avenue
Wharton, TX 77488

89 FEB 27 PM 3:48

RECEIVED
FEDERAL ELECTION COMMISSION

91040373461

BEFORE THE FEDERAL ELECTION COMMISSION

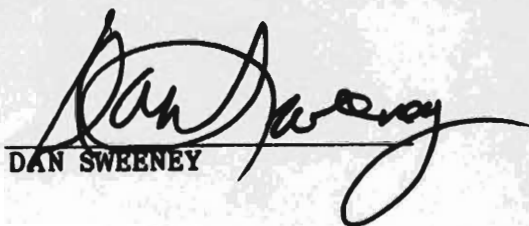
IN THE MATTER OF

§

MUR 2844

ANSWERS TO INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

Dan Sweeney files the attached answers to interrogatories and states under oath that these answers are true and correct.


DAN SWEENEY

STATE OF TEXAS

§

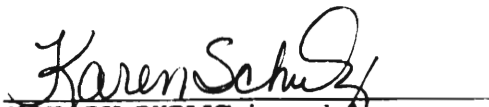
COUNTY OF WHARTON

§

SIGNED UNDER OATH before me on the 17th day of February,
1989.

My Commission Expires:

05-25-92


NOTARY PUBLIC in and for
THE STATE OF TEXAS
Printed Name: Karen Schulz



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1. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that you make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who contacted you and explain the circumstances and whether they suggested that you contribute a specific amount.

Answer: Yes. Representative Sweeney was having a fund raising event in Wharton County to be hosted by Dr. and Mrs. Bolton Outlar. They were looking for sponsors for this event, and I told Congressman Sweeney that I had intended to contribute as a sponsor to this event, but that it looked as though they had more than enough sponsors for the event. He agreed and suggested that under these circumstances I might want to contribute to the Gerald R. Ford New Leadership Committee instead. He knew that I had said earlier that I did want to contribute something to President Ford in appreciation of the help that he had given Representative Sweeney in the past. I did then contribute to the Gerald R. Ford New Leadership Committee in the amount of \$1,000. No one suggested that I contribute a specific amount. The amount that I contributed was my idea.

2. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements regarding any connection between your contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what you were told.

Answer: No.

3. State whether Representative Sweeney or any of his campaign or congressional staff members made any statement regarding whether a payment to the Gerald R. Ford-New Leadership Committee was required as a condition of his appearance at a fundraiser for Representative Sweeney in April 1988.

Answer: No.

4. Explain the circumstances under which you made a contribution to the Gerald R. Ford - New Leadership Committee in April 1988 and provide a copy of all documents relating to that contribution.

Answer: Representative Sweeney was having a fund raising event in Wharton County to be hosted by Dr. and Mrs. Bolton Outlar. They were looking for sponsors for this event, and I told Congressman Sweeney that I had intended to contribute as a sponsor to this event, but that it looked as though they had more than enough sponsors for the event. He agreed and suggested that under these circumstances I might want to contribute to the Gerald R. Ford New Leadership Committee instead. He knew that I had said earlier that I did want to contribute something to President Ford in appreciation of the help that he had given Representative Sweeney in the past. I did then contribute to the Gerald R. Ford New Leadership Committee in the

amount of \$1,000. No one suggested that I contribute a specific amount. The amount that I contributed was my idea. I am attaching a copy of the check that I wrote as a contribution to the Gerald R. Ford New Leadership Committee.

5. State whether you had any role in arranging for \$10,000 in contributions to the Gerald R. Ford - New Leadership Committee. If so, please explain and provide copies of all documents relating to your solicitations for contributions to the New Leadership Committee and copies.

Answer: No.

6. State whether you had any role in arranging for former President Ford's appearance at the Sweeney fundraiser in April 1988. If so, please provide copies of all documents relating to these arrangements.

Answer: No.

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MR. M. J. DAN'S WRENTRY
 130 HUNTER AVE. 532-4324
 DALLAS TEXAS 75208

PAID
 1986 APR 26

FOR DEPOSIT ONLY
 SECURITY
 CHECKS AND TRUST
 ACCOUNTS ONLY
 DEPOSIT ONLY

10000000000000000000

FOR DEPOSIT ONLY
 APR 26 1986

10000000000000000000

DOLLARS

1114

NATIONAL TRUST AND SAVINGS ASSOCIATION

FOR DEPOSIT ONLY

Goal

New Leadership Committee

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PAID SPRING P/C

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ADMINISTRATIVE DIVISION

PORTER & CLEMENTS

FIRST REPUBLICBANK CENTER
700 LOUISIANA, SUITE 3500

HOUSTON, TEXAS 77002-2700

89 FEB 28 PM 2:05

SWE26/001

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0641

TELEPHONE (713) 226-0600
TELECOPIER (713) 226-1331
TELECOPIER (713) 224-4836
TELEX 775-348

February 27, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
89 FEB 23 PM 3:49

FEDERAL EXPRESS

Ms. Judybeth Greene
Federal Elections Commission
999 E. Street Northwest
Washington, D.C. 20463

Re: MUR 2644, Texans for Sweeny and
Myles Sweeney, as treasurer

Dear Ms. Greene:

Enclosed is the Response to Interrogatories and Request for
Production of Documents to be filed in the above matter. Please
file stamp the enclosed copy and return it to this office in the
enclosed self-addressed, stamped envelope.

Very truly yours,

Daniel K. Hedges

Daniel K. Hedges

DKH:cb
SWE26/05

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)
)

MUR 2644

RESPONSE TO INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Ms. Judybeth Greene, Office of the General Counsel,
Federal Election Commission, Room 659, 999 E Street,
N.W., Washington D.C. 20463

COMES NOW Texans for Sweeney and submits its response to the interrogatories and request for production of documents propounded by the Federal Election Commission in connection with the above referenced case number.

1. State whether Representative Sweeney or any of his campaign or congressional staff members had any role in arranging for \$10,000 in contributions to the Gerald R. Ford - New Leadership Committee. If so, please explain and provide copies of all documents relating to these solicitations for contributions to the New Leadership Committee.

Response to Interrogatory No. 1

Former Representative Sweeney personally called five individuals in March or April 1988, and asked them to make contributions to the Gerald R. Ford - New Leadership Committee. Those individuals were Temple Webber, John Stanton, Bob Perry (contact was daughter Kathy Perry), Cyrus Ansary, and Dan Sweeney. The contacts were oral, and there are no documents reflecting them.

2. State whether a \$10,000 payment to Gerald R. Ford - New Leadership Committee was required as a condition of former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988.

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Response to Interrogatory No. 2

No. It was not.

3. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that Cyrus Ansary, W. Temple Webber, Jr., R. John Stanton, Jr., Kathy Perry, Dan Sweeney or anyone else make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who were contacted, explain the circumstances and provide copies of all documents pertaining to these solicitations.

Response to Interrogatory No. 3

Yes. See Answer No. 1 above.

4. Identify the individual(s) who arranged for former President Ford's appearance at the Sweeney fundraiser in April 1988. Please provide copies of all documents relating to these arrangements.

Response to Interrogatory No. 4

Respondent is uncertain as to the meaning of this interrogatory. The actual arrangements for President Ford's appearance would have been made by President Ford's staff. This interrogatory can be fully answered only by President Ford's staff.

5. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements to any of the individuals identified in Question 3 regarding any connection between their contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what was said.

Response to Interrogatory No. 5

No one was told that a contribution was a "quid pro quo" for President Ford's appearance, nor was it.

6. Identify who paid the former President Ford's travel expenses to attend a fundraiser for Representative Sweeney in April 1988 and provide copies of all documents in your possession pertaining to the payment of such expenses.

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Response to Interrogatory No. 6

Texas for Sweeney did not pay for President Ford's travel expenses, and does not know who did. This interrogatory can be fully answered only by President Ford's staff.

S. Myles Sweeney

Dated: 2-21-89

STATE OF TEXAS §
 WHARTON §
COUNTY OF ~~HARRIS~~ §

BEFORE ME, the undersigned authority, on this day personally appeared S. Myles Sweeney, the person whose signature appears on this document. According to affiant's statement under oath, he has read these answers to interrogatories and they are correct according to the affiant's personal knowledge.

SUBSCRIBED AND SWORN to before me, on this 21st day of February, 1989.

Christina Smith
Notary Public, State of Texas

Date: 2-21-89

Christina Smith
Printed Name of Notary Public

My commission expires 6-14-92

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O&C 2006

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FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 MAR -2 AM 10:42

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FIRST REPUBLICBANK CENTER
700 LOUISIANA, SUITE 3600

HOUSTON, TEXAS 77002-2730

ATTORNEYS

A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0641

TELEPHONE (713) 226-0600
TELECOPIER (713) 226-1331
TELECOPIER (713) 224-4835
TELEX 775-348

SWE26/001

March 1, 1989

FEDERAL EXPRESS

Ms. Judybeth Greene
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR2644, Texans for Sweeney
and Myles Sweeney as Treasurer

Dear Ms. Greene:

As a result of a complaint dated July 12, 1988, and its amendment dated August 5, 1988, the Commission began an investigation into the campaign financing of Texans for Sweeney, the authorized campaign committee for the reelection of Congressman David McCann "Mac" Sweeney from the 14th Congressional District of Texas.

The complainant alleged that personal friends of Representative Sweeney, at his behest, contributed \$10,000.00 to former President Gerald R. Ford's Political Action Committee ("President Ford's PAC") as required payment for President Ford's appearance at a Sweeney fund raiser. By implication, the requirement was allegedly one imposed by Ford, not by Sweeney.

Your Factual and Legal Analysis states that if the allegations are proved to be true, then Texans for Sweeney has violated two federal statutes:

- (1) 2 U.S.C. § 434(b)(2), (3) which requires reporting of all contributions from individuals; and
- (2) 2 U.S.C. § 441(a)(1) which limits the amount a candidate or campaign committee may receive from an individual to \$1,000 per election.

21040373470

89 MAR -2 PM 3:27

Ms. Judybeth Greene
Page 2
March 1, 1989

I. Factual Background

Congressman Mac Sweeney first ran for Congress in 1984. His election was hotly contested, and his was the first Republican congressional victory ever in this part of Texas heavily populated by Democrats. He was reelected in 1986, defeating Democrat Greg Laughlin in a bitter race, despite holding the public distinction as the reported "Number One Target of the Democratic Congressional Campaign Committee (DCCC)". In the 1988 general election, Congressman Sweeney once again faced Mr. Laughlin.

During the course of Congressman Sweeney's six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election) President Gerald R. Ford voluntarily made five campaign appearances on his behalf. These trips were deliberately planned by the former President's staff to coincide with President Ford's trips to Houston, adjacent to the 14th Congressional District, for his attendance at meetings of the Board of Directors of Texas Commerce Bank. Congressman Sweeney's campaign committee did not pay any of the travel expenses incurred by President Ford in connection with these appearances.

In anticipation of the 1988 general election, Congressman Sweeney in late 1987 wrote President Ford to inquire about the latter's availability for a campaign appearance at a fund-raiser in Wharton, Texas, the Congressman's home town. In this one particular letter, Congressman Sweeney also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford--New Leadership Committee, a political action committee. This personal offer was in no way formally connected to Congressman Sweeney's official or campaign duties; nor was it in any way connected to the proposed visit.

It was mentioned in the same letter as an informal acknowledgement, in passing, that the Congressman now considered himself in a personal position to help with the President's causes, something which the two men had discussed on prior occasions--i.e. the Congressman's earnestness in wanting to help with Ford's causes. In fact, many of the former President's admirers have long supported his worthwhile causes; and if any one person had become aware of the value of these causes, surely it was a young congressman who had campaigned with Ford and who was trying to do his part while still Congress's second-youngest member.

Meanwhile, as his scheduling priorities evolved, President Ford, through his staff, once again accepted the Congressman's

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Ms. Judybeth Greene
Page 3
March 1, 1989

invitation, and a date was set for his appearance. Scarcely two months before the event, Texans for Sweeney began the arrangements for the fund-raiser, including printing and mailing invitations and arranging the location, food, and entertainment. All travel arrangements for President Ford were handled exclusively by Ford's own staff. Neither Congressman Sweeney nor Texans for Sweeney participated in the planning of President Ford's itinerary.

About a week before the fund-raiser, Congressman Sweeney received a phone call from a member of President Ford's staff. The phone call was apparently a follow-up to the Congressman's earlier letter, and thereby confirmed that President Ford's PAC would appreciate any help with fund-raising the Congressman could offer. From the message, the Congressman assumed the Ford Committee must be doing their seasonal fund-raising and surmised that he was now "on the list" of people that Ford's various committees would count on--now and in the future. In sum, a series of professional courtesies extended by Ford engendered a personal relationship, which in turn engendered a professional courtesy from Sweeney.

Congressman Sweeney, sensing an opportunity to help, telephoned five of his friends and requested that they contribute to President Ford's PAC. These friends all shared the strong conservative ideals and Republican loyalty of President Ford and Congressman Sweeney, and, therefore, Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions. The fund-raiser was held on April 18, 1988, and President Ford made his fifth in a series of endorsement appearances over a three-year period.

On April 23, 1988, a Houston Chronicle reporter published an erroneous story to the effect that the \$10,000.00 paid to President Ford's PAC was a condition for his appearance. This allegation arose from an inaccurate statement elicited from a junior aide by a Washington based reporter. The aide admittedly had no personal knowledge of the transaction, and had been employed at that time less than three months at a salary of \$14,000 per annum. The newspaper also mistakenly reported that the campaign would reimburse Ford's travel expenses.

As the general campaign heated up, Congressman Sweeney's opponents looked for any possible tactical advantage. Sensing

21040373472

Ms. Judybeth Greene
Page 4
March 1, 1989

that the Congressman could be damaged by a negative spin on the President Ford appearance story, his political enemies looked to capitalize on negative publicity, even though in this case almost four full months elapsed between the appearance and the later filing of a complaint (with attendant press release). Once the local Democrat-oriented newspapers began running a second and more strident round of stories in the summer, the feeding frenzy began. The Congressman was the object and victim of a media campaign that was inaccurate at best, deliberately misleading at worst. Distortions built upon distortions. For example, the Victoria Advocate reported that the Congressman paid \$30,000.00 in expenses for President Ford's visit in 1985. That statement is wildly inaccurate! In fact, neither Congressman Sweeney nor Texans for Sweeney ever paid or reimbursed President Ford's travel expenses.

The complainant in this matter, John Griffin, Jr., is an avid supporter of Congressman Sweeney's 1988 general election opponent, Greg Laughlin. His overblown complaint was drafted in July, 1988, in the heat of a fiercely fought campaign in which every political advantage was sought. (The district is, by registration, eleven-to-one Democratic.) As such, the complaint emanates from the least reliable source, a partisan opponent seeking to unseat his candidate's sworn rival in one of the nation's most competitive congressional districts. It is revealing that the complaint uses only newspaper accounts as supporting documentation. This case has been one of rumor feeding rumor, innuendo assuming a pseudo-authenticity. And by design, this partisan strategy surely did not assist Congressman Sweeney in holding the district as its first-ever elected Republican. In the less heated environment of post election analysis, it is imminently clear that the complaint is baseless.

II. Legal Analysis

A. The contributions made to President Ford's PAC were not intended to be and do not constitute contributions to Texans for Sweeney.

There was no judicial or statutory linkage between President Ford's visit and the wholly separate transaction of raising money for his PAC. Neither Ford himself nor his staff ever suggested that the visit was contingent on any payment, and Congressman Sweeney never represented to his five personal friends that such was the case.

The timing of the contributions, coming as close to President Ford's visit as they did, could be interpreted by most

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Ms. Judybeth Greene
Page 5
March 1, 1989

political cynics as a "quid pro quo" for his campaign appearance. But that inference is totally wrong and politically inspired. The newspaper accounts were based on the inaccurate statement by a staff member of Congressman Sweeney who had no personal knowledge of the facts. All contact was made by the Congressman himself without the assistance of his staff. That staff member later reported that his statement was naive, baseless, and inaccurate.

B. Because the contributions do not constitute contributions to Texans for Sweeney, they are not required to be reported as such.

2 U.S.C. § 434(b)(2) requires that contributions to another organization must be reported only if in the light of all attendant facts those contributions should for some reason be attributed to the reporting political committee. Since the contributions were made directly to President Ford's PAC, and since there was no linkage between his visit and the contributions, there is no basis on which to attribute those contributions to Texans for Sweeney. President Ford's visit was arranged with the clear mutual understanding that he would come whether or not the contributions were made.

The contributions were made to President Ford's PAC without any preconditions attached. They were properly reported by that PAC as its own contributions. There is no connection between the contributions and Texans for Sweeney other than the fact that they were made by individuals who were also personal friends and occasional political supporters of Congressman Sweeney. That mere coincidence cannot and should not compel attribution to Texans for Sweeney, any more than the Congressman's fund-raising for any other organization should.

C. These contributions do not represent an in kind contribution to Texans for Sweeney.

The applicable federal election statute provides that the term "contribution" includes "anything of value made by any person for the purpose of influencing any election for Federal office. . ." 2 U.S.C. § 431(8)(a)(i). 11 C.F.R. 100.7(a)(1)(iii) states that "anything of value includes all in-kind contributions." The complaint which initiated this investigation alleged that President Ford's appearance or his endorsement constituted an in-kind contribution because it was "paid for" by the \$10,000 in contributions to President Ford's PAC. (We presume that this statement represents the substance of the complaint; it is difficult to understand the exact logic of this

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Ms. Judybeth Greene
Page 6
March 1, 1989

confusing allegation.) At the very least, Ford's history of campaigning for the Congressman should negate the simplistic notion that his endorsement was "for sale," as is alleged.

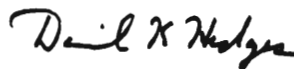
It is not certain that President Ford's appearance or his endorsement fit the category of "contribution." If they do fall within the strict definition, however, they are specifically exempted by statutory exception. 2 U.S.C. § 431(8)(B)(i) provides that "the value of services provided without compensation by any individual who volunteers on behalf of a candidate" is not included within the definition of "contribution." Since President Ford's visit was voluntary, not tied to contributions to his PAC, his appearance cannot be considered a contribution to Texans for Sweeney.

D. Texans for Sweeney did not receive amounts exceeding \$1,000 per election from any individual.

Since the contributions were made to President Ford's PAC, and there was no quid pro quo between them and President Ford's appearance, the contributions are not attributable to Texans for Sweeney. Therefore, no limitations on amounts from individuals could have been exceeded as a result of the contributions in question. The appropriate "limitation rules" are governed in this case by total contributions of the individuals to Ford's PAC, not to Sweeney's committee.

I sincerely hope that based on the answers you have received to the Commission's interrogatories and the foregoing explanation--all analyzed from an impartial perspective which did not characterize the complaint--you will find that there is not probable cause to believe any violation of federal election laws has occurred.

Very truly yours,



Daniel K. Hedges

DKH:cb
SWE26/020

21040373475



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1989

POSTMASTER
Houston, Texas 77058

RE: MUR 2644

Dear Sir or Madam:

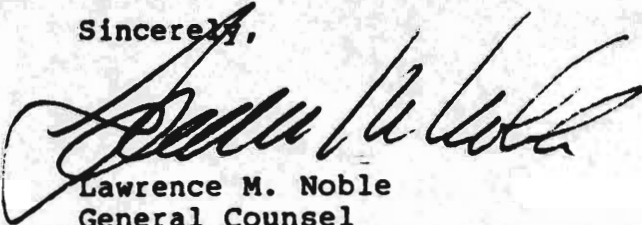
Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you provide us with the present address of Kathy K. Perry. According to our records, the address of Kathy K. Perry was 18630 Barbuda Lane, Houston, Texas 77058 as of April, 1988.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Envelope

91040373476

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RECEIVED
FEDERAL ELECTION COMMISSION
ADMINISTRATIVE DIVISION

89 MAR 13 AM 8:52



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 7, 1989

POSTMASTER
Houston, Texas 77058

RE: MUR 2644

Dear Sir or Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you provide us with the present address of Kathy K. Perry. According to our records, the address of Kathy K. Perry was 18630 Barbuda Lane, Houston, Texas 77058 as of April, 1988.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Judybeth Greene, the attorney assigned to this matter, at (202) 376-8200.

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
Lawrence M. Noble
General Counsel

Enclosure
Envelope

good as addressed
5804 JDC

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FEDERAL ELECTION COMMISSION
89 MAR 13 PM 1:05

91040373477

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 7, 1989

Mr. John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Sharyn J. Sheldon

Dear Mr. Duffy:

On February 14, 1989, you submitted on behalf of Sharyn J. Sheldon her response to the Commission's interrogatories and request for production of documents in the above-cited matter. Included with the response were various attachments, one of which was a partially completed form describing the event at issue and setting out certain other pertinent information. (See enclosure).

In the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. Please provide the name of the person who completed this portion of the form and an explanation of the meaning of this particular entry.

Thank you for your cooperation in this matter. If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

Enclosure
Copy of form

21040373478

DBC 4026

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MAIL ROOM

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NCNB CENTER
700 LOUISIANA, SUITE 2800

HOUSTON, TEXAS 77002-2700

89 SEP 18 AM 9:10

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL E. HEDGES
PARTNER
(713) 226-0641

TELEPHONE (713) 226-0800
TELECOPIER (713) 226-1331
TELECOPIER (713) 224-4635
TELEX 776-346

SWE26/001

September 8, 1989

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
89 SEP 18 PM 1:33

Ms. Mary Ann Bumgarner
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR2644, Texans for Sweeney and
Myles Sweeney as Treasurer

Dear Ms. Bumgarner:

You recently called me and asked two questions relating to the above matter. First, you asked whether we had a copy of the November, 1987, letter from Congressman Sweeney to President Ford referred to on page two, paragraph three of my March 1, 1989, letter to Judybeth Greene. Although Congressman Sweeney remembers the letter well, we do not have a copy. It was not retained when the campaign ended and the Congressman left office.

Your second question related to who paid the expenses of the trip by President Ford. In our response to interrogatories, we stated that Congressman Sweeney's campaign did not pay any of President Ford's expenses. I have once again checked with Congressman Sweeney, and he is quite certain that our original answer was correct.

You indicated to me that the Ford PAC's answers to interrogatories said that the Sweeney Campaign paid the expenses. If they said that, they are mistaken. There is a possible explanation for the conflicting answers. President Ford was at that time a member of the board of directors of Texas Commerce Bancshares. Prior to attending the Sweeney fundraiser, President Ford was in Houston for a Texas Commerce Bancshares board meeting. It is fully possible that all of his expenses, or a major portion thereof, were paid by Texas Commerce Bancshares in connection with his attendance at its board of directors meeting.

91040373479

PORTER & CLEMENTS

Ms. Mary Ann Bumgarner
Page 2
September 8, 1989

I hope this information has been helpful. If you have any other questions, please do not hesitate to call me.

Very truly yours,

Dan Hedges

Daniel K. Hedges

DKH:cb
SWE26/22

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OGC 4796

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OFFICE OF GENERAL COUNSEL

89DEC 11 AM 9:28

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036
202-861-3900
TELECOPIER 202-823-2085
CABLE PIPERMAR WSH
TELEX 904248

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

December 8, 1989

Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Attn: Mary Ann Bumgarner, Esq.

Re: MUR 2644
Sharyn J. Sheldon

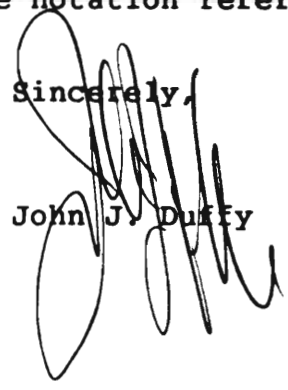
Dear Ms. Lerner:

This is in response to your letter dated June 7, 1989 in which you request information about a handwritten notation appearing on an attachment to the Responses To Interrogatories of Sharyn J. Sheldon.

I finally contacted Ms. Sheldon (who has recently married and whose last name is now Ruddick) and she has identified the notation to be in her handwriting. She informed me that she believes that the notation refers to monies received by the Committee.

Sincerely,

John J. Duffy



JJD:dp

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Texans for Sweeney and)	MUR 2644
Nyles Sweeney, as treasurer)	
W. Temple Webber, Jr., <u>et al</u>)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The Commission received a complaint on July 2, 1988 from John Griffin, Jr., alleging that five supporters of Representative David McCann "Mac" Sweeney had made \$10,000 in contributions to former President Ford's PAC, Gerald R. Ford - New Leadership Committee ("New Leadership Committee") as payment for President Ford's appearance at a Sweeney fundraiser in April, 1988, and his endorsement of the Sweeney candidacy. He alleged that these payments had not been reported by Texans for Sweeney as "in-kind" contributions. The complainant further alleged that Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and that, therefore, at least one of these contributors had made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Complainant contended that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as

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amended ("the Act"). The complainant also questioned the source of payment for the travel expenses involved with President Ford's appearance.

On December 8, 1988, the Commission found reason to believe that four individuals had violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 per election to Texans for Sweeney. These individuals are W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr. and Kathy Perry. Also on December 8, 1988, the Commission found reason to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 434(b) and 441a(f) by not reporting all contributions as required and by knowingly accepting contributions from individuals in excess of \$1,000 per election.¹ No reason to believe determinations were made regarding the payment of travel expenses; however, the approved interrogatories included questions in this regard.

1. The Complainant filed an amendment to his complaint on August 5, 1988, alleging that Congressman Sweeney's committee had also been evading election laws by "laundering" would be excessive contributions through the New Leadership Committee. The complainant claimed that the New Leadership Committee has accepted contributions from individuals who had made the maximum legal contributions to Texans for Sweeney and cited Temple Webber, Jr. as an example. He further asserted that the New Leadership Committee had contributed to Sweeney's campaign committee in the past and expected to contribute again that year. Thus, he claimed that the New Leadership Committee had acted as a conduit for excessive contributions from Sweeney supporters. At this Office's recommendation, the Commission found no reason to believe that the Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.

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II. INVESTIGATION

(a) Relationship of contributions to the New Leadership Committee and Ford's appearance on behalf of Sweeney

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All responses received during the course of the investigation have denied any quid pro quo between Mr. Ford's appearance at the Sweeney fundraiser in April, 1988, and the contributions made by the five individuals to the New Leadership Committee. During the course of its investigation, however, this Office received, as an attachment to the responses to interrogatories from Sharyn J. Ruddick (formerly Sharyn J. Sheldon), treasurer of the New Leadership Committee, a partially completed form describing the event at issue and setting out certain other pertinent information (Attachment I). In the top left hand corner of this form is a dollar sign with a blank next to it. This blank appears to provide for the insertion of a dollar amount somehow related to the event at which Ford is to appear. The dollar sign on the attached form has a "10K PAC" handwritten beside it.

On June 7, 1989, a letter was sent to John J. Duffy, attorney for the New Leadership Committee, in order to discover the name of the person who had completed the top portion of the attached form and to obtain an explanation of the "10K PAC" entry. After several attempts to obtain this requested information, on December 11, 1989, this Office received a letter from Mr. Duffy stating that he had contacted Ms. Ruddick

and that she had identified the notation as being in her handwriting (Attachment II). She informed Mr. Duffy that she believed that the "10K PAC" notation refers to "monies received by the Committee."

The explanation of the notation provided by Ms. Ruddick still does not make clear whether the "10K PAC" entry referred to a monetary requirement for securing Mr. Ford's appearance at the fundraiser or whether it was only there to serve the purpose of informing the reader about contributions received which were related in some way to that appearance. This Office assumes that this form was intended for the use of Gerald Ford and his staff, but wishes to clarify this point.

Therefore, in order to ascertain more fully the meaning of the "10K PAC" entry and the exact use of the completed form, this Office recommends that the Commission approve the attached interrogatories to the Gerald R. Ford - New Leadership Committee.

(b) Travel Expenses

The other, separate issue that has not been resolved by the investigation in this matter is that of who or what entity in fact financed President Ford's trip to Wharton, Texas for the fundraiser in April of 1988.

According to the complaint, the costs of travel (\$2,800) were incurred by Sweeney's campaign committee; however, in his response to the Commission's interrogatory, counsel for Texans for Sweeney and Myles Sweeney, as treasurer, states that that

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committee did not pay for President Ford's travel expenses, and that they do not know who did. This question, they claim, can be fully answered only by President Ford's staff.

In response to the interrogatories sent to the New Leadership Committee, Sharyn J. Ruddick states that the bill for President Ford's travel expenses was sent to Representative Sweeney's campaign committee; however, travel was arranged by President Ford's office (commercial airline ticket). As discussed above, attached to Ms. Ruddick's responses to the Commission's interrogatories was a partially completed form (Attachment I). In the bottom left hand corner of this form the word "Billing" is handwritten. Below this word, Texans for Sweeney and their mailing address is handwritten, indicating that the New Leadership Committee intended to bill Texans for Sweeney for President Ford's travel expenses.

More recently, on September 8, 1989, counsel for Sweeney, in response to an inquiry from this Office, submitted a letter in which counsel once again reiterates that Congressman Sweeney's committee did not pay any of President Ford's expenses. Counsel suggests that a possible explanation for the conflicting answers could be that, prior to attending the Sweeney fundraiser, President Ford was in Houston for a Texas Commerce Bancshares board meeting, and that it is fully possible that all of his expenses, or a major portion thereof, were paid by Texas Commerce Bancshares in connection with his attendance at that meeting.

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Pursuant to 2 U.S.C. § 441b, corporations are prohibited from making contributions and expenditures in connection with federal elections. Section 441b further prohibits political committees from knowingly receiving or accepting such prohibited contributions. The proposed interrogatories to be sent to the New Leadership Committee include questions aimed at determining who in fact did pay for President Ford's travel expenses.

If the Sweeney Committee agreed to pay President Ford's travel expenses, but they were actually paid for by Texas Commerce Bancshares, this payment may have resulted in the acceptance of a corporate contribution by the Sweeney committee in violation of section 441b. Therefore, this Office also recommends that the Commission find reason to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441b.

Furthermore, if it is determined that Texas Commerce Bancshares was responsible for the payment of the expenses, this payment would apparently constitute a contribution to Texans for Sweeney and result in a violation of section 441b, which prohibits corporations from making contributions and expenditures in connection with federal elections. Therefore, this Office also recommends that the Commission find reason to believe that Texas Commerce Bancshares violated 2 U.S.C. § 441b.

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III. RECOMMENDATIONS

1. Find reason to believe that Texans For Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441b.
2. Find reason to believe that Texas Commerce Bancshares violated 2 U.S.C. § 441b.
3. Approve the attached letters to Texans for Sweeney and Texas Commerce Bancshares and the attached Factual and Legal Analyses.
4. Approve the attached letter and questions to the Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer.

Lawrence M. Noble
General Counsel

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1/2/90
Date


By: Lois G. Lerner
Associate General Counsel

Attachments:

1. Attachment to Sharyn J. Ruddick's response to interrogatory
2. Letter from John J. Duffy dated December 8, 1989.
3. Letters (3)
4. Questions and Requests for Documents
5. Factual and Legal Analyses (2)

Staff Person: Mary Ann Bumgarner



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DELORES HARRIS *DH*
COMMISSION SECRETARY

DATE: JANUARY 8, 1990

SUBJECT: MUR 2644 - GENERAL COUNSEL'S REPORT
DATED JANUARY 2, 1990

The above-captioned document was circulated to the Commission on Wednesday, January 3, 1990 at 11:00 a.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	<u>XXX</u>
Commissioner Elliott	<u>XXX</u>
Commissioner Josefiak	<u>XXX</u>
Commissioner McDonald	<u> </u>
Commissioner McGarry	<u> </u>
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for Tuesday, January 23, 1990.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2644
Texans for Sweeney and Myles)
Sweeney, as treasurer)
W. Temple Webber, Jr., et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on January 30, 1990, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2644:

1. Reject recommendations 1, 2, and 3 in the General Counsel's report dated January 2, 1990.
2. Direct the Office of General Counsel to send an appropriate letter and questions to the Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer, pursuant to the discussion held this date.

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

Attest:

Jan. 30, 1990
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 7, 1990

John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Sharyn J. Ruddick, as treasurer

Dear Mr. Duffy:

The Commission has issued the attached questions and request for production of documents in connection with an investigation it is conducting. The Commission requests that your clients submit this information within 15 days of your receipt of this letter.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provisions of 2 U.S.C. §§ 437g(A)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. These sections prohibit making public any investigation by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Interrogatories
and Request for
Production of Documents

91040873491

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
)
)

MUR 2644

**INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS**

TO: Sharyn J. Ruddick
Gerald R. Ford - New Leadership Committee
c/o John Duffy, Esquire
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20036

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request. In addition, the Commission hereby requests that you produce the documents specified below, in their entirety, for inspection and copying at the Office of the General Counsel, Federal Election Commission, Room 659, 999 E Street, N.W., Washington, D.C. 20463, on or before the same deadline, and continue to produce those documents each day thereafter as may be necessary for counsel for the Commission to complete their examination and reproduction of those documents. Clear and legible copies or duplicates of the documents which, where applicable, show both sides of the documents may be submitted in lieu of the production of the originals.

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INSTRUCTIONS

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

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

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

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

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

Unless otherwise indicated, the discovery request shall refer to the time period from January 1987 to the present.

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

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DEFINITIONS

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

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

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

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

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

QUESTIONS AND REQUEST FOR DOCUMENTS

TO: Sharyn J. Ruddick, Treasurer
Gerald R. Ford - New Leadership Committee

1. Attached to the response to interrogatories submitted by Sharyn J. Ruddick on February 14, 1989, was a partially

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completed form describing an event to be attended by former President Gerald R. Ford on behalf of David McCann "Mac" Sweeney on April 18, 1988. In the top left hand corner is a dollar sign with "10K PAC" handwritten beside it. Explain in detail the context and purpose of this entry. What was the relationship between this entry and Gerald Ford's appearance at the fundraiser for Texans for Sweeney?

2. State whether the "10K PAC" entry following the dollar sign on this form represented the total in contributions received in 1988 by the New Leadership Committee from the following individuals: W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., Kathy Perry and Dan Sweeney.
3. Identify the person(s) for whose use this form was completed.
4. State whether or not Texas Commerce Bancshares paid for former President Ford's travel expenses to and from Houston, Texas on or about April 18, 1988.
5. Provide copies of all documents and correspondence between the Gerald R. Ford - New Leadership Committee and Texans for Sweeney and between the New Leadership Committee and Texas Commerce Bancshares pertaining to payment of former President Ford's travel expenses to and from Houston, Texas on or about April 18, 1988, and to his attendance at the fundraiser for Texans for Sweeney.
6. Explain the purpose of the entry headed "Billing", which is followed by the name Texans for Sweeney and its mailing address, in the bottom left hand corner of the form relating to the Sweeney event.

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RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

PIPER & MARBURY 90 FEB 22 PM 4:32

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOMEX 202-883-2088
CABLE PIPERMAR WSH
TELEX 804248

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2830

JOHN J. DUFFY
DIRECT DIAL NUMBER
202 861-3938

February 22, 1990

Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

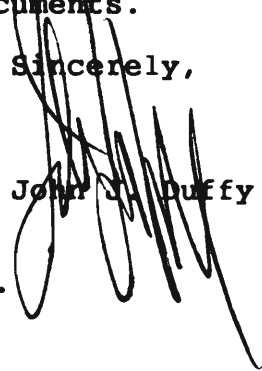
Dear Ms. Lerner:

We have received your letter dated February 7, 1990, which was accompanied by Interrogatories and Request for Production of Documents. The letter references MUR 2644, Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer. I understand, however, that the Commission did not find reason to believe that Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon (as she was then known), as treasurer, violated any statute within the Commission's jurisdiction and that the Committee and its treasurer are no longer subjects of this investigation.

Furthermore, Sharyn J. Ruddick is not now, and has not been for sometime, the treasurer of the Committee, and the Committee has terminated. We will, however, attempt to obtain the cooperation of Mrs. Ruddick as well as former employees of the Committee to respond to your request.

We request, however, an extension of time up to and including March 26, 1990 to respond to the Commission's interrogatories and request for production of documents.

Sincerely,



John J. Duffy

JJD:dp
cc: Mary Ann Bumgarner, Esq.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 28, 1990

John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Sharyn J. Ruddick, as
treasurer

Dear Mr. Duffy:

This is in response to your letter dated February 22, 1990, which we received on February 22, 1990, requesting an extension of 30 days to respond to the Commission's interrogatories and request for documents. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on March 26, 1990.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Anne A. Weissenborn
Assistant General Counsel

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06-5770

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036

202-861-3900

TELECOPIER 202-823-2068

CABLE PIPERMAR WSH

TELEX 804848

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

March 26, 1990

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RECEIVED
FEDERAL ELECTION COMMISSION

Lois G. Lerner, Esq.
Associate General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644
Gerald R. Ford - New Leadership Committee
and Sharyn J. Ruddick, as treasurer

Dear Ms. Lerner:

On behalf of the Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer, we request a 30 day extension of time to respond to the Commission's Interrogatories and Request for Production of Documents. Our response is now due on March 26, 1990.

Because the Committee has terminated and the Committee's records are not easily accessible, additional time is needed to prepare our response. We request, therefore, an extension of time up to and including April 25, 1990. We will, however, file our response with the Commission as promptly as possible.

Sincerely,

John J. Duffy



JJD:dp
cc: Mary Ann Bumgarner, Esq.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

March 29, 1990

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
BY: Lois G. Lerner *LL*
Associate General Counsel

SUBJECT: MUR 2644
Request for Extension of Time
Gerald R. Ford - New Leadership Committee and
Sharyn J. Ruddick, as treasurer

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By letter dated March 26, 1990, counsel for the Gerald R. Ford - New Leadership Committee ("New Leadership Committee") and Sharyn J. Ruddick, as treasurer, requested an extension of 30 days in which to respond to the Commission's interrogatories and request for documents. (Attachment I). Previously, the New Leadership Committee, by letter dated February 22, 1990, requested an initial 30 days in which to respond. (Attachment II). This Office granted the requested extension. In the most recent request for a 30 day extension, counsel explains that because the New Leadership Committee has terminated and the Committee's records are not easily accessible, additional time is needed to prepare their response.

In light of this Office's previous approval of a 30 day extension of time, it is recommended that the Commission deny the New Leadership Committee an additional 30 days, but approve an extension of 15 days.

RECOMMENDATIONS

1. Grant an extension of 15 days until April 10, 1990 to the Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer.
2. Approve the attached letter.

Attachments

1. Request for Extension dated March 26, 1990
2. Request for Extension dated February 22, 1990
3. Letter

Staff Person: M. Bumgarner

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2644
Gerald R. Ford - New Leadership Committee)
and Sharyn J. Ruddick, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on April 10, 1990, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions with respect to MUR 2644:

1. Grant an extension of time until April 20, 1990 to the Gerald R. Ford - New Leadership Committee and Sharyn J. Ruddick, as treasurer, to respond to the Commission's interrogatories and request for documents.
2. Direct the Office of General Counsel to send an appropriate letter pursuant to the action noted above.

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

Attest:

4-11-90
Date

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

91040373500



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 13, 1990

John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Sharyn J. Ruddick, as
treasurer

Dear Mr. Duffy:

This is in response to your letter dated March 26, 1990, which we received on March 26, 1990, requesting an extension of 30 days to respond to the Commission's interrogatories and request for documents. After considering the circumstances presented in your letter, the Commission has granted an extension of time to April 20, 1990.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

21040873501

066002

PIPER & MARBURY

1200 NINETEENTH STREET, N.W.
WASHINGTON, D. C. 20036
202-861-3900
TELECOPIER 202-223-2085
CABLE PIPERMAR WSH
TELEX 904246

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-861-3938

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

May 1, 1990


Mary Ann Bumgarner, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644

Dear Mary Ann:

I enclose Ms. Ruddick's Answers to Interrogatories and Request for Production of Documents.

Sincerely,


John J. Duffy

JJD:dp
Enclosure

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
MAY -1 PM 4:28

21040373502

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)

MUR 2644

ANSWERS TO INTERROGATORIES AND
REQUEST FOR PRODUCTION OF DOCUMENTS

1. Attached to the response to interrogatories submitted by Sharyn J. Ruddick on February 14, 1989, was a partially completed form describing an event to be attended by former President Gerald R. Ford on behalf of David McCann "Mac" Sweeney on April 18, 1988. In the top left hand corner is a dollar sign with "10K PAC" handwritten beside it. Explain in detail the context and purpose of this entry. What was the relationship between this entry and Gerald Ford's appearance at the fundraiser for Texans for Sweeney?

Answer: The form mentioned was my briefing form; a tool used to gather and piece information together at various times while preparing schedules of travel for President Ford. The 10K triggered my memory to advise President Ford the PAC had received contributions totaling that amount of money. There was no relationship between the entry and President Ford's appearance at the fundraiser. He would have participated even if there had been no contributions.

2. State whether the "10K PAC" entry following the dollar sign on this form represented the total in contributions received in 1988 by the New Leadership Committee from the following individuals: W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., Kathy Perry and Dan Sweeney.

Answer: According to the FEC July 15 Quarterly Report of 1988, it is correct that funds totaling 10K were received from those individuals listed and was noted on my briefing form.

3. Identify the person(s) for whose use this form was completed.

Answer: The form was completed for and by me as a briefing tool.

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4. State whether or not Texas Commerce Bancshares paid for former President Ford's travel expenses to and from Houston, Texas on or about April 18, 1988.

Answer: Texas Commerce Bancshares reimbursed President Ford for travel expenses relating to the Board Meeting he attended on April 19, 1988.

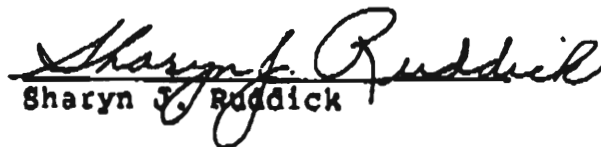
5. Provide copies of all documents and correspondence between the Gerald R. Ford - New Leadership Committee and Texans for Sweeney and between the New Leadership Committee and Texas Commerce Bancshares pertaining to payment of former President Ford's travel expenses to and from Houston, Texas on or about April 18, 1988, and to his attendance at the fundraiser for Texans for Sweeney.

Answer: See attached.

6. Explain the purpose of the entry headed "Billing," which is followed by the name Texans for Sweeney and its mailing address, in the bottom left hand corner of the form relating to the Sweeney event.

Answer: "A/C Billing" is the correct entry, not just "billing." The entry is mine and indicates "AIRCRAFT BILLING" for President Ford's transportation and the bill was to be directed to Texans for Sweeney.

I declare under penalty of perjury that, to the best of my knowledge, the foregoing is true and correct. Executed on this 1st day of May, 1990.


Sharyn J. Ruddick

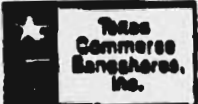
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TEXAS COMMERCE BANCSHARES, INC.
 P.O. BOX 2828
 HOUSTON, TEXAS 77258

049557

VENDOR NAME					CHECK	CHECK NO.
GENERAL					DATE	PAGE
06/09/88	4-15-88	131500	0230000690	1,315.00	06/15/88	1
RET TO JAN 8203					.00	1,315.00
* TOTAL *					.00	1,315.00

DETACH VOUCHER BEFORE DEPOSITING


049557 ²⁸⁻⁸⁸₁₁₃₀

POST OFFICE BOX 2828/HOUSTON, TEXAS 77282

DATE	CHECK NO.
06/15/88	049557

EXPENSE CHECK

PAY EXACTLY *****1,315 DOLLARS AND 00 CENTS \$*****1,315.00

TEXAS COMMERCE BANCSHARES, INC.

TO THE ORDER OF: GERALD FORD
 PO BOX 927
 RANCHO MIRAGE CA 92270

Kenneth L. Tilton
 Authorized Signature

TEXAS COMMERCE BANK NATIONAL ASSOCIATION
 HOUSTON, TEXAS 77258

4/18/88 EXPENSE REIMBURSEMENT
 NON-TAXABLE

Deposited 6/20/88

050
7853

RECEIVED
FEDERAL ELECTION COMMISSION
WASHINGTON

PIPER & MARBURY

90 AUG -9 AM 10:42

1200 NINETEENTH STREET, N.W.
WASHINGTON, D.C. 20036

202-661-3900
TELECOPIER 202-223-2088
CABLE PIPERMAR WSH
TELEX 904246

1100 CHARLES CENTER SOUTH
36 SOUTH CHARLES STREET
BALTIMORE, MARYLAND 21201
301-539-2530

JOHN J. DUFFY
DIRECT DIAL NUMBER
202-661-3938

August 8, 1990

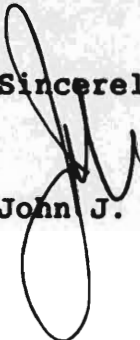
Mary Ann Bumgarner, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644

Dear Mary Ann:

I enclose a statement from Sharyn Ruddick that we discussed previously.

Sincerely,


John J. Duffy

JJD:cpm

Enclosure

21040873507

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF LEGAL COUNSEL
90 AUG -9 PM 12:20

8 August 1990

Dear John:

To the best of my recollection, Texas Commerce Bancshare Board meetings are scheduled in the Fall for the upcoming year. These dates are then placed on President Ford's calendar. In other words, Board meetings for 1991, will be selected and placed on schedule in the Fall of 1990.

Additionally, the Sweeney campaign would have paid for President Ford's transportation, as indicated on my scheduling form, but, we discovered later from his schedule that he would already be in Texas.

If I can provide any other information, please don't hesitate to let me know.

Sincerely,



Sharyn J. Ruddick

John J. Duffy, Esq.
Piper & Marbury
1200 19th Street, N.W.
Washington, D.C. 20463

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91 JAN 31 AM 9:58

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)	
)	
Texans for Sweeney and)	MUR 2644
Myles Sweeney, as treasurer)	
Texas Commerce Bancshares, Inc.)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter arose as the result of a complaint filed with the Federal Election Commission (the "Commission") on July 12, 1988. The complaint alleged violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), in connection with an April 18, 1988 fundraiser President Ford attended in Wharton, Texas on behalf of Representative David McCann "Mac" Sweeney. An amended complaint was received on August 5, 1988.

On December 8, 1988 the Commission found reason to believe that Texans for Sweeney (the "Committee") and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).¹ In the course of the investigation of this matter, this Office became

1. This Office will be circulating briefs addressing the violations of the Act by the Committee and Myles Sweeney, as treasurer, as well as violations by W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr. and Kathy Perry. These violations result from a possible quid pro quo between President Ford's appearance at the Sweeney fundraiser and contributions made by these four individuals to the Gerald R. Ford--New Leadership Committee. In an effort to simplify these matters, this Office has held the circulation of briefs concerning the quid pro quo issue until a determination has been made concerning the travel issue discussed in this Report. If possible, this Office would like to address all possible violations of the Act by the Committee in one brief.

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aware of additional apparent violations of the Act by the Committee and Texas Commerce Bancshares, Inc. arising from the corporation's apparent payment of President Ford's travel expenses to Texas during the time period in which the Sweeney fundraiser took place. This Office therefore recommended that the Commission find reason to believe that Texas Commerce Bancshares, Inc. violated 2 U.S.C. § 441b and Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441b. The Commission, however, rejected this Office's recommendations as to the section 441b violations since it was not yet certain that the corporation paid for President Ford's travel expenses. Accordingly, the Commission directed this Office to send interrogatories to the Gerald R. Ford--New Leadership Committee and Sharyn J. Ruddick, as treasurer, in order to ascertain in writing who or what entity in fact financed President Ford's trip to Texas for the Sweeney fundraiser.

II. ANALYSIS

Pursuant to 2 U.S.C. § 441b, corporations are prohibited from making contributions and expenditures in connection with federal elections. Section 441b further prohibits political committees from knowingly receiving or accepting such prohibited contributions.

Section 441b(b)(2) defines "contributions" and "expenditures" by corporations as anything of value, including any direct or indirect payment, distribution, advance, deposit or gift of money, or any services to any candidate, campaign

committee or political party or organization in connection with any federal election.

The day after attending the Sweeney fundraiser in Wharton, Texas, President Ford attended a Texas Commerce Bancshares, Inc. board meeting in Houston, Texas. According to the complaint, the costs of President Ford's travel to Texas (\$2,800) were incurred by the Texans for Sweeney committee;² however, in their response to the Commission's initial interrogatories, counsel for the Committee states that the Committee did not pay President Ford's travel expenses, and that they do not know who did. This question, they claimed, could only be fully answered by President Ford's staff.

In its response to the Commission's most recent interrogatories (Attachment 1), Sharyn J. Ruddick, treasurer of the Gerald R. Ford--New Leadership Committee (the "New Leadership Committee"), stated that Texas Commerce Bancshares, Inc., reimbursed President Ford for travel expenses relating to the April 19, 1988 board meeting. Ms. Ruddick further stated that the aircraft travel expenses were supposed to have been billed to Texans for Sweeney, but did not explain why this did not occur. This intent to bill Texans for Sweeney was evidenced by an attachment to Ms. Ruddick's February 14, 1989 response to the Commission's interrogatories. Attachment 2.

2. The complainant states that the high travel costs (\$2,800) apparently include the expenses of Secret Service protection for the former President; however, the \$2,800 in travel costs were not itemized in the complaint.

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The attachment was a partially completed form describing the Sweeney fundraiser and included the item "A/C Billing" handwritten in the bottom left corner. Below this item, Texans for Sweeney and their mailing address is handwritten, indicating that the New Leadership Committee had intended to bill Texans for Sweeney for President Ford's travel expenses.

This Office subsequently contacted counsel for the New Leadership Committee in order to determine why Texans for Sweeney was not billed for any of President Ford's travel expenses to Texas. Based on telephone conversations with counsel and according to a letter from Sharyn J. Ruddick (Attachment 3), the Office of the General Counsel learned that the decision was made not to bill Texans for Sweeney after the New Leadership Committee discovered from President Ford's schedule that he was required to be in Texas anyway for the board meeting. Ms. Ruddick states that Texas Commerce Bancshares, Inc. board meetings are scheduled in the fall for the upcoming year. Therefore, according to counsel, it was Ms. Ruddick's recollection that President Ford was scheduled to attend the board meeting in Houston, Texas prior to any arrangement to attend the Sweeney fundraiser.

The response of Sharyn J. Ruddick to the Commission's interrogatories has now confirmed that Texas Commerce Bancshares, Inc. in fact paid President Ford's travel expenses to Texas. While it is unclear whether Texas Commerce Bancshares, Inc. knew that President Ford was to attend the Sweeney fundraiser, the fact remains that 2 U.S.C. § 441b

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prohibits the making of contributions by a corporation in connection with a federal election.³ Since the purpose of Presidents Ford's travel to Texas was at least in part to appear at the Sweeney fundraiser, the payment by Texas Commerce Bancshares, Inc. of the travel expenses constitutes a contribution to the Texans for Sweeney committee in violation of section 441b(b)(2).

While President Ford would have had to travel to Texas regardless to attend the board meeting, this has no bearing on the fact that a corporate contribution occurred. President Ford's appearance at the fundraiser was apparently arranged without regard to the board meeting and the board meeting was merely used as an after the fact justification for not billing the Sweeney committee. Although the Committee clearly was aware that President Ford was in attendance at the Sweeney fundraiser, the Committee did not pay any of President Ford's travel expenses. Since this payment of travel expenses by Texas Commerce Bancshares, Inc. was "of value" to the Sweeney committee, this payment results in the acceptance of a

3. Since President Ford was a corporate director, knowledge of the prohibited contribution might be imputed to the corporation. If the Commission accepts this Office's recommendation as to a violation of 2 U.S.C. § 441b by Texas Commerce Bancshares, Inc., this Office will investigate whether Texas Commerce Bancshares, Inc. in fact had any independent knowledge, at any time, as to President Ford's appearance at the Sweeney fundraiser. Further, this Office will investigate whether President Ford was required to attend the subject board meeting and whether President Ford, possibly acting as an officer of Texas Commerce Bancshares, Inc., consented to the corporate contribution for the benefit of the Sweeney committee.

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corporate contribution by the Texans for Sweeney committee in violation of section 441b.

Based on the foregoing, this Office recommends that the Commission find reason to believe that Texas Commerce Bancshares, Inc. violated 2 U.S.C. § 441b. This Office also recommends that the Commission find reason to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441b by accepting this in-kind contribution.

III. DISCOVERY

As stated above, this Office will investigate, pursuant to any reason to believe findings by the Commission, the extent of knowledge held by Texas Commerce Bancshares, Inc. concerning President Ford's attendance at the Sweeney fundraiser. This Office will also investigate President Ford's role as to Texas Commerce Bancshares, Inc. at the time of these events and whether he was required to attend the subject board meeting. This Office will further investigate the actual expenses incurred and paid in connection with President Ford's trip to Texas, as well as any additional expenses incurred pursuant to President Ford's attendance at the Sweeney fundraiser.

IV. RECOMMENDATIONS

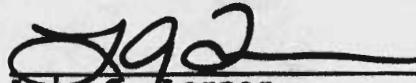
1. Find reason to believe that Texas Commerce Bancshares, Inc. violated 2 U.S.C. § 441b.
2. Find reason to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. § 441b.

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3. Approve the attached Factual and Legal Analyses and appropriate letters.

Lawrence M. Noble
General Counsel

Date 1/30/91

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Response from the New Leadership Committee dated May 1, 1990.
2. Letter from Sharyn J. Ruddick dated August 8, 1990.
3. Attachment to Sharyn J. Ruddick's response to interrogatories dated February 14, 1989.
4. Factual and Legal Analyses (2)

Staff Person: Mary Ann Bumgarner

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20461

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS /DELORES HARRIS *DH*
COMMISSION SECRETARY

DATE: FEBRUARY 5, 1991

SUBJECT: MUR 2644 - GENERAL COUNSEL'S REPORT
DATED JANUARY 30, 1991.

The above-captioned document was circulated to the Commission on Thursday, January 31, 1991 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens	<u>XXX</u>
Commissioner Elliott	<u>XXX</u>
Commissioner Josefiak	<u>XXX</u>
Commissioner McDonald	<u> </u>
Commissioner McGarry	<u> </u>
Commissioner Thomas	<u>XXX</u>

This matter will be placed on the meeting agenda for TUESDAY, FEBRUARY 12, 1991.

Please notify us who will represent your Division before the Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Texans for Sweeney and Myles Sweeney,) MUR 2644
as treasurer;)
Texas Commerce Bancshares, Inc.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on February 12, 1991, do hereby certify that the Commission decided by a vote of 5-0 to reject the recommendations contained in the General Counsel's January 30, 1991 report on MUR 2644 and instead take no further action with respect to these recommendations.

Commissioners Aikens, Elliott, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Josefiak was not present.

Attest:

Feb 15, 1991
Date

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

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BEFORE THE FEDERAL ELECTION COMMISSION

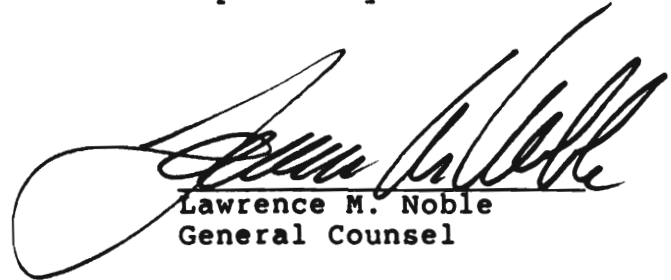
SENSITIVE

In the Matter of)	
)	
Texans for Sweeney and Myles)	MUR 2644
Sweeney, as treasurer)	
W. Temple Webber, Jr., <u>et al</u>)	

GENERAL COUNSEL'S REPORT

The Office of the General Counsel is prepared to close the investigation in this matter as to the above named respondents, based on the assessment of the information presently available.

4/19/91
Date



Lawrence M. Noble
General Counsel

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Offic Docket



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1991

SENSITIVE

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble
General Counsel
SUBJECT: MUR 2644

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of the briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of no probable cause were mailed on May 9, 1991. Following receipt of respondents' replies to these notices, this Office will make a further report to the Commission.

Attachments

- 1. Briefs
- 2. Letters to respondents

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 9, 1991

Daniel K. Hedges, Esquire
Porter & Clements
First RepublicBank Center
700 Louisiana, Suite 3500
Houston, Texas 77002-2730

RE: MUR 2644
Texans for Sweeney and
Myles Sweeney, as treasurer

Dear Mr. Hedges:

Based on a complaint filed with the Federal Election Commission on July 2, 1988, and information supplied by your clients, the Commission, on December 8, 1988, found that there was reason to believe your clients, Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that violations have occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

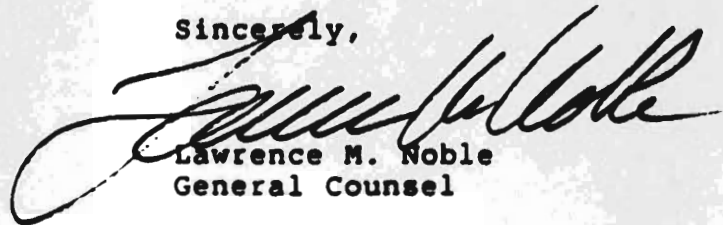
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Daniel K. Hedges
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

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for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f) by knowingly accepting contributions from five individuals in excess of \$1,000 per election and by failing to report these contributions.

II. LEGAL ANALYSIS

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). Pursuant to 2 U.S.C. § 434(b)(2) and (3), political committees must report all contributions from individuals and must identify each person who makes a contribution of over \$200 to the committee within the reporting period.

The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 441a.

As stated above, complainant alleges that the \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of

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this allegation, complainant attached several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion that a quid pro quo existed between the payments and the Ford appearance.

Based on a review of the New Leadership Committee's reports and their response to interrogatories, W. Temple Webber, Jr., Cyrus Ansary, Dan Sweeney, R. John Stanton, Jr. and Kathy Perry were in fact the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included five contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, from the above-named individuals. The contributions were made in the following amounts: Cyrus Ansary (\$3,000), Dan Sweeney (\$1,000), R. John Stanton, Jr. (\$2,000), W. Temple Webber, Jr. (\$2,000) and Kathy Perry (\$2,000). A review of reports filed with the Commission by the Texans for Sweeney committee reveal that W. Temple Webber, Jr. also made a contribution of \$1,000 to Texans for Sweeney on February 4, 1988.

In their response to the complaint, counsel for the Sweeney committee contends that President Ford's endorsement

and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford has continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of negative publicity in the course of six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in 1987 to inquire about the latter's availability for a campaign

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appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions.

In the Committee's response to the Commission's reason to believe findings, counsel for the Committee reiterated that Congressman Sweeney contacted five individuals in March or April of 1988 and asked them to contribute to the New Leadership Committee; however, no one was told that a contribution was a "quid pro quo" for President Ford's appearance, nor was it.

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a

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required condition for President Ford's appearance at the fundraiser in April 1988.¹ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

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According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the PAC had received contributions totaling that amount of money. According to Ms. Ruddick, there was no relationship between the entry and President Ford's appearance at the fundraiser and, he would have participated even if there had been no contributions.

In order to determine what each individual contributor

1. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

believed was to be the purpose of his or her contribution, interrogatories were also sent to W. Temple Webber, Cyrus Ansary, R. John Stanton, Jr. and Kathy Perry. Responses were received from all the individual contributors except Kathy Perry.

According to the response submitted by Cyrus Ansary, he and Congressman Sweeney are good friends. After having dinner with Congressman Sweeney one night in 1988, Mr. Ansary assertedly decided, on his own notion, to make a contribution to the Gerald Ford Library. Since he did not know the name of "the Foundation" specifically, he wrote a check for \$2,000, leaving the payee blank, and gave it to the Congressman asking him to forward it to Gerald Ford. Mr. Ansary asserts in his answers that Congressman Sweeney never suggested that he make a contribution to the Gerald Ford Library. Furthermore, he states he received a phone call from Ford's office questioning whether the donation was excessive. During a second phone call, Mr. Ansary was assured that there was no problem with the contribution being excessive and when Mr. Ansary noticed the canceled check was made payable to the New Leadership Committee, it assertedly did not occur to him that that entity was a political group rather than part of the library.

In the response from Dan Sweeney, he stated that he had personally wanted to contribute to the Sweeney fundraising event, but was told there were already enough sponsors. Therefore, at Congressman Sweeney's suggestion, he contributed to the New Leadership Committee because he wanted "to

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contribute something to President Ford in appreciation of the help he had given Sweeney in the past."

In his response, R. John Stanton, Jr. states he was contacted by Congressman Sweeney and asked to make a \$2,000 contribution to the New Leadership Committee. However, he does not recall the Congressman stating that a contribution to the New Leadership Committee was a required condition of Ford's appearance at the fundraiser.

In his response, W. Temple Webber, Jr. states that Congressman Sweeney contacted him concerning making a contribution to assist President Ford with one or more of his various charitable organizations, but at no time did Congressman Sweeney or his staff state there was any connection between the contribution and President Ford's appearance at the fundraiser.

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in violations of the Act by the Committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman. Thus, it appears

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that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. The individual contributors have specifically stated in answers to interrogatories that they intended to contribute to Ford's New Leadership Committee or to the Ford presidential library and that they were never told their contributions were to be used to ensure Ford's appearance at the fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved as to a quid pro quo relationship between the contributions to the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) or 441a(f).

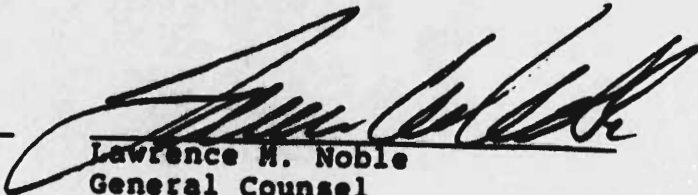
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III. RECOMMENDATION

1. Find there is no probable cause to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) or 441a(f).

Date

11/12/90


Lawrence M. Noble
General Counsel

91040873531



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 9, 1991

Ms. Kathy Perry
18630 Barbuda Lane
Houston, Texas 77058

RE: MUR 2644
Kathy Perry

Dear Ms. Perry:

Based on a complaint filed with the Federal Election Commission on July 2, 1988, the Commission, on December 8, 1988, found that there was reason to believe you violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

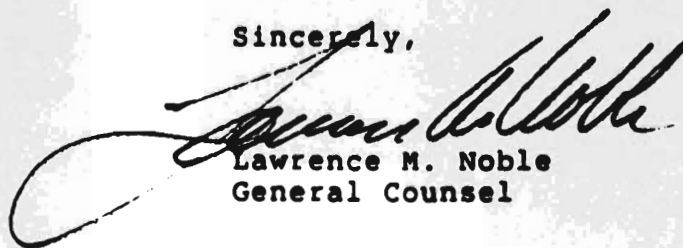
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Kathy Perry
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

21040373533

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Kathy Perry)

MUR 2644

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Commission received a complaint from John Griffin, Jr. alleging that five supporters of Representative David McCann "Mac" Sweeney had made \$10,000 in contributions to former President Ford's PAC, the Gerald R. Ford - New Leadership Committee (the "New Leadership Committee"), as payment for President Ford's appearance at a Sweeney fundraiser in April 1988, and his endorsement of the Sweeney candidacy. Thus, complainant alleges that these contributions to the New Leadership Committee were instead "in-kind" contributions to the Texans for Sweeney committee. Complainant further alleges that Congressman Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and, therefore, at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant contends that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended (the "Act").

The Commission found reason to believe that Kathy Perry, as one of the aforementioned individual contributors, violated

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2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 per election to Texans for Sweeney.

II. LEGAL ANALYSIS

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A).

As stated above, complainant alleges that the \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant argues that these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of this allegation, complainant attached several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion that a quid pro quo existed between the payments and the Ford

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appearance.

Based on a review of the New Leadership Committee's reports, Kathy Perry was in fact one of the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included five contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, and included a contribution from Kathy Perry in the amount of \$2,000.

In regard to this matter, counsel for the Sweeney committee contends that President Ford's endorsement and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford had continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of negative publicity in the course of six campaigns (1984 primary and general election, 1986 primary and general election, and

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1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in 1987 to inquire about the latter's availability for a campaign appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their

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contributions.

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a required condition for President Ford's appearance at the fundraiser in April 1988.¹ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the PAC had received contributions totaling that amount of money. According to Ms. Ruddick, there was no relationship between the

1. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

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entry and President Ford's appearance at the fundraiser and, he would have participated even if there had been no contributions.

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in an excessive contribution from Ms. Perry to the Sweeney committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman. Thus, it appears that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved

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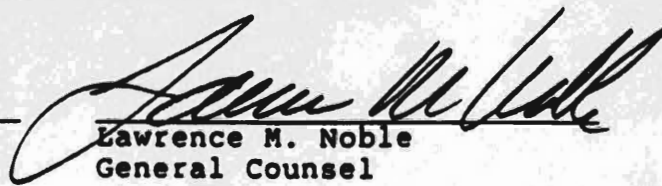
as to a quid pro quo relationship between the contributions to the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

1. Find there is no probable cause to believe that Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).

Date

5/9/91


Lawrence M. Noble
General Counsel

91040373540



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 9, 1991

Fred F. Fielding, Esquire
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2644
Cyrus Ansary

Dear Mr. Fielding:

Based on a complaint filed with the Federal Election Commission on July 2, 1988, and information supplied by your client, the Commission, on December 8, 1988, found that there was reason to believe your client, Cyrus Ansary, violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

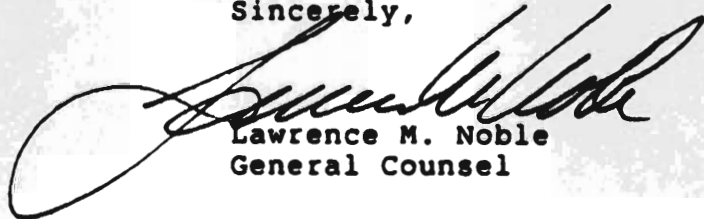
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Fred F. Fielding
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

91040373542

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

Cyrus Ansary)

)
)
)

MUR 2644

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Commission received a complaint from John Griffin, Jr. alleging that five supporters of Representative David McCann "Mac" Sweeney had made \$10,000 in contributions to former President Ford's PAC, the Gerald R. Ford - New Leadership Committee (the "New Leadership Committee"), as payment for President Ford's appearance at a Sweeney fundraiser in April 1988, and his endorsement of the Sweeney candidacy. Thus, complainant alleges that these contributions to the New Leadership Committee were instead "in-kind" contributions to the Texans for Sweeney committee. Complainant further alleges that Congressman Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and, therefore, at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant contends that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended (the "Act").

The Commission found reason to believe that Cyrus Ansary, as one of the aforementioned individual contributors, violated

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2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 per election to Texans for Sweeney.

II. LEGAL ANALYSIS

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C.

§ 431(8)(A)(i). The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000.

2 U.S.C. § 441a(a)(1)(A).

As stated above, complainant alleges that the \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant argues that these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of this allegation, complainant attached several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion that a quid pro quo existed between the payments and the Ford

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appearance.

Based on a review of the New Leadership Committee's reports and his response to interrogatories, Cyrus Ansary was in fact one of the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included five contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, and included a contribution from Cyrus Ansary in the amount of \$3,000.

In regard to this matter, counsel for the Sweeney committee contends that President Ford's endorsement and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford had continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of negative publicity in the course of six campaigns (1984 primary

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and general election, 1986 primary and general election, and 1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in 1987 to inquire about the latter's availability for a campaign appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman Sweeney did not state, suggest, or imply to any of these five

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individuals a tie between President Ford's visit and their contributions.

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a required condition for President Ford's appearance at the fundraiser in April 1988.¹ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the PAC had received contributions totaling that amount of money.

1. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

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According to Ms. Ruddick, there was no relationship between the entry and President Ford's appearance at the fundraiser and, he would have participated even if there had been no contributions.

In order to determine what each individual contributor believed was to be the purpose of his or her contribution, interrogatories were sent to the individual respondents, including Mr. Ansary. In his response, Mr. Ansary states that he and Congressman Sweeney are good friends. After having dinner with Congressman Sweeney one night in 1988, Mr. Ansary assertedly decided, on his own notion, to make a contribution to the Gerald Ford Library. Since he did not know the name of "the Foundation" specifically, he wrote a check for \$2,000, leaving the payee blank, and gave it to the Congressman asking him to forward it to Gerald Ford. Mr. Ansary asserts in his answers that Congressman Sweeney never suggested that he make a contribution to the Gerald Ford Library. Furthermore, he states he received a phone call from Ford's office questioning whether the donation was excessive. During a second phone call, Mr. Ansary was assured that there was no problem with the contribution being excessive and when Mr. Ansary noticed the canceled check was made payable to the New Leadership Committee, it assertedly did not occur to him that that entity was a political group rather than part of the library.

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was

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conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in an excessive contribution from Mr. Ansary to the Sweeney committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman. Thus, it appears that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. The individual contributors have specifically stated in answers to interrogatories that they intended to contribute to Ford's New Leadership Committee or to the Ford presidential library and that they were never told their contributions were to be used to ensure Ford's appearance at the fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved as to a quid pro quo relationship between the contributions to

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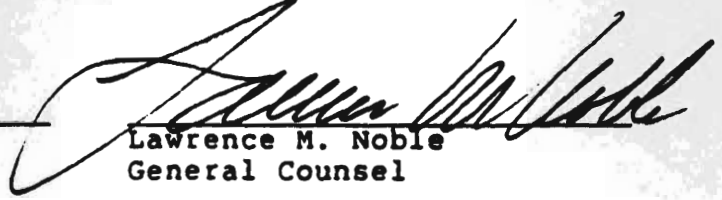
the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that Cyrus Ansary violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

1. Find there is no probable cause to believe that Cyrus Ansary violated 2 U.S.C. § 441a(a)(1)(A).

Date

5/9/91



Lawrence M. Noble
General Counsel

91040873550



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 9, 1991

Taylor V. Cooksey, Esquire
Singleton & Cooksey
1600 Smith, Suite 3100
Houston, Texas 77002

RE: MUR 2644
W. Temple Webber, Jr.

Dear Mr. Webber:

Based on a complaint filed with the Federal Election Commission on July 2, 1988, and information supplied by your client, the Commission, on December 8, 1988, found that there was reason to believe your client, W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

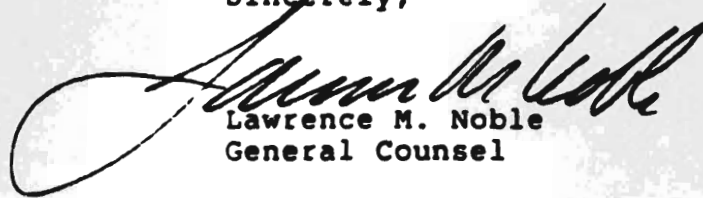
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Taylor V. Cooksey
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
W. Temple Webber, Jr.) MUR 2644

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Commission received a complaint from John Griffin, Jr. alleging that five supporters of Representative David McCann "Mac" Sweeney had made \$10,000 in contributions to former President Ford's PAC, the Gerald R. Ford - New Leadership Committee (the "New Leadership Committee"), as payment for President Ford's appearance at a Sweeney fundraiser in April 1988, and his endorsement of the Sweeney candidacy. Thus, complainant alleges that these contributions to the New Leadership Committee were instead "in-kind" contributions to the Texans for Sweeney committee. Complainant further alleges that Congressman Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and, therefore, at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant contends that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended (the "Act").

The Commission found reason to believe that W. Temple Webber, Jr., as one of the aforementioned individual

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contributors, violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 per election to Texans for Sweeney.

II. LEGAL ANALYSIS

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A).

As stated above, complainant alleges that the \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant argues that these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of this allegation, complainant attached several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion

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that a quid pro quo existed between the payments and the Ford appearance.

Based on a review of the New Leadership Committee's reports and his response to interrogatories, W. Temple Webber, Jr. was in fact one of the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included five contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, and included a contribution from W. Temple Webber, Jr. in the amount of \$2,000. Further, a review of reports filed with the Commission by the Texans for Sweeney committee reveal that W. Temple Webber, Jr. also made a contribution of \$1,000 to Texans for Sweeney on February 4, 1988.

In regard to this matter, counsel for the Sweeney committee contends that President Ford's endorsement and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford had continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and

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deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of negative publicity in the course of six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in 1987 to inquire about the latter's availability for a campaign appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that

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Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions.

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a required condition for President Ford's appearance at the fundraiser in April 1988.¹ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at

1. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

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various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the PAC had received contributions totaling that amount of money. According to Ms. Ruddick, there was no relationship between the entry and President Ford's appearance at the fundraiser and, he would have participated even if there had been no contributions.

In order to determine what each individual contributor believed was to be the purpose of his or her contribution, interrogatories were sent to the individual respondents, including Mr. Webber. In his response, Mr. Webber states that Congressman Sweeney contacted him concerning making a contribution to assist President Ford with one or more of his various charitable organizations, but at no time did Congressman Sweeney or his staff state there was any connection between the contribution and President Ford's appearance at the fundraiser.

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in an excessive contribution from Mr. Webber to the Sweeney committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman.

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Thus, it appears that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. The individual contributors have specifically stated in answers to interrogatories that they intended to contribute to Ford's New Leadership Committee or to the Ford presidential library and that they were never told their contributions were to be used to ensure Ford's appearance at the fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved as to a quid pro quo relationship between the contributions to the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

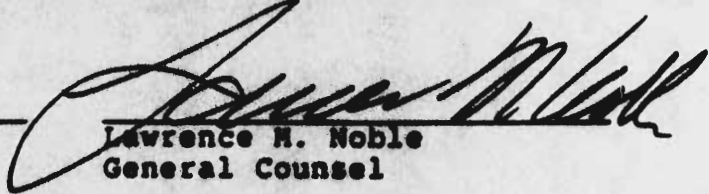
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III. RECOMMENDATION

1. Find there is no probable cause to believe that W. Temple Webber, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

Date

5/9/91


Lawrence H. Noble
General Counsel

91040873560



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 9, 1991

Thomas P. Marinis, Jr., Esquire
Vinson & Elkins
3300 First City Tower
1001 Fannin
Houston, Texas 77002-6760

RE: MUR 2644
R. John Stanton, Jr.

Dear Mr. Marinis:

Based on a complaint filed with the Federal Election Commission on July 2, 1988, and information supplied by your client, the Commission, on December 8, 1988, found that there was reason to believe your client, R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (ten copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request for an extension of time. All requests for extensions of time must be submitted in writing five days prior to the due date, and good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

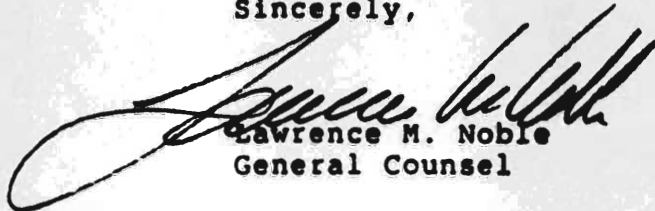
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Thomas P. Marinis, Jr.
Page 2

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Mary Ann Bungarner, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
R. John Stanton, Jr.) MUR 2644

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The Commission received a complaint from John Griffin, Jr. alleging that five supporters of Representative David McCann "Mac" Sweeney had made \$10,000 in contributions to former President Ford's PAC, the Gerald R. Ford - New Leadership Committee (the "New Leadership Committee"), as payment for President Ford's appearance at a Sweeney fundraiser in April 1988, and his endorsement of the Sweeney candidacy. Thus, complainant alleges that these contributions to the New Leadership Committee were instead "in-kind" contributions to the Texans for Sweeney committee. Complainant further alleges that Congressman Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and, therefore, at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant contends that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended (the "Act").

The Commission found reason to believe that R. John Stanton, Jr., as one of the aforementioned individual

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contributors, violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of \$1,000 per election to Texans for Sweeney.

II. LEGAL ANALYSIS

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(i). The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A).

As stated above, complainant alleges that the \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant argues that these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of this allegation, complainant attached several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion

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that a quid pro quo existed between the payments and the Ford appearance.

Based on a review of the New Leadership Committee's reports and his response to interrogatories, R. John Stanton, Jr. was in fact one of the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included five contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, and included a contribution from R. John Stanton, Jr. in the amount of \$2,000.

In regard to this matter, counsel for the Sweeney committee contends that President Ford's endorsement and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford had continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of

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negative publicity in the course of six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in 1987 to inquire about the latter's availability for a campaign appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman

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Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions.

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a required condition for President Ford's appearance at the fundraiser in April 1988.¹ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the

1. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

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PAC had received contributions totaling that amount of money. According to Ms. Ruddick, there was no relationship between the entry and President Ford's appearance at the fundraiser and, he would have participated even if there had been no contributions.

In order to determine what each individual contributor believed was to be the purpose of his or her contribution, interrogatories were sent to the individual respondents, including Mr. Stanton. In his response, Mr. Stanton states he was contacted by Congressman Sweeney and asked to make a \$2,000 contribution to the New Leadership Committee. However, he does not recall the Congressman stating that a contribution to the New Leadership Committee was a required condition of Ford's appearance at the fundraiser.

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in an excessive contribution from Mr. Stanton to the Sweeney committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman. Thus, it appears that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for

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the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. The individual contributors have specifically stated in answers to interrogatories that they intended to contribute to Ford's New Leadership Committee or to the Ford presidential library and that they were never told their contributions were to be used to ensure Ford's appearance at the fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

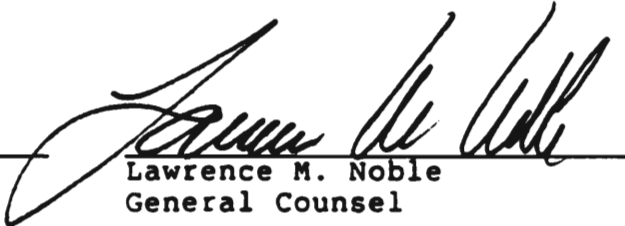
Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved as to a quid pro quo relationship between the contributions to the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATION

1. Find there is no probable cause to believe that R. John Stanton, Jr. violated 2 U.S.C. § 441a(a)(1)(A).

Date

5/9/91


Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

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PORTER & CLEMENTS

NONB CENTER

700 LOUISIANA, SUITE 2800

HOUSTON, TEXAS 77002-2700

TELEPHONE (713) 226-0800

TELECOPIER (713) 226-4381

TELEX 776-346

May 15, 1991

MAILING ADDRESS:

P. O. BOX 4744

HOUSTON, TX 77210-4744

SWE26/001

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0841

Ms. Marjorie Emmons
Secretary of the Commission
Federal Election Commission
999 E. Street, N.W.
Washington, D. C. 20463

Re: MUR 2644
Texans for Sweeney and
Myles Sweeney, as treasurer

Dear Ms. Emmons:

Enclosed please find an original and ten copies of the Brief of Texans for Sweeney and Myles Sweeney, as Treasurer to be submitted to the Commission. Please return one stamped copy in the enclosed, pre-stamped envelope.

By copy of this letter, three copies of this Brief have been mailed to the General Counsel and copies have been mailed to the additional counsel listed hereunder.

Very truly yours,

Daniel K. Hedges

DKH:cb
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Enclosures

cc: (w/enclosures)
Mr. Lawrence Noble (3)
Mr. Tom Marinis
Mr. Fred F. Fielding

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of §
§ MUR 2644
Texans for Sweeney and Myles §
Sweeney, as treasurer §

**BRIEF OF TEXANS FOR SWEENEY
AND MYLES SWEENEY, AS TREASURER**

Texans for Sweeney and Myles Sweeney, as treasurer (collectively "Sweeney"), agree with and adopt the General Counsel's Brief filed previously herein. In the event the Commission wants a fuller description of Sweeney's position, Sweeney's letter/brief of March 1, 1989, to the Office of General Counsel is attached hereto as Exhibit A and Sweeney's Response to Interrogatories and Request for Production of Documents is attached hereto as Exhibit B.

Respectfully Submitted,
PORTER & CLEMENTS

Daniel K. Hedges

Daniel K. Hedges
700 Louisiana, Suite 3500
Houston, Texas 77002-2730
Telephone (713) 226-0641

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Brief of Texans for Sweeney and Myles Sweeney, as Treasurer have been sent by certified mail, return receipt requested to all attorneys of record as follows:

Daniel K. Hedges

Daniel K. Hedges

91040873571

cc: Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E. Street, Northwest
Washington, D. C. 20463

Mr. Tom Marinis
Vinson & Elkins
3300 First City Tower
Houston, TX 77002-6760

Mr. Fred F. Fielding
Wiley, Rein & Fielding
1776 K. Street, N.W.
Washington, D. C. 20006-2359

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PORTER & CLEMENTS

FIRST REPUBLICBANK CENTER

700 LOUISIANA, SUITE 3600

HOUSTON, TEXAS 77002-8700

ATTORNEYS
A PARTNERSHIP INCLUDING
PROFESSIONAL CORPORATIONS

DANIEL K. HEDGES
PARTNER
(713) 226-0841

TELEPHONE (713) 226-0800
TELECOPIER (713) 226-1331
TELECOPIER (713) 224-4886
TELEX 775-348

SWE26/001

March 1, 1989

FEDERAL EXPRESS

Ms. Judybeth Greene
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR2644, Texans for Sweeney
and Myles Sweeney as Treasurer

Dear Ms. Greene:

As a result of a complaint dated July 12, 1988, and its amendment dated August 5, 1988, the Commission began an investigation into the campaign financing of Texans for Sweeney, the authorized campaign committee for the reelection of Congressman David McCann "Mac" Sweeney from the 14th Congressional District of Texas.

The complainant alleged that personal friends of Representative Sweeney, at his behest, contributed \$10,000.00 to former President Gerald R. Ford's Political Action Committee ("President Ford's PAC") as required payment for President Ford's appearance at a Sweeney fund raiser. By implication, the requirement was allegedly one imposed by Ford, not by Sweeney.

Your Factual and Legal Analysis states that if the allegations are proved to be true, then Texans for Sweeney has violated two federal statutes:

- (1) 2 U.S.C. § 434(b)(2), (3) which requires reporting of all contributions from individuals; and
- (2) 2 U.S.C. § 441(a)(1) which limits the amount a candidate or campaign committee may receive from an individual to \$1,000 per election.

EXHIBIT A

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Ms. Judybeth Greene
Page 2
March 1, 1989

I. Factual Background

Congressman Mac Sweeney first ran for Congress in 1984. His election was hotly contested, and his was the first Republican congressional victory ever in this part of Texas heavily populated by Democrats. He was reelected in 1986, defeating Democrat Greg Laughlin in a bitter race, despite holding the public distinction as the reported "Number One Target of the Democratic Congressional Campaign Committee (DCCC)". In the 1988 general election, Congressman Sweeney once again faced Mr. Laughlin.

During the course of Congressman Sweeney's six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election) President Gerald R. Ford voluntarily made five campaign appearances on his behalf. These trips were deliberately planned by the former President's staff to coincide with President Ford's trips to Houston, adjacent to the 14th Congressional District, for his attendance at meetings of the Board of Directors of Texas Commerce Bank. Congressman Sweeney's campaign committee did not pay any of the travel expenses incurred by President Ford in connection with these appearances.

In anticipation of the 1988 general election, Congressman Sweeney in late 1987 wrote President Ford to inquire about the latter's availability for a campaign appearance at a fund-raiser in Wharton, Texas, the Congressman's home town. In this one particular letter, Congressman Sweeney also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford--New Leadership Committee, a political action committee. This personal offer was in no way formally connected to Congressman Sweeney's official or campaign duties; nor was it in any way connected to the proposed visit.

It was mentioned in the same letter as an informal acknowledgement, in passing, that the Congressman now considered himself in a personal position to help with the President's causes, something which the two men had discussed on prior occasions--i.e. the Congressman's earnestness in wanting to help with Ford's causes. In fact, many of the former President's admirers have long supported his worthwhile causes; and if any one person had become aware of the value of these causes, surely it was a young congressman who had campaigned with Ford and who was trying to do his part while still Congress's second-youngest member.

Meanwhile, as his scheduling priorities evolved, President Ford, through his staff, once again accepted the Congressman's

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Ms. Judybeth Greene
Page 3
March 1, 1989

invitation, and a date was set for his appearance. Scarcely two months before the event, Texans for Sweeney began the arrangements for the fund-raiser, including printing and mailing invitations and arranging the location, food, and entertainment. All travel arrangements for President Ford were handled exclusively by Ford's own staff. Neither Congressman Sweeney nor Texans for Sweeney participated in the planning of President Ford's itinerary.

About a week before the fund-raiser, Congressman Sweeney received a phone call from a member of President Ford's staff. The phone call was apparently a follow-up to the Congressman's earlier letter, and thereby confirmed that President Ford's PAC would appreciate any help with fund-raising the Congressman could offer. From the message, the Congressman assumed the Ford Committee must be doing their seasonal fund-raising and surmised that he was now "on the list" of people that Ford's various committees would count on--now and in the future. In sum, a series of professional courtesies extended by Ford engendered a personal relationship, which in turn engendered a professional courtesy from Sweeney.

Congressman Sweeney, sensing an opportunity to help, telephoned five of his friends and requested that they contribute to President Ford's PAC. These friends all shared the strong conservative ideals and Republican loyalty of President Ford and Congressman Sweeney, and, therefore, Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions. The fund-raiser was held on April 18, 1988, and President Ford made his fifth in a series of endorsement appearances over a three-year period.

On April 23, 1988, a Houston Chronicle reporter published an erroneous story to the effect that the \$10,000.00 paid to President Ford's PAC was a condition for his appearance. This allegation arose from an inaccurate statement elicited from a junior aide by a Washington based reporter. The aide admittedly had no personal knowledge of the transaction, and had been employed at that time less than three months at a salary of \$14,000 per annum. The newspaper also mistakenly reported that the campaign would reimburse Ford's travel expenses.

As the general campaign heated up, Congressman Sweeney's opponents looked for any possible tactical advantage. Sensing

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Ms. Judybeth Greene
Page 4
March 1, 1989

that the Congressman could be damaged by a negative spin on the President Ford appearance story, his political enemies looked to capitalize on negative publicity, even though in this case almost four full months elapsed between the appearance and the later filing of a complaint (with attendant press release). Once the local Democrat-oriented newspapers began running a second and more strident round of stories in the summer, the feeding frenzy began. The Congressman was the object and victim of a media campaign that was inaccurate at best, deliberately misleading at worst. Distortions built upon distortions. For example, the Victoria Advocate reported that the Congressman paid \$30,000.00 in expenses for President Ford's visit in 1985. That statement is wildly inaccurate! In fact, neither Congressman Sweeney nor Texans for Sweeney ever paid or reimbursed President Ford's travel expenses.

The complainant in this matter, John Griffin, Jr., is an avid supporter of Congressman Sweeney's 1988 general election opponent, Greg Laughlin. His overblown complaint was drafted in July, 1988, in the the heat of a fiercely fought campaign in which every political advantage was sought. (The district is, by registration, eleven-to-one Democratic.) As such, the complaint emanates from the least reliable source, a partisan opponent seeking to unseat his candidate's sworn rival in one of the nation's most competitive congressional districts. It is revealing that the complaint uses only newspaper accounts as supporting documentation. This case has been one of rumor feeding rumor, innuendo assuming a pseudo-authenticity. And by design, this partisan strategy surely did not assist Congressman Sweeney in holding the district as its first-ever elected Republican. In the less heated environment of post election analysis, it is imminently clear that the complaint is baseless.

II. Legal Analysis

A. The contributions made to President Ford's PAC were not intended to be and do not constitute contributions to Texans for Sweeney.

There was no judicial or statutory linkage between President Ford's visit and the wholly separate transaction of raising money for his PAC. Neither Ford himself nor his staff ever suggested that the visit was contingent on any payment, and Congressman Sweeney never represented to his five personal friends that such was the case.

The timing of the contributions, coming as close to President Ford's visit as they did, could be interpreted by most

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Ms. Judybeth Greene
Page 5
March 1, 1989

political cynics as a "quid pro quo" for his campaign appearance. But that inference is totally wrong and politically inspired. The newspaper accounts were based on the inaccurate statement by a staff member of Congressman Sweeney who had no personal knowledge of the facts. All contact was made by the Congressman himself without the assistance of his staff. That staff member later reported that his statement was naive, baseless, and inaccurate.

B. Because the contributions do not constitute contributions to Texans for Sweeney, they are not required to be reported as such.

2 U.S.C. § 434(b)(2) requires that contributions to another organization must be reported only if in the light of all attendant facts those contributions should for some reason be attributed to the reporting political committee. Since the contributions were made directly to President Ford's PAC, and since there was no linkage between his visit and the contributions, there is no basis on which to attribute those contributions to Texans for Sweeney. President Ford's visit was arranged with the clear mutual understanding that he would come whether or not the contributions were made.

The contributions were made to President Ford's PAC without any preconditions attached. They were properly reported by that PAC as its own contributions. There is no connection between the contributions and Texans for Sweeney other than the fact that they were made by individuals who were also personal friends and occasional political supporters of Congressman Sweeney. That mere coincidence cannot and should not compel attribution to Texans for Sweeney, any more than the Congressman's fund-raising for any other organization should.

C. These contributions do not represent an in kind contribution to Texans for Sweeney.

The applicable federal election statute provides that the term "contribution" includes "anything of value made by any person for the purpose of influencing any election for Federal office. . ." 2 U.S.C. § 431(8)(a)(i). 11 C.F.R. 100.7(a)(1)(iii) states that "anything of value includes all in-kind contributions." The complaint which initiated this investigation alleged that President Ford's appearance or his endorsement constituted an in-kind contribution because it was "paid for" by the \$10,000 in contributions to President Ford's PAC. (We presume that this statement represents the substance of the complaint; it is difficult to understand the exact logic of this

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Ms. Judybeth Greene
Page 6
March 1, 1989

confusing allegation.) At the very least, Ford's history of campaigning for the Congressman should negate the simplistic notion that his endorsement was "for sale," as is alleged.

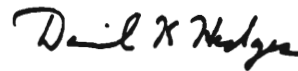
It is not certain that President Ford's appearance or his endorsement fit the category of "contribution." If they do fall within the strict definition, however, they are specifically exempted by statutory exception. 2 U.S.C. § 431(8)(B)(i) provides that "the value of services provided without compensation by any individual who volunteers on behalf of a candidate" is not included within the definition of "contribution." Since President Ford's visit was voluntary, not tied to contributions to his PAC, his appearance cannot be considered a contribution to Texans for Sweeney.

D. Texans for Sweeney did not receive amounts exceeding \$1,000 per election from any individual.

Since the contributions were made to President Ford's PAC, and there was no quid pro quo between them and President Ford's appearance, the contributions are not attributable to Texans for Sweeney. Therefore, no limitations on amounts from individuals could have been exceeded as a result of the contributions in question. The appropriate "limitation rules" are governed in this case by total contributions of the individuals to Ford's PAC, not to Sweeney's committee.

I sincerely hope that based on the answers you have received to the Commission's interrogatories and the foregoing explanation--all analyzed from an impartial perspective which did not characterize the complaint--you will find that there is not probable cause to believe any violation of federal election laws has occurred.

Very truly yours,



Daniel K. Hedges

DKH:cb
SWE26/020

bcc: Mr. Mac Sweeney

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2644

RESPONSE TO INTERROGATORIES AND REQUEST
FOR PRODUCTION OF DOCUMENTS

TO: Ms. Judybeth Greene, Office of the General Counsel,
Federal Election Commission, Room 659, 999 E Street,
N.W., Washington D.C. 20463

COMES NOW Texans for Sweeney and submits its response
to the interrogatories and request for production of documents
propounded by the Federal Election Commission in connection with
the above referenced case number.

1. State whether Representative Sweeney or any of his
campaign or congressional staff members had any role in arranging
for \$10,000 in contributions to the Gerald R. Ford - New Leader-
ship Committee. If so, please explain and provide copies of all
documents relating to these solicitations for contributions to
the New Leadership Committee.

Response to Interrogatory No. 1

Former Representative Sweeney personally called five indi-
viduals in March or April 1988, and asked them to make
contributions to the Gerald R. Ford - New Leadership Commit-
tee. Those individuals were Temple Webber, John Stanton,
Bob Perry (contact was daughter Kathy Perry), Cyrus Ansary,
and Dan Sweeney. The contacts were oral, and there are no
documents reflecting them.

2. State whether a \$10,000 payment to Gerald R. Ford - New
Leadership Committee was required as a condition of former Presi-
dent Ford's appearance at a fundraiser for Representative Sweeney
in April 1988.

EXHIBIT B

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Response to Interrogatory No. 2

No. It was not.

3. State whether Representative Sweeney or any of his campaign or congressional staff members suggested that Cyrus Ansary, W. Temple Webber, Jr., R. John Stanton, Jr., Kathy Perry, Dan Sweeney or anyone else make a contribution to the Gerald R. Ford New Leadership Committee in the spring of 1988. If so, please identify the individuals who were contacted, explain the circumstances and provide copies of all documents pertaining to these solicitations.

Response to Interrogatory No. 3

Yes. See Answer No. 1 above.

4. Identify the individual(s) who arranged for former President Ford's appearance at the Sweeney fundraiser in April 1988. Please provide copies of all documents relating to these arrangements.

Response to Interrogatory No. 4

Respondent is uncertain as to the meaning of this interrogatory. The actual arrangements for President Ford's appearance would have been made by President Ford's staff. This interrogatory can be fully answered only by President Ford's staff.

5. State whether Representative Sweeney or any of his campaign or congressional staff members made any statements to any of the individuals identified in Question 3 regarding any connection between their contribution to the Gerald R. Ford - New Leadership Committee and former President Ford's appearance at a fundraiser for Representative Sweeney in April 1988. If so, please identify the individual and explain the nature of what was said.

Response to Interrogatory No. 5

No one was told that a contribution was a "quid pro quo" for President Ford's appearance, nor was it.

6. Identify who paid the former President Ford's travel expenses to attend a fundraiser for Representative Sweeney in April 1988 and provide copies of all documents in your possession pertaining to the payment of such expenses.

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Response to Interrogatory No. 6

Texans for Sweeney did not pay for President Ford's travel expenses, and does not know who did. This interrogatory can be fully answered only by President Ford's staff.

S. Myles Sweeney

Dated: 2-21-89

STATE OF TEXAS §
 WHARTON §
COUNTY OF ~~WARRANT~~ §

BEFORE ME, the undersigned authority, on this day personally appeared S. Myles Sweeney, the person whose signature appears on this document. According to affiant's statement under oath, he has read these answers to interrogatories and they are correct according to the affiant's personal knowledge.

SUBSCRIBED AND SWORN to before me, on this 21st day of February, 1989.

Christina Smith
Notary Public, State of Texas

Date: 2-21-89

Christina Smith
Printed Name of Notary Public

My commission expires 6-14-92

SWE26/11/cb

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ABC 1240

WILEY, REIN & FIELDING

1776 K STREET, N.W.
WASHINGTON, D. C. 20006
(202) 429-7000

FRED F. FIELDING
(202) 429-7320

May 22, 1991

FACSIMILE
(202) 429-7049
TELEX 248349 WYRN UR

HAND DELIVERED

Marjorie Emmons
Commission Secretary
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 2644
Cyrus Ansary

Dear Ms. Emmons:

I am in receipt of the General Counsel's Report in Matter Under Review 2644 which recommends that the Federal Election Commission find no probable cause to believe that Cyrus Ansary violated the Federal Election Campaign Act of 1971, as amended. We concur with the General Counsel's analysis in this matter, and we urge the Commission to adopt the General Counsel's recommendation regarding Mr. Ansary.

We look forward to the resolution of this matter.

Sincerely,


Fred F. Fielding

cc: Cyrus Ansary
Lawrence M. Noble

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RECEIVED
FEDERAL ELECTION COMMISSION
91 MAY 22 AM 10:46

DEC 1964

**VINSON & ELKINS
ATTORNEYS AT LAW**

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 MAY 23 PM 1:02

THE WILLARD OFFICE BUILDING
1455 PENNSYLVANIA AVE. N.W.
WASHINGTON, D.C. 20004-1007
TELEPHONE (202) 639-6500 TELEX 89680
FAX (202) 639-6604

3300 FIRST CITY TOWER
1001 FANNIN
HOUSTON, TEXAS 77002-6760
TELEPHONE (713) 758-2222 TELEX 762146
FAX (713) 758-2346

FIRST CITY CENTRE
516 CONGRESS AVENUE
AUSTIN, TEXAS 78701-2496
TELEPHONE (512) 498-8400
FAX (512) 498-8612

47 CHARLES ST., BERKELEY SQUARE
LONDON W1X 7PB, ENGLAND
TELEPHONE OII 44 71 491-7236
FAX OII 44 71 499-5320
CABLE VINELKINS LONDON W1-TELEX 24140

3700 TRAMMELL CROW CENTER
2001 ROSS AVENUE
DALLAS, TEXAS 75201-2916
TELEPHONE (214) 220-7700
FAX (214) 220-7716

May 20, 1991

Ms. Marjorie Emmons
Secretary of the Commission
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

RE: MUR 2644
R. John Stanton, Jr.

Dear Ms. Emmons:

Enclosed please find an original and ten copies of the Brief of R. John Stanton, Jr. to be submitted to the Commission. Please return one stamped copy in the enclosed, pre-stamped envelope.

By copy of this letter, three copies of this Brief have been mailed to the General Counsel and copies have been mailed to the additional counsel listed hereunder.

Very truly yours,

Thomas P. Marinis, Jr.
Thomas P. Marinis, Jr.

Enclosures

cc: Mr. Lawrence Noble (3)
Mr. Daniel K. Hedges
Mr. Fred F. Fielding

91 MAY 23 PM 3:21

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL

91040373583

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

R. John Stanton, Jr.

§
§
§

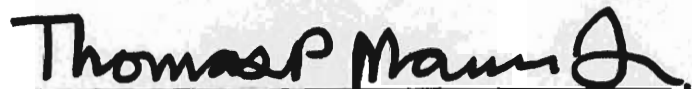
MUR 2644

BRIEF OF R. JOHN STANTON, JR.

R. John Stanton, Jr. ("Stanton"), agrees with and adopts the General Counsel's Brief filed previously herein.

Respectfully Submitted,

VINSON & ELKINS



Thomas P. Marinis, Jr.
1901 First City Tower
1001 Fannin Street
Houston, Texas 77002-6760

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Brief of R. John Stanton, Jr. has been sent by certified mail, return receipt requested to all attorneys of record as follows:


Thomas P. Marinis, Jr.

91040873584

cc: Mr. Lawrence M. Noble
General Counsel
Federal Election Commission
999 E. Street, Northwest
Washington, D.C. 20463

Mr. Daniel K. Hedges
Porter & Clements
700 Louisiana
Suite 3500
Houston, Texas 77002-2730

Mr. Fred F. Fielding
Wiley, Rein & Fielding
1776 K. Street, N.W.
Washington, D.C. 20006-2359

91040873585

06-1528

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

91 JUN 13 AM 11:06

Kathy K. Perry
18630 Barbuda Lane
Houston, Texas 77058

June 3, 1991

Lawrence M. Noble
General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

91 JUN 13 PM 2:47

RECEIVED
FEDERAL ELECTION COMMISSION
COUNSEL

Re: MUR2644; In the matter of Kathy Perry

Dear Sir:

Enclosed is my reply in the above referenced manner. I request that you accept this late reply and submit it to the Commission.

If you require any further information, please do not hesitate to contact me.

Sincerely,

Kathy K Perry

Kathy Perry

KP/dlw

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF X
X MUR2644
KATHY PERRY X

REPLY OF KATHY PERRY

My contribution to the Gerald R. Ford - New Leadership Committee was made because of my support for and belief in the ideals and principles shared by Mr. Ford. Until I read the General Counsel's Brief, I was unaware of any of the claims described in the Brief.

I have no knowledge of any violation of Federal Election Law as alleged in this matter.

I request that this matter be dismissed as recommended by your General Counsel.

June 6, 1991
DATE

Kathy K. Perry
KATHY PERRY

STATE OF TEXAS
COUNTY OF HARRIS

The foregoing was subscribed and sworn to before me on this day of June, 1991, to certify which I witness my hand and seal of office.



Imprint of Seal Showing Name
And Expiration Date

Sheila Mcintosh
Signature of Notary Public

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"in-kind" contributions. Complainant further alleges that Congressman Sweeney had arranged for less than half a dozen contributors to make the required \$10,000 in contributions to the New Leadership Committee and, therefore, at least one of these contributors made over \$1,000 in contributions to the New Leadership Committee in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant contends that these activities violated the contribution limitations and disclosure requirements of the Federal Election Campaign Act of 1971, as amended (the "Act").¹

General Counsel's Briefs notifying Respondents of the General Counsel's intent to recommend to the Commission findings of no probable cause were mailed on May 9, 1991. Responses to these notices were received from Texans for Sweeney, R. John Stanton, Jr., Cyrus Ansary and Kathy Perry. In their responses, each Respondent agreed with and recommended acceptance of the General Counsel's recommendation of no probable cause to believe in this matter.

1. Complainant filed an amendment to his complaint alleging that Congressman Sweeney's committee had also been evading election laws by "laundering" excessive contributions through the New Leadership Committee. The complainant claimed that the New Leadership Committee has accepted contributions from individuals who had made the maximum legal contributions to Texans for Sweeney and cited Temple Webber, Jr. as an example. He further asserted that the New Leadership Committee had contributed to Sweeney's campaign committee in the past and expected to contribute again that year. Thus, he claimed that the New Leadership Committee had acted as a conduit for excessive contributions from Sweeney supporters. At this Office's recommendation, the Commission found no reason to believe that the Gerald R. Ford - New Leadership Committee and Sharyn J. Sheldon, as treasurer, violated any statute within the Commission's jurisdiction.

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II. ANALYSIS (the General Counsel's Briefs are incorporated herein by reference)

A. The Law

The Act broadly defines the term "contribution" to include "any gift, subscription, loan, advance or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office." 2 U.S.C. § 431(8)(A)(1). Pursuant to 2 U.S.C. § 434(b)(2) and (3), political committees must report all contributions from individuals and must identify each person who makes a contribution of over \$200 to the committee within the reporting period.

The Act limits the contributions a person may make to any candidate and his authorized political committee with respect to any election for Federal office to \$1,000. 2 U.S.C. § 441a(a)(1)(A). Pursuant to 2 U.S.C. § 441a(f), no candidate or political committee shall knowingly accept any contribution in violation of the provisions of 441a.

B. Background

As stated above, complainant alleges that \$10,000 in contributions to the New Leadership Committee made by five individuals was given in order to secure President Ford's attendance at a Sweeney fundraiser. Therefore, complainant argues that these payments were "of value" to the Sweeney campaign and the \$10,000 in contributions to the New Leadership Committee constitute "in-kind" contributions to the Sweeney committee. In support of this allegation, complainant attached

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several newspaper articles to the complaint quoting Mike Alesiff, a Sweeney campaign staff member, as stating that Sweeney had arranged for the \$10,000 in contributions to the New Leadership Committee as a condition of Ford's appearance. Furthermore, several of these newspaper articles asserted that Congressman Sweeney would not include the \$10,000 in payments in his campaign finance reports and that there was a suspicion that a quid pro quo existed between the payments and the Ford appearance.

Based on a review of the New Leadership Committee's reports and their response to interrogatories, W. Temple Webber, Jr., Cyrus Ansary, Dan Sweeney, R. John Stanton, Jr., and Kathy Perry were in fact the individuals who made the contributions to the New Leadership Committee. The ten contributions listed on the New Leadership Committee's 1988 July Quarterly Report, included contributions totaling \$10,000 made on April 12, 1988, six days prior to the Sweeney fundraiser, from the above-named individuals. The contributions were made in the following amounts: Cyrus Ansary (\$3,000), Dan Sweeney (\$1,000), R. John Stanton, Jr. (\$2,000), W. Temple Webber, Jr. (\$2,000) and Kathy Perry (\$2,000). A review of reports filed with the Commission by the Texans for Sweeney committee reveal that W. Temple Webber, Jr. also made a contribution of \$1,000 to Texans for Sweeney on February 4, 1988.

C. Responses from the Sweeney Committee

In their response to the complaint, counsel for the

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Sweeney committee contends that President Ford's endorsement and personal appearance at the Sweeney fundraiser were not secured by the payments at issue; rather, counsel contends that President Ford has continuously endorsed Congressman Sweeney ever since he first announced his candidacy for Congress in 1984 and that President Ford "has appeared willingly without payment of any kind." Counsel further states that President Ford has made several contributions to Congressman Sweeney's past campaigns and has voluntarily made five campaign appearances on his behalf. Counsel contends that the Congressman has been the victim of a media campaign by the local Democrat-oriented newspapers which was inaccurate and deliberately misleading, especially concerning the appearance of President Ford at the fundraising event. Counsel further asserts that Congressman Sweeney has been the victim of negative publicity in the course of six campaigns (1984 primary and general election, 1986 primary and general election, and 1988 primary and general election). Specifically, in reference to the statement by Mike Alesiff referred to in several newspaper articles, counsel for the Sweeney committee asserts that this was an inaccurate statement elicited from a junior aide by a Washington-based reporter. Further, the aide assertedly had no personal knowledge of the transaction, and had been employed at that time for less than 3 months at a salary of \$14,000 per annum.

According to counsel, in anticipation of the 1988 campaign, Congressman Sweeney wrote President Ford late in

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1987 to inquire about the latter's availability for a campaign appearance. In this letter, Sweeney assertedly also offered to help raise money for one of President Ford's causes, either the Betty Ford Clinic, the Ford Presidential Library, or the Gerald R. Ford - New Leadership Committee. According to counsel, this personal offer to assist President Ford was in no way formally connected to Congressman Sweeney's official or campaign duties, nor was it in any way connected to the proposed visit.²

Counsel contends that the five contributors to the New Leadership Committee all shared the strong conservative ideas and Republican loyalty of President Ford and, therefore, that Congressman Sweeney had reason to believe they would be glad to support a political action committee dedicated to the election of like minded candidates. Counsel asserts that Congressman Sweeney did not state, suggest, or imply to any of these five individuals a tie between President Ford's visit and their contributions.

In the Committee's response to the Commission's reason to believe findings, counsel for the Committee reiterated that Congressman Sweeney contacted five individuals in March or April of 1988 and asked them to contribute to the New Leadership Committee; however, no one was told that a

2. This Office requested the letter, written by Congressman Sweeney to President Ford, referred to by Counsel in the March 1, 1989, response. However, according to Counsel's response dated September 8, 1989, while Congressman Sweeney remembers the letter well, the Committee no longer has a copy of it.

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contribution was a "quid pro quo" for President Ford's appearance, nor was it.

D. Responses from the New Leadership Committee

In answer to interrogatories from the New Leadership Committee, the treasurer, Sharyn Ruddick, stated that the \$10,000 payment to the New Leadership Committee was not a required condition for President Ford's appearance at the fundraiser in April 1988.³ Attached to Ms. Ruddick's response was a partially completed form describing the Sweeney event at issue and setting out certain other pertinent information. The information handwritten on this form includes the time and place of this particular fundraiser and the name of the event contact person. Also, in the top left hand corner of this form is a dollar sign with "10K PAC" handwritten beside it. This Office sent additional interrogatories to the New Leadership Committee and spoke with counsel in order to discover the meaning of this entry.

According to Sharon Ruddick, the form in question was a briefing form used in her capacity as treasurer of the New Leadership Committee. Ms. Ruddick states that the form was used as a tool "to gather and piece information together at various times while preparing schedules of travel for President Ford." Further, she stated that the "10K PAC" entry was used to trigger her memory so as to advise President Ford that the

3. At all times during which events took place giving rise to this matter the treasurer of the New Leadership Committee, Sharyn Ruddick, was known as Sharyn Sheldon.

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PAC had received contributions totaling that amount of money. According to Ms. Ruddick, there was no relationship between the entry and President Ford's appearance at the fundraiser, and he would have participated even if there had been no contributions.

E. Responses from individual respondents

In order to determine what each individual contributor believed was to be the purpose of his or her contribution, interrogatories were also sent to Ansary, Sweeney, Stanton, Webber and Perry. Responses were received from all the individual contributors except Kathy Perry.

According to the response submitted by Cyrus Ansary, he and Congressman Sweeney are good friends. After having dinner with Congressman Sweeney one night in 1988, Mr. Ansary assertedly decided, on his own notion, to make a contribution to the Gerald Ford Library. Since he did not know the name of "the Foundation" specifically, he wrote a check for \$2,000, leaving the payee blank, and gave it to the Congressman asking him to forward it to Gerald Ford. Mr. Ansary asserts in his answers that Congressman Sweeney never suggested that he make a contribution to the Gerald Ford Library. Furthermore, he states he received a phone call from Ford's office questioning whether the donation was excessive. During a second phone call, Mr. Ansary was assured that there was no problem with the contribution being excessive and when Mr. Ansary noticed that the canceled check was made payable to the New Leadership Committee, it assertedly did not occur to him that that entity

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was a political group rather than part of the library.

In the response from Dan Sweeney, he stated that he had personally wanted to contribute to the Sweeney fundraising event, but was told there were already enough sponsors. Therefore, at Congressman Sweeney's suggestion, he contributed to the New Leadership Committee because he wanted "to contribute something to President Ford in appreciation of the help he had given Sweeney in the past."

In his response, R. John Stanton, Jr., states he was contacted by Congressman Sweeney and asked to make a \$2,000 contribution to the New Leadership Committee. However, he does not recall the Congressman stating that a contribution to the New Leadership Committee was a required condition of Ford's appearance at the fundraiser.

In his response, W. Temple Webber, Jr., states that Congressman Sweeney contacted him concerning making a contribution to assist President Ford with one or more of his various charitable organizations, but at no time did Congressman Sweeney or his staff state there was any connection between the contribution and President Ford's appearance at the fundraiser.

F. Conclusion

Based on the foregoing, it does not appear that there is sufficient evidence to find probable cause to believe that President Ford's appearance at Sweeney's fundraiser was conditioned upon the \$10,000 in contributions made to the New Leadership Committee, thereby resulting in violations of the

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Act by the Committee. Prior to the fundraiser at issue, President Ford continually endorsed Congressman Sweeney over three election cycles and made at least four voluntary appearances on behalf of the Congressman. Thus, it appears that Congressman Sweeney and President Ford were not mere acquaintances based solely on party affiliation. Further, all parties involved deny that there was any requirement that Congressman Sweeney raise contributions for the New Leadership Committee in order to secure President Ford's appearance at the Sweeney fundraiser. The individual contributors have specifically stated in answers to interrogatories that they intended to contribute to Ford's New Leadership Committee or to the Ford presidential library and that they were never told their contributions were to be used to ensure Ford's appearance at the fundraiser. Lastly, while the \$10,000 in contributions to the New Leadership Fund were received only four days before the Sweeney fundraising event, the treasurer of the New Leadership Committee denied that the \$10,000 in contributions was a required condition of President Ford's appearance at the fundraiser and stated that the former President would have participated even if there had been no contributions.

Therefore, based on insufficient evidence for a finding of probable cause and in light of the denials by all involved as to a quid pro quo relationship between the contributions to the New Leadership Committee and Ford's appearance at the Sweeney fundraiser, this Office recommends that the Commission find no probable cause to believe that Texans for Sweeney and

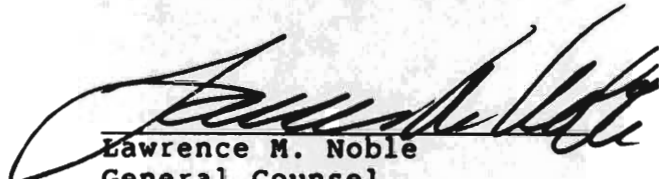
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Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) or 441a(f). Furthermore, this Office recommends that the Commission find no probable cause to believe that W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., or Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).

III. RECOMMENDATIONS

1. Find there is no probable cause to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).
2. Find there is no probable cause to believe that W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., or Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).
3. Approve the appropriate letters.
4. Close the file.

Date 8/22/91


Lawrence M. Noble
General Counsel

Staff Member: Mary Ann Bumgarner

91040373598

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2644
Texans for Sweeney and Myles)
Sweeney, as treasurer;)
W. Temple Webber, Jr., et al.)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on September 17, 1991, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 2644:

1. Find there is no probable cause to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f).
2. Find there is no probable cause to believe that W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., or Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A).
3. Approve the appropriate letters as recommended in the General Counsel's report dated August 22, 1991.

(continued)

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4. Close the file.

Commissioners Aikens, Elliott, Josefiak, McDonald,
and McGarry voted affirmatively for the decision;
Commissioner Thomas dissented.

Attest:

9-18-91
Date

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

91040373600



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

CLOSED

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John Griffin, Jr., Esquire
Griffin & Griffin
221 S. Main
Victoria, Texas 77901

RE: MUR 2644

Dear Mr. Griffin:

This is in reference to the complaint you filed with the Federal Election Commission on July 12, 1988, concerning possible violations of the Federal Election Campaign Act of 1971.

Based on your complaint, on December 8, 1988, the Commission found that there was reason to believe that W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., and Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. In addition, the Commission found reason to believe that Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f), and instituted an investigation of this matter. The Commission also found that there is no reason to believe that the Gerald R. Ford - New Leadership Committee and Sharyn R. Ruddick, as treasurer, violated any statute under the Commission's jurisdiction.

After an investigation was conducted and the General Counsel's briefs and the respondents' briefs were considered, the Commission, on September 17, 1991, found that there was no probable cause to believe that W. Temple Webber, Jr., Cyrus Ansary, R. John Stanton, Jr., and Kathy Perry violated 2 U.S.C. § 441a(a)(1)(A). In addition, the Commission found that there was no probable cause to believe Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f). Accordingly, the file in this matter was closed on September 17, 1991.

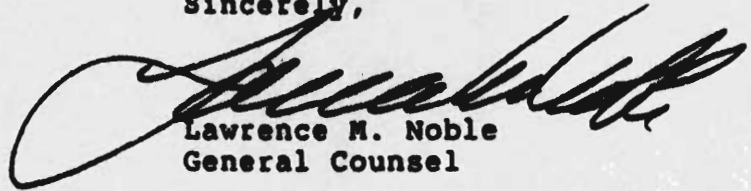
This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

91040873601

John Griffin, Jr., Esquire
Page 2

If you have any questions, please contact Mary Ann Bumgarner,
the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

21040373602



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

Daniel K. Hedges, Esquire
Porter & Clements
NCNB Center
700 Louisiana, Suite 3500
Houston, Texas 77002-2730

RE: MUR 2644
Texans for Sweeney and
Myles Sweeney, as treasurer

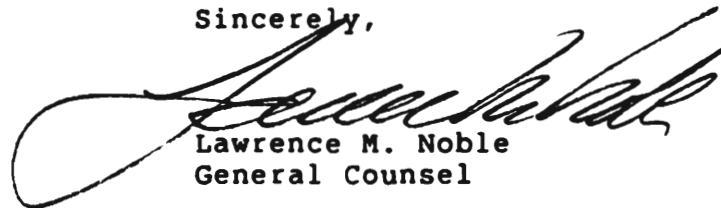
Dear Mr. Hedges:

This is to advise you that on September 17, 1991, the Federal Election Commission found that there is no probable cause to believe that your clients, Texans for Sweeney and Myles Sweeney, as treasurer, violated 2 U.S.C. §§ 434(b) and 441a(f). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lawrence M. Noble
General Counsel

21040373603



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

John J. Duffy, Esquire
Piper & Marbury
1200 Nineteenth Street, N.W.
Washington, D.C. 20036

RE: MUR 2644
Gerald R. Ford - New
Leadership Committee and
Sharyn J. Ruddick, as
treasurer

Dear Mr. Duffy:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

91040373604



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

Taylor V. Cooksey, Esquire
Singleton & Cooksey
1600 Smith, Suite 3100
Houston, Texas 77002

RE: MUR 2644
W. Temple Webber, Jr.

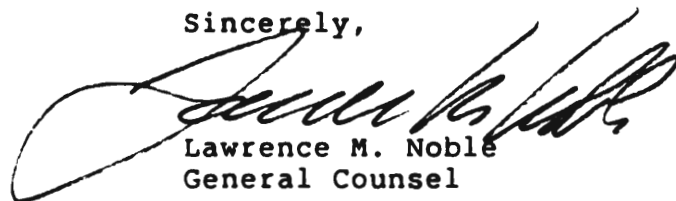
Dear Mr. Cooksey:

This is to advise you that on September 17, 1991, the Federal Election Commission found that there is no probable cause to believe that your client, W. Temple Webber, Jr., violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lawrence M. Noble
General Counsel

91040373605



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

Fred F. Fielding, Esquire
Wiley, Rein & Fielding
1776 K Street, N.W.
Washington, D.C. 20006

RE: MUR 2644
Cyrus Ansary

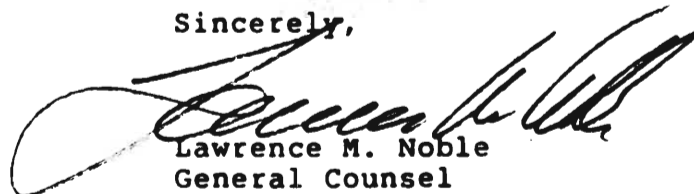
Dear Mr. Fielding:

This is to advise you that on September 17, 1991, the Federal Election Commission found that there is no probable cause to believe that your client, Cyrus Ansary, violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,



Lawrence M. Noble
General Counsel

91040373606



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

Thomas P. Marinis, Jr., Esquire
Vinson & Elkins
3300 First City Tower
1001 Fannin
Houston, Texas 77002-6760

RE: MUR 2644
R. John Stanton, Jr.

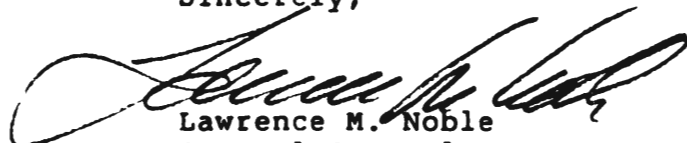
Dear Mr. Marinis:

This is to advise you that on September 17, 1991, the Federal Election Commission found that there is no probable cause to believe that your client, R. John Stanton, Jr., violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,


Lawrence M. Noble
General Counsel

91040373607



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 1, 1991

Ms. Kathy Perry
18630 Barbuda Lane
Houston, Texas 77058

RE: MUR 2644
Kathy Perry

Dear Ms. Perry:

This is to advise you that on September 17, 1991, the Federal Election Commission found that there is no probable cause to believe that you violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the file in this matter has been closed.

The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "Lawrence M. Noble".

Lawrence M. Noble
General Counsel

91040873608



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 1, 1991

Mr. Dan Sweeney
620 Tennis Avenue
Wharton, Texas 77488

RE: MUR 2644

Dear Mr. Sweeney:

You were previously sent questions in this matter as a witness only and advised that the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applied. This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days.

Should you have any questions, contact Mary Ann Bumgarner, the attorney assigned to this matter, at (202) 219-3690.

Sincerely,

Lawrence M. Noble
General Counsel

A handwritten signature in cursive script, appearing to read "Lois G. Lerner".

BY: Lois G. Lerner
Associate General Counsel

91040373609



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2644

DATE FILMED 11/5/91 CAMERA NO. 2

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