



FEDERAL ELECTION COMMISSION

Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *Vae*

DATE: February 25, 1999

SUBJECT: MUR 4763-General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE ☒
NON-SENSITIVE ☐

72 Hour TALLY VOTE ☐

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☒

DISTRIBUTION

COMPLIANCE ☒

Open/Closed Letters ☐
MUR ☐
DSP ☐

STATUS SHEETS ☐
Enforcement ☐
Litigation ☐
PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐

BEFORE THE FEDERAL ELECTION COMMISSION FEB 25 11 33 AM '99

In the Matter of)
) MUR 4763
Texas Democratic Party, *et al.*)

SENSITIVE

GENERAL COUNSEL'S REPORT

On June 23, 1998, the Commission found reason to believe that the Texas Democratic Party and seven Democratic county committees in Texas violated 2 U.S.C. § 441a(f) by accepting excessive contributions totaling \$109,666 from various political committees in 1996. These findings were premised on the fact that the respondent committees appear to be affiliated and, hence, subject to a common contribution limit of \$5,000 per calendar year.

In order to flesh out the affiliation issue, the Commission approved subpoenas to produce documents and orders to submit written answers for each respondent. On December 1, 1998, following respondents' request to enter into preprobable cause conciliation but prior to the receipt of any discovery responses, the Commission approved a joint conciliation agreement

The Commission further voted to stay discovery pending conciliation

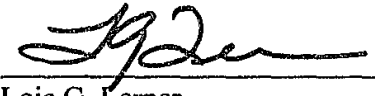
Through the course of several phone conversations, meetings and letters, this Office has attempted to settle this matter with respondents, but negotiations have proven unfruitful.

On February 22, 1999, this Office received the attached letter from respondents' counsel, confirming that conciliation efforts have been unsuccessful and agreeing to respond to the outstanding discovery requests by March 24, 1999. See Attachment. After reviewing the

discovery responses, this Office will make appropriate recommendations to the Commission.

Lawrence M. Noble
General Counsel

2/24/99
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachment

Letter from respondents' counsel dated February 22, 1999

Staff Assigned: Thomas J. Andersen

2025 FEB 24 10:43 AM