



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1610

DATE FILMED 4/12/91 CAMERA NO. 4

CAMERAMAN AS

91040834301

6cc# 1343

Jesse Jackson for President Committee

2100 M Street, N.W. Suite 316
Washington, D.C. 20036
202-293-1289

MUR
1610

1113
P4:23

January 3, 1984

General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: Complaint: "Americans For Jesse Jackson"

Dear Sir:

21040331302

Pursuant to 2 U.S.C. § 432g(a)(1) and 11 C.F.R. § 111.4 this complaint is hereby being filed against the organization, "Americans For Jesse Jackson", located at 6200 Annapolis Road, Suite 406, Hyattsville, Maryland 20784.

It has come to our attention that the organization in question is soliciting contributions using the name of our candidate without our authorization. As "Americans For Jesse Jackson" is not an authorized committee of Jesse Jackson, such action is in violation of 2 U.S.C. § 432(e)(4) of the Federal Election Campaign Laws. It is also interesting to note that an organization at the same address is soliciting funds for President Reagan (See supporting documents).

It is hereby requested that you direct "Americans For Jesse Jackson" to cease and desist from soliciting contributions using the name of Jesse Jackson.

Respectfully submitted,

Ralph C. Thomas III

Ralph C. Thomas, III
Legal Counsel

Subscribed and sworn to this 3rd day of January, 1984
in the city of Washington, D.C.

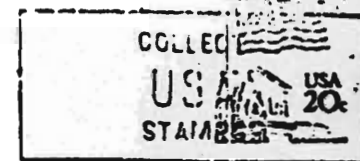
Samuel Foggie
Notary Public

My commission expires:

3/14/86

9 1 0 4 0 3 3 4 3 0 3

Americans in Support
of the
President Committee
6200 Annapolis Rd. #406
Hyattsville, MD 20784



Mr. J. McCormick
413 Oneida Street N.E.
Washington, D.C. 20011



NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES

BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 4751 Hyattsville

POSTAGE WILL BE PAID BY ADDRESSEE

Americans in Support
of the
President Committee
6200 Annapolis Rd. #406
Hyattsville MD. 20785



Americans in Support
of the
President Committee

Dear Fellow American:

On February 27th, 1984, we will publish an advertisement in The Manchester Union Leader Newspaper, the largest daily in New Hampshire, showing our support of The President of the United States of America, Ronald Reagan.

Whether you are liberal or conservative, rich or poor, Republican or Democrat you must agree that there is no quick cure for the state of world affairs. Fact is, America more than ever needs stability. More than twenty years have come and gone since our last two term President.

America needs to show that we are still united behind the leadership we installed on Monday January 20th, 1981. This display of confidence in our national leadership can clearly demonstrate to the world, that America has no doubts about the decision made on Tuesday November 5th, 1980. Who knows our fellow nations may benefit from such a fine example.

We want America and Ronald Reagan to be able to count on you for your support while assuring the world that America is truly united behind her President.

Sincerely,

John H. Henderson
John H. Henderson
Membership Director

Americans For Jesse Jackson Committee

Dear Fellow American:

Thank you, for your support of Jesse Jackson. This display of confidence in the structure of our political process clearly demonstrates that you are an interested knowledgeable citizen concerned about our nations future.

Whether you are liberal or conservative, rich or poor, I'm certain you will agree that idealism plants the seed of hope. Some say, "Jesse can't win"; We say, "Jesse is a winner". We haven't lost the dream nor forgotten our destiny of reaching the mountain top.

The dream is now a reality. Jesse said; "Our time has come, all the way from the State House to the Court House to the White House". We say, "The time has come for all Americans to become involved in the political process of this great nation". As Americans it is our duty to give the voter a real choice; a choice that extends beyond party lines, a choice that will allow America to be the melting pot of humanity, goverened by the will of all her people.

We want Jesse Jackson and America to count on you for all your support, to show the world that America is really the United States.

Gregory A. Farmer,

Gregory A. Farmer

President

GAF/mgh

Enclosures (2)

Hyattsville MD. 20784

Robert E. Bates
525 23rd Pl. N.E.
Washington, D.C. 20002

Thank you!

For your contribution of \$ 30.00

Please return cash, check or money order in the self
addressed, stamped envelope as soon as possible.

Make all payments to:

Americans For Jesse Jackson Committee

Again Thanks.



BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 4751 Hyattsville MD

POSTAGE WILL BE PAID BY ADDRESSEE

Americans For
Jesse Jackson Committee
6200 Annapolis Rd. #406
Hyattsville MD. 20784

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



Please Acknowledge my Support of

- ☐ Omit my name from the Washington Post advertisement
- ☐ Please include my name in the Washington Post advertisement

signature _____ date _____

This is not authorized by Jesse Jackson or any candidate

~~2-1-0-4-0~~ 3 3 4 3 0-7-5-8-9

Thank you!

For your contribution of \$ 25.00

Please return cash, check or money order in the self
addressed, stamped envelope as soon as possible.

Make all payments to:

Americans For Jesse Jackson Committee

Again Thanks.

(over)

21040334308

Please Acknowledge my Support of Jesse Jackson

☐ **Omit my name from the Washington Post advertisement**

☐ **Please include my name in the Washington Post advertisement**

signature _____ date _____

This is not authorized by Jesse Jackson or any candidate

2104034309



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 4, 1984

Ralph C. Thomas, III
Legal Counsel
Jesse Jackson for President Committee
2100 M Street, N.W., Suite 316
Washington, D.C. 20036

Dear Mr. Thomas:

This letter is to acknowledge receipt of your complaint which we received on January 3, 1984, against Americans for Jesse Jackson which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl Thomas at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

Kenneth A. Gross
By Kenneth A. Gross
Associate General Counsel

Enclosure

210403310



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 10, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Americans for Jesse Jackson
6200 Annapolis Road
Suite 406
Hyattsville, Maryland 20784

Re: MUR 1610

Dear Sir or Madam:

This letter is to notify you that on January 3, 1984 the Federal Election Commission received a complaint which alleges that your committee may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1610. Please refer to this number in all future correspondence.

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

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

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

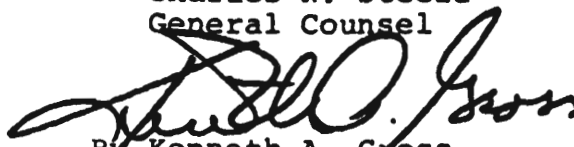
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

Page -2-
Letter to Americans for Jesse Jackson

If you have any questions, please contact Duane Brown, the staff member assigned to this matter at (202) 523-5071. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel.

Enclosures

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

PS Form 3811, July 1982

• **Complete Sections 1, 2, 3, and 4.**
AND POST OFFICE IN THE "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

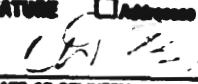
TOTAL \$

3. **ARTICLE ADDRESSED TO** Americans for J Jackson
6200 Annapolis Road, Suite 406
Hyattsville, Maryland 20784

4. **TYPE OF SERVICE:**
☐ REGISTERED ☐ INSURED
☒ **CERTIFIED** ☐ COB
☐ EXPRESS MAIL

ARTICLE NUMBER

(Always obtain signature of addressee or agent)

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


5. **DATE OF DELIVERY** 1-12-84

6. **ADDRESSEE'S ADDRESS** (only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

7a. **EMPLOYEE'S INITIALS**

RETURN RECEIPT

POSTMARK
may be on reverse side

1-12-84

100-070-000

MEJR 1610 - Brown 1/19/84



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 16, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

John H. Henderson
Membership Director
Americans in Support of The
President Committee
6200 Annapolis Road, Suite 406
Hyattsville, MD 20784

Re: MUR 1610

Dear Mr. Henderson:

This letter is to notify you that on January 3, 1984, the Federal Election Commission received a complaint which alleged that your committee has violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1610. Please refer to this number in all future correspondence.

You were not previously notified as you were not clearly identified as a respondent in the complaint. Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against your committee in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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

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

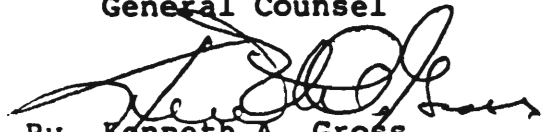
If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

John H. Henderson
Page Two

If you have any questions, please contact Duane Brown the staff member assigned to this matter at 523-5071. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

Enclosures

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

PS Form 3811, July 1982

• **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. ARTICLE ADDRESSED TO *John H. Henderson
Membership Director - Americans for
Support of the President Cmte
6200 Minneapolis Road, Suite 406
Huntsville, Ala 35894*

4. TYPE OF SERVICE:
☐ REGISTERED ☐ INSURED
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
943988

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
CD Brown

5. DATE OF DELIVERY
1-18-84

6. ADDRESSEE'S ADDRESS (only if required)
HUNTSVILLE, ALA 35894

7. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT

POSTMARK
JAN 17 1984
HUNTSVILLE, ALA

INITIALS

Brown - MR 1610 - 1/16/84

Coat# 1478
A. Brown
January 18, 1984
12338 Chesterton Drive
Upper Marlboro, Md. 20772

Mr. Duane Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1610

Dear Sir:

In response to the complaint submitted to the FEC by the Jesse Jackson for President Committee on January 3, 1984, this letter is to notify you that the organization known as Americans For Jesse Jackson located at 6200 Annapolis Road, Suite 406, Hyattsville, Maryland 20784, will cease and desist from soliciting contributions using the name of Jesse Jackson.

It is the hope of individuals involved that funds thus far solicited (those funds did not require an FEC filing) can be used to purchase an advertisement in support of Jesse Jackson's candidacy before the May 21, 1984 D.C. primary. If the Jesse Jackson for President Committee has any objections with the proposed advertisement notify me at the above address.

Please also be informed that the dual address issue contained in the complaint letter, will be discussed in an additional letter to be submitted by the telemarketing vendor hired to perform the solicitation and mailing responsibilities of the now defunct Americans for Jesse Jackson committee.

If I can be of further assistance to the Commission in facilitating this matter please feel free to notify me.

Respectfully,

Gregory A. Farmer

Gregory A. Farmer
President

Americans for Jesse Jackson Committee

9104034315

STATEMENT OF ORGANIZATION

RECEIVED AT THE FEC

(See reverse side for instructions)

1. (a) Name of Committee (in Full) <input type="checkbox"/> Check if name or address is changed. Americans in Support of the President Committee	2. Date 84 JAN 20 P12:36 1/18/83
(b) Address (Number and Street) 6200 Annapolis Rd. #416 Hyattsville MD 20784	3. FEC Identification Number
(c) City, State and ZIP Code	4. Is this an amended Statement? <input type="checkbox"/> YES <input type="checkbox"/> NO

5. TYPE OF COMMITTEE (check one):

- ☐ (a) This committee is a principal campaign committee. (Complete the candidate information below.)
- ☐ (b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)
- ☐ (c) This committee supports/opposes only one candidate _____ and is NOT an authorized committee.
(Name of candidate)
- ☐ (d) This committee is a _____ committee of the _____ Party.
(National, State or subordinate) (Democratic, Republican, etc.)
- ☒ (e) This committee is a separate segregated fund.
- ☐ (f) This committee supports/opposes more than one Federal candidate and is NOT a separate segregated fund nor a party committee.

6. Name of Any Connected Organization or Affiliated Committee	Mailing Address and ZIP Code	Relationship
NONE		

If the registering political committee has identified a "connected organization" above, please indicate type of organization.

- ☐ Corporation ☐ Corporation w/o Capital Stock ☐ Labor Organization ☐ Membership Organization ☐ Trade Association ☐ Cooperative

7. Custodian of Records: Identify by name, address (phone number - optional) and position, the person in possession of committee books and records.

Full Name	Mailing Address and ZIP Code	Title or Position
MR. Jesse Witherspoon Jr.	Suite 416 6200 Annapolis Rd.	Treasurer 301-231-3680

8. Treasurer: List the name and address (phone number - optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name	Mailing Address and ZIP Code	Title or Position
MR. Jesse Witherspoon Jr.	Suite 416 6200 Annapolis Rd. Hyattsville MD	301-231-3680

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.	Mailing Address and ZIP Code
CITIZENS BANK OF MD. CAPITAL PLAZA SHOPPING CENTER	6200 Annapolis Rd. Hyattsville MD 20784

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

JESSE WITHERSPOON JR.
Type or Print Name of Treasurer

Jesse Witherspoon Jr.
SIGNATURE OF TREASURER

1-17-83
Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. § 437g.

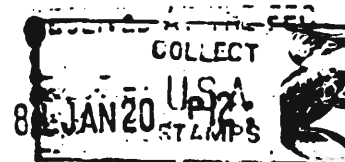
For further information contact:

Federal Election Commission, Toll Free 800-424-9530, Local 202-523-4066

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FEC FORM 1 (3/80)

11
Americans in Support
the
resident Committee
00 Annapolis Rd. #406
attsville, MD 20784



2 1 5 4 8 0 3 3 3 0 0 7
Federal Election Comission

1325 K St. N.W.

Washington, D.C. 20463

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

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FIRST GENERAL COUNSEL'S REPORT

84 MAR 22 A 9: 57

DATE AND TIME OF TRANSMITTAL

BY OGC TO THE COMMISSION 3/22/84
10:00

MUR # 1610

DATE COMPLAINT RECEIVED

BY OGC 1/3/84

DATE OF NOTIFICATION TO
RESPONDENT 1/10/84

STAFF MEMBER

Duane A. Brown

SENSITIVE

COMPLAINANT'S NAME: Jesse Jackson for President Committee

RESPONDENTS' NAMES: Americans for Jesse Jackson
Americans in Support of the President Committee,
Jesse Witherspoon, Jr., as Treasurer

RELEVANT STATUTE: 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3)
11 C.F.R. § 110.11(a)(1)(iii)

INTERNAL REPORTS CHECKED: Respondents

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On January 3, 1983, the Jesse Jackson for President Committee (the "Jackson Committee"), the authorized committee of Jesse Jackson, filed a complaint with the Commission alleging that an unauthorized organization known as Americans for Jesse Jackson was soliciting contributions using the name of Jesse Jackson without the authorization of the Jackson Committee in violation of 2 U.S.C. § 432(e)(4) of the Act (Attachment I). The Jackson Committee also attached additional literature to its complaint which showed that an organization referred to as Americans in Support of the President Committee located at the same address as that of Americans for Jesse Jackson, was

21040334318

soliciting funds on behalf of President Reagan. In their solicitations both organizations claim not to be authorized by any candidate. In addition, both solicitations fail to state who paid for the communications in violation of 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

FACTUAL AND LEGAL ANALYSIS

Based on a review of the attachments to the complaint, it appears that both organizations may be in violation of the Act. First, Americans for Jesse Jackson appears to be in violation of 2 U.S.C. § 432(e)(4) since it is admittedly an unauthorized committee, but includes the name of a candidate in its name. Additionally, its solicitation expressly advocating the election of Jackson failed to state who paid for the communication in violation of 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Finally, Americans for Jesse Jackson may be in violation of 2 U.S.C. § 433 and § 434 in that it also has failed to register and report receipts and expenditures in accordance with these provisions of the Act.

On January 24, Gregory Farmer, President of the Americans for Jesse Jackson Committee, filed a response to the Commission's complaint notification letter (Attachment II). The response indicates that the respondent will cease and desist from soliciting contributions using the name of Jesse Jackson. The respondent also suggests that the funds thus far obtained through the solicitation will be used to purchase an advertisement in support of the Jackson candidacy. Respondent claims that the

21040334319

funds obtained do not meet the requirements for FEC filing, but presented no evidence to verify that claim. Consequently, the Office of General Counsel has prepared interrogatories concerning the issue. */

21040334320
With respect to the Americans in Support of the President Committee, violations of the Act also appear to exist. First, the literature expressly advocating the re-election of the President fails to state who paid for the communication in violation of 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Also, the Americans in Support of the President may be in violation of 2 U.S.C. § 433 and § 434 in that it also has failed to timely register as a committee and report receipts and expenditures. Although, Americans in Support of the President did file a Statement of Organization naming Jesse Witherspoon, Jr., as treasurer, on January 20, 1984, it did so after the Commission sent it a complaint notification letter. (Attachment III). Because of that circumstance, it appears that the respondent may have registered as a political committee more than 10 days after qualifying as a committee under 2 U.S.C. § 431(4). Interrogatories addressing that issue are attached.

*/ Since the Americans for Jesse Jackson Committee has not filed with the Commission and does not appear to have a treasurer, we are forwarding all correspondence to the organization President, Gregory Farmer and will refrain from making a recommendation concerning the treasurer at this time.

RECOMMENDATIONS

1. Find reason to believe the Americans for Jesse Jackson Committee violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).
2. Find reason to believe the Americans in Support of the President Committee and Jesse Witherspoon, Jr., as treasurer, violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).
3. Approve attached letters and interrogatories.

Charles N. Steele
General Counsel

3/21/84
Date

By: Kenneth A. Gross (4292)
Kenneth A. Gross
Associate General Counsel

Attachments

- I - Complaint
- II - Letter from Gregory Farmer
- III - Statement of Organization
- IV - Letter to Gregory Farmer with Interrogatories
- V - Letter to Jesse Witherspoon, Jr., with Interrogatories

21040334321

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1610
Americans for Jesse Jackson)
Americans in Support of the)
President Committee)
Jesse Witherspoon, Jr., Treasurer)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 26, 1984, the Commission decided by a vote of 4-0 to take the following actions in MUR 1610:

1. Find reason to believe the Americans for Jesse Jackson Committee violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).
2. Find reason to believe the Americans in Support of the President Committee and Jesse Witherspoon, Jr., as treasurer, violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).
3. Approve the letters and interrogatories as attached to the First General Counsel's Report dated March 22, 1984.

Commissioners Aikens, Elliott, McDonald, McGarry voted affirmatively in this matter; Commissioners Harris and Reiche did not cast a vote.

Attest:

3-27-84

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

21040334322



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 28, 1984

Jesse Witherspoon, Jr.
6200 Annapolis Road
Suite 416
Hyattsville, Md. 20784

RE: MUR 1610
Americans in Support of the
President Committee
Jesse Witherspoon, Jr., as Treasurer

Dear Mr. Witherspoon:

The Federal Election Commission notified the Americans in Support of the President Committee on January 10, 1984, 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, the Commission, on March 26, 1984, determined that there is reason to believe that your committee and you, as treasurer, have violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Specifically, it appears that your committee has failed to timely file a Statement of Organization with the Commission, has failed to timely file reports of receipts and expenditures and has failed to state on its communication the person or entity who paid for the communication.

As of this date, we have received no written response from you in connection with this matter. Therefore, the Commission has enclosed questions regarding this matter. Please submit answers to the questions within 10 days of your receipt of this letter. Statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

21040334323

Letter to Jesse Witherspoon, Jr.
Page 2

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 Duane A. Brown the attorney assigned to this matter, at (202)523-5071.

Sincerely,


Lee Ann Elliott
Chairman

Enclosures
Procedures
Interrogatories

21040834324

Interrogatories and Request for Documents
MUR 1610

Jesse Witherspoon, Jr., as Treasurer
Americans in Support of the President Committee

Please submit your response to the following
interrogatories, under oath, within 10 days.

1) State the date of inception of the Americans in Support
of the President Committee.

2) For each calendar year, or portion thereof, that the
Americans in Support of the President Committee has been in
existence state:

a) the date upon which contributions received
by the Americans in Support of the President Committee
first exceeded, in the aggregate, \$1,000.

b) the date upon which the Americans in Support
of the President Committee first made expenditures in
excess of \$1,000.

3) Provide copies of all written solicitations made by the
Americans in Support of the President Committee and indicate
for each such solicitation:

a) the number of copies mailed and the dates of the
mailings;

b) the total amount received in response to the
solicitation, and provide the range of dates during
which the responses were received; and

c) the cost of sending the solicitation, including
production, printing and mailing.

91040334325

Interrogatories and Request for Documents
Jesse Witherspoon, Jr.
Page 2

4) State whether Americans in Support of the President Committee has received funds from any source(s) other than responses to its solicitations. If so, name the source(s) and state the amount(s) received from each as well as the date of each receipt.

91J40334326



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 28, 1984

Gregory A. Farmer, President
Americans for Jesse Jackson
12338 Chesterton Drive
Upper Marlboro, Md. 20772

Re: MUR 1610
Americans for Jesse Jackson

Dear Mr. Farmer:

The Federal Election Commission notified you on January 10, 1984, 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 March 26, 1984, determined that there is reason to believe that Americans for Jesse Jackson has violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Specifically, it appears that Americans for Jesse Jackson, 1) is an unauthorized committee, but has used the name of a candidate in its name, 2) has failed to file reports of receipts and disbursements and 3) failed to provide on its communication the person or entity who paid for the communication.

Your response to the Commission's initial notification of this complaint did not provide complete information regarding the matters in question. Please submit answers to the enclosed questions within 10 days of your receipt of this letter. Statements should be submitted under oath.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However, in the absence of any information which demonstrates that no further action should be taken against you, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2, of the enclosed procedures.

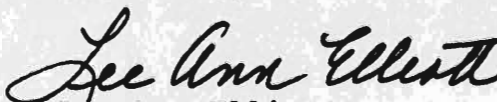
This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

21040334327

Letter to Gregory A. Farmer
Page 2

If you have any questions, please contact Duane A. Brown the attorney assigned to this matter, at (202)523-5071.

Sincerely,

A handwritten signature in cursive script that reads "Lee Ann Elliott".

Lee Ann Elliott
Chairman

Enclosures
Procedures
Interrogatories

91040334328

Interrogatories and Request for Documents
MUR 1610
Gregory A. Farmer
Americans for Jesse Jackson

Please submit your response to the following interrogatories and request for documents, under oath, within ten days.

- 1) With respect to Americans for Jesse Jackson, state:
 - a) the date of inception of the organization;
 - b) the names, addresses, telephone numbers and titles of all past and present officers of the organization; and
 - c) the names and addresses of all banking institutions used by the organization and the account numbers for the organization's accounts therein.
- 2) Provide copies of all written solicitations made by Americans for Jesse Jackson and indicate for each such solicitation:
 - a) the number of copies mailed and the dates of the mailings;
 - b) the total amount received in response to the solicitation, and provide the range of dates during which the responses were received; and
 - c) the cost of sending the solicitation, including production, printing and mailing.
- 3) List all other disbursements made by Americans for Jesse Jackson and specify the date and amount of each disbursement, to whom each disbursement was made and the purpose for each disbursement.

21040334329

Interrogatories and Request for Documents
Gregory A. Farmer
Page 2

4) State whether Americans for Jesse Jackson has received funds from any source(s) other than responses to its solicitations. If so, name the source(s) and state the amount(s) received from each as well as the date of each receipt.

91040334330

April 5, 1984
12338 Chesterton Drive
Upper Marlboro, Md. 20772

RECEIVED AT THE FEC
600 207/
84 APR 9 P2:58

Mr. Duane Brown
Federal Election Commission
Washington, D.C.

Re: MUR 1610
Americans for Jesse Jackson

Dear Mr. Brown:

In answer to your request for additional information concerning the now defunct Americans for Jesse Jackson political action committee, I have prepared the following responses to the interrogatories received by mail March 30, 1984.

1. a. The Americans for Jesse Jackson Committee began on November 4, 1983, the day after Mr. Jackson announced his candidacy.
- b. The only officer has been: Mr. Gregory A. Farmer
12338 Chesterton Drive
Upper Marlboro, Md. 20772 (301) 249-2826
Mr. Farmer served as president and treasurer.
- c. Contributions to Americans for Jesse Jackson were deposited in:
Government Services Savings and Loan, Inc.
7200 Wisconsin Avenue
Bethesda, Maryland 20814

The account number was 20-802440-3. Said account was closed on March 3, 1984 to avoid additional service charges. Balance as of that date was \$49.06.

2. As requested, a copy of each document used by Americans for Jesse Jackson for mailing solicitations is enclosed. Each solicitation contained a letter, contribution card and reply envelope.
 - a. There were 448 solicitations mailed from November 4, 1983 to December 4, 1983.
 - b. Forty (40) contributions were received between November 19, 1983 and January 11, 1984 totaling \$920.00.
 - c. Costs for sending solicitations:

Printing & Typesetting	\$ 164.00
Postage	89.60
Reply mail costs	18.24
Telephone costs	421.00
Salaries for telephone staff	520.00
TOTAL	\$1212.84

3. Disbursements:

<u>Date</u>	<u>Amount</u>	<u>To Whom Disbursement Made</u>	<u>Purpose</u>
11/28/83	\$ 6.58	Baumgartner Co. of Washington	Deposit Stamp
11/30/83	336.00	Ameri-Comm Systems	Telemarketing Vendor (Mailing, printing, etc)
12/2/83	25.00	Compu-Voice	Answering Service
12/9/83	199.50	Ameri-Comm Systems	Services Rendered
12/16/83	21.00	" "	" "
12/16/83	71.55	Gregory A. Farmer	Gas, meetings, etc.
12/20/83	6.74	Government Services Savings	Check orders
12/23/83	45.00	Compu-Voice	3 Months Answering Service
12/28/83	56.00	Ameri-Comm Systems	Services Rendered
1/4/84	91.38	" "	" "
1/25/84	7.50	Government Services Savings	Service Charges
2/25/84	7.50	Government Services Savings	Service Charges
TOTAL	\$873.75		
Balance as of 3/3/84: \$49.06			

4. Americans for Jesse Jackson received from Government Services Savings \$2.81 in interest.

<u>Dates</u>	<u>Amount</u>
11/25/83	\$ 0.05
12/25/83	1.74
12/31/83	0.16
1/25/84	0.45
2/25/84	0.33
3/06/84	0.08
TOTAL	\$ 2.81

Subscribed and sworn to before me, in my presence,
this 6th day of April, 1984, a Notary Public
in and for the State of Maryland.

[Signature]
Notary Public
My commission expires July 1, 1986

Gregory A. Farmer

Americans For Jesse Jackson Committee

Dear Fellow American:

Thank you, for your support of Jesse Jackson. This display of confidence in the structure of our political process clearly demonstrates that you are an interested knowledgeable citizen concerned about our nations future.

Whether you are liberal or conservative, rich or poor, I'm certain you will agree that idealism plants the seed of hope. Some say, "Jesse can't win"; We say, "Jesse is a winner". We haven't lost the dream nor forgotten our destiny of reaching the mountain top.

The dream is now a reality. Jesse said; "Our time has come, all the way from the State House to the Court House to the White House". We say, "The time has come for all Americans to become involved in the political process of this great nation". As Americans it is our duty to give the voter a real choice; a choice that extends beyond party lines, a choice that will allow America to be the melting pot of humanity, goverened by the will of all her people.

We want Jesse Jackson and America to count on you for all your support, to show the world that America is really the United States.

Gregory A. Farmer,

Gregory A. Farmer

President
GAF/mgh
Enclosures (2)

Please Acknowledge my Support of Jesse Jackson

- ☐ Omit my name from the Washington Post advertisement
- ☐ Please include my name in the Washington Post advertisement

signature _____ date _____

This is not authorized by Jesse Jackson or any candidate

Thank you!

For your contribution of \$ 20.00

Please return cash, check or money order in the self addressed, stamped envelope as soon as possible.

Make all payments to:

Americans For Jesse Jackson Committee

Again Thanks.

(over)



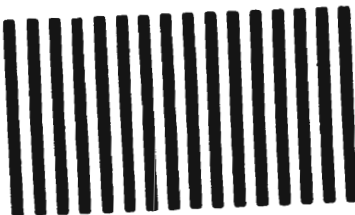
BUSINESS REPLY MAIL

FIRST CLASS PERMIT NO. 4751 HYATTSVILLE MD

POSTAGE WILL BE PAID BY ADDRESSEE

Americans For
Jesse Jackson Committee
6200 Annapolis Rd. #406
Hyattsville MD. 20784

NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES



5
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3

**Americans in Support
of the
President Committee**

RECEIVED AT THE FEU
604 3184
84 APR 19 AIO: 57

MUR 1610
Brown

April 18, 1984

Lee Ann Elliott
Federal Election Commission
Washington, D.C.

Dear Ms. Elliott

This is my report in regard to documents M U R - 1610 that I received in the mail as follow:

- (1) The date of inception of the Americans in support of the President committee is October 12, 1983
- (2) Time indicated in report, a portion October 12, 1983 through February 24, 1984
- (A) Date which contributions received first exceeded in the aggregate \$ 1,000.00 was January 4, 1984
- (B) Date of first expenditures in the excess of \$ 1,000.00, was January 9, 1984
- (3) Enclosed, please find copies of all written letters and cards sent to residents for solicitations, 1000 cards and 1000 letters, October 12, 1983 thru, Feb, 1, 1984.
- (B) Total amount received in respond to solicitation \$ 9,035.00- 10- 12-83 thru, 2-24-84.
- (c) Cost of sending the solicitations, including production, printing and mailing 10 -12- 83, through February 24, 1984, \$ 6,609.59 telephone calls made 25, 1983

All questions have been answered correctly according to our records and transactions with the residents we have contacted during the months, October 12, 1983 through, February 24, 1984. The Americans in support of the President committee, have not received or solicited any other funds from any resources as of 2-24-84, the date of termination.

6200 Annapolis Road • Suite 406 • Hyattsville Maryland • 20784

This is not authorized by Ronald Reagan or any candidate

Jesse Witherspoon Jr
Treasurer

STATEMENT OF RECEIPTS AND DISBURSEMENTS

For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

ALIGN AREA

1. Name of Committee (In Full)

*Americans in Support
of the President Committee*

2. Address (Number and Street)

*6200, Annapolis Rd #416
Landown Hill, Md
20784*

City, State and ZIP Code

Landown Hill Md

☐ Check here if address is different than previously reported.

3. FEC Identification Number

C-00175372

4. ☐ This committee qualified as a multicandidate committee during this Reporting Period on _____ (Date)

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report

☐ July 15 Quarterly Report ☒ January 31 Year End Report

☐ July 31 Mid Year Report (Non-Election Year Only)

☐ Monthly Report for _____

☐ Twelfth day report preceding _____ (Type of Election)

election on _____ in the State of _____

☐ Thirtieth day report following the General Election

on _____ in the State of _____

☒ Termination Report

(b) Is this Report an Amendment?

☐ YES

☒ NO

SUMMARY

5. Covering Period *10-12-83* through *12-31-83*

6. (a) Cash on hand January 1, 19 *84*

(b) Cash on Hand at Beginning of Reporting Period

(c) Total Receipts (from Line 18)

(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)

7. Total Disbursements (from Line 28)

8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))

9. Debts and Obligations Owed TO The Committee

(Itemize all on Schedule C or Schedule D)

10. Debts and Obligations Owed BY the Committee

(Itemize all on Schedule C or Schedule D)

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

For further information contact:

Federal Election Commission

Toll Free 800-424-9530

Local 202-523-4068

Type or Print Name of Treasurer

SIGNATURE OF TREASURER

Date

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

FEC FORM 3X (3/80)

DETAILED SUMMARY PAGE
Receipts and Disbursements
(Page 2, FEC FORM 3X)

Name of Committee (in Full)

Report Covering the Period

From: 10-25-83 To: 12-31-83

COLUMN A
Total This Period

COLUMN B
Calendar Year-To-Date

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(Memo Entry Unitemized \$ 986,50)

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. ALL LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES

AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Dividends, Interest, etc.)

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND

OTHER POLITICAL COMMITTEES

22. INDEPENDENT EXPENDITURES (use Schedule E)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES

(2 U.S.C. § 441 a(d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)

30. TOTAL CONTRIBUTION REFUNDS from Line 26(d)

31. NET CONTRIBUTIONS (other than loans) (Subtract Line 30 from Line 29)

32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

11(a)

11(b)

11(c)

11(d)

12

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16

17

18

19

20

21

22

23

24

25

26(a)

26(b)

26(c)

26(d)

27

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34

91040334338

91040834339

ALIGN AREA	
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ALIGN AREA

1. Name of Committee (In Full)
Americans in Support
of The President Committee

6200, Annapolis Rd.

City, State and ZIP Code
 Lonsdale Hill, Ind.

C-00175372

☒ NO

\$ _____

FEC FORM 3X (3/80)

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DETAILED SUMMARY PAGE
Receipts and Disbursements
(Page 2, FEC FORM 3X)

Name of Committee (in Full)

Report Covering the Period:

From: 1-1-84 To: 2-24-84

Americans in Support of The President Committee

COLUMN A
Total This Period

COLUMN B
Calendar Year-To-Date

I. RECEIPTS

11. CONTRIBUTIONS (other than loans) FROM:

(a) Individuals/Persons Other Than Political Committees

(Memo Entry Unitemized \$ _____)

(b) Political Party Committees

(c) Other Political Committees

(c) TOTAL CONTRIBUTIONS (other than loans) (add 11(a), 11(b) and 11(c))

12. TRANSFERS FROM AFFILIATED/OTHER PARTY COMMITTEES

13. A.L. LOANS RECEIVED

14. LOAN REPAYMENTS RECEIVED

15. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)

16. REFUNDS OF CONTRIBUTIONS MADE TO FEDERAL CANDIDATES

AND OTHER POLITICAL COMMITTEES

17. OTHER RECEIPTS (Dividends, Interest, etc.)

18. TOTAL RECEIPTS (Add 11(d), 12, 13, 14, 15, 16 and 17)

II. DISBURSEMENTS

19. OPERATING EXPENDITURES

20. TRANSFERS TO AFFILIATED/OTHER PARTY COMMITTEES

21. CONTRIBUTIONS TO FEDERAL CANDIDATES AND

(OTHER POLITICAL COMMITTEES

22. INDEPENDENT EXPENDITURES (use Schedule E)

23. COORDINATED EXPENDITURES MADE BY PARTY COMMITTEES

(2 U.S.C. § 441 a(d)) (Use Schedule F)

24. LOAN REPAYMENTS MADE

25. LOANS MADE

26. REFUNDS OF CONTRIBUTIONS TO

(a) Individuals/Persons Other Than Political Committees

(b) Political Party Committees

(c) Other Political Committees

(d) TOTAL CONTRIBUTION REFUNDS (Add 26(a), 26(b) and 26(c))

27. OTHER DISBURSEMENTS

28. TOTAL DISBURSEMENTS (add lines 19, 20, 21, 22, 23, 24, 25, 26(d) and 27)

III. NET CONTRIBUTIONS AND NET OPERATING EXPENDITURES

29. TOTAL CONTRIBUTIONS (other than loans) from Line 11(d)

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32. TOTAL OPERATING EXPENDITURES from Line 19

33. OFFSETS TO OPERATING EXPENDITURES from Line 15

34. NET OPERATING EXPENDITURES (Subtract Line 33 from Line 32)

11(a)

11(b)

11(c)

11(d)

12

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18

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22

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24

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26(a)

26(b)

26(c)

26(d)

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21040331340

Letter # 1

Americans in Support of the President Committee

February 15, 1984

Dear Mr.

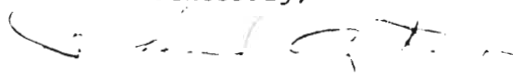
On February 27th, 1984 we will publish an advertisement in The Manchester Union
— Leader Newspaper, the largest daily in New Hampshire, showing our support of The
4 President of the United States of America, Ronald Reagan.

3
4 Whether you are liberal or conservative, rich or poor, Republican or Democrat you
3 must agree that there is no quick cure for the state of world affairs. Fact is,
3 America more than ever needs stability. More than twenty years have come and
0 gone since our last two term President.

4
3 America needs to show that we are still united behind the leadership we installed
— on Monday January 20th, 1981. This display of confidence in our national leader-
3 ship can clearly demonstrate to the world, that America has no doubts about the
decision made on Tuesday November 5th, 1980. Who knows our fellow nations may
benefit from such a fine example.

We want America and Ronald Reagan to be able to count on you for your support
while assuring the world that America is truly united behind her President.

Sincerely,


Richard Z. Kohn
RZK/bl

6200 Annapolis Road • Suite 406 • Hyattsville Maryland • 20784

This is not authorized by Ronald Reagan or any candidate

Jesse Withington Jr.
Treasurer

Letter # 2

Americans in Support of the President Committee

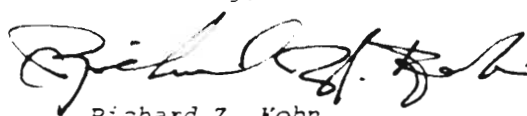
February 14, 1984

Dear

Thank you for your support of Ronald Reagan. This will serve as admission for the persons listed below. The reception will be at the Hyatt Regency Hotel at 400 New Jersey Avenue in Northwest Washington D.C. . The reception will be between 6 & 8 pm, on Thursday February 23, 1984. Please contact us as soon as possible at (301-231-3680), if there are any changes in the attendees listed below or if any of the social security numbers listed are incorrect, tickets will be mailed with correct information. Again thank you very much for your continued support of the President of the United States of America.

Jesse Whitman Jr.
Treasurer

Sincerely,



Richard Z. Kohn
RZK/bl

Thank you!

For your contribution of \$ 25.00 C

Please return cash, check or money order in the self addressed, stamped envelope as soon as possible.

Make all payments to:

Americans in Support of the President Committee

Again Thanks.

91040334343

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

May 9, 1984

RECEIVED
OFFICE OF THE
COMMISSIONARY

84 MAY 14 A 9: 18

In the Matter of)
Americans in Support of the) MUR 1610
President Committee)
Jesse Witherspoon, Jr.,)
as Treasurer)
Americans for Jesse Jackson)
Committee)
Gregory A. Farmer, as Treasurer)

COMPREHENSIVE INVESTIGATIVE REPORT #1

On January 3, 1984, the Jesse Jackson for President Committee (the "Jackson Committee"), the authorized committee of Jesse Jackson, filed a complaint with the Commission alleging that an unauthorized organization known as Americans for Jesse Jackson was soliciting contributions using the name of Jesse Jackson without the authorization of the Jackson Committee in violation of 2 U.S.C. § 432(e)(4) of the Act. The Jackson Committee also attached additional literature to its complaint which showed that an organization referred to as Americans in Support of the President Committee located at the same address as that of Americans for Jesse Jackson, was soliciting funds on behalf of President Reagan. In their solicitations, both organizations claim not to be authorized by any candidate. In addition, both solicitations failed to state who paid for the communications.

On March 26, 1984, the Commission found reason to believe that the Americans for Jesse Jackson */ violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). The Commission also found reason to believe the Americans in Support of the President Committee and Jesse Witherspoon, Jr., as treasurer, violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Also, the Commission approved interrogatories to be sent to both respondents in an effort to ascertain additional pertinent information.

Responses to the interrogatories have been received. In addition, in separate telephone conversations with General Counsel staff, both respondents requested permission to enter into pre-probable cause conciliation with the Commission. Both committees said they would send letters memorializing those requests.

*/ Since the Americans for Jesse Jackson had not previously filed with the Commission, we did not know the name of the treasurer. In reply to the Commission's RTB notification and interrogatories, Gregory A. Farmer indicated that he has been the only officer of the Committee since its inception. Recommendations concerning Mr. Farmer will be made in the next General Counsel's Report.

The Office of General Counsel is presently preparing a General Counsel's Report and accompanying proposed conciliation agreements for the Commission's approval. We expect this matter to be presented to the Commission within two weeks.

Date:

May 11, 1984

Charles N. Steele
General Counsel

By:

Kenneth A. Gross
Associate General Counsel

91040331346



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES N. STEELE
GENERAL COUNSEL

FROM:

MARJORIE W. EMMONS/SUSAN M. TEIR ^{SMT}

DATE:

MAY 15, 1984

SUBJECT:

MUR 1610 - COMPREHENSIVE INVESTIGATIVE
REPORT #1 dated May 9, 1984

The above-named document was circulated to the
Commission on a 24 hour no-objection basis at 4:00 on
May 14, 1984.

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

91040334347

RECEIVED AT THE FEC

May 7, 1984
12338 Chesterton Drive
Upper Marlboro, Md. 20772

600 #3089
84 MAY 9
A8:46

Mr. Duane Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1610
Americans for Jesse Jackson

Dear Mr. Brown:

In pursuance to our telephone conversation on May 7, 1984, I would like to notify the FEC that I would like to request a pre-probable cost conciliation agreement with the commission to expedite MUR 1610.

Your prompt assistance in handling this request would be greatly appreciated.

Respectfully,

Gregory D. Farmer
Gregory D. Farmer

21040334348

Americans in Support
of the
President Committee

Call 3174
84 MAY 16 11:11

MUR 1610
Brown

MAY 16 12:51

May 15, 1984

Jesse Witherspoon Jr.
6200, Annapolis Rd, suite 416
Landover Hill, MD 20784

Duane A. Brown
Federal Election Commission
Washington, D.C.

RE: MUR 1610

Dear Mr. Brown

Pursuant to our conversation on May 8, 1984, in regard to a request to enter into pre-probable cause conciliation with the commission, this letter serves as a request to enter into pre-probable cause conciliation with the commission and hope my request will be considered. If there is any further questions, please feel free to contact me at 832 2725, at home. On Friday, May 18 1984, my new number will be 386 2426, at the same office, which you can continue to write me. Your cooperation is highly appreciated.


Jesse Witherspoon Jr.

Treasurer

RECEIVED JUN 12 1984

24 JUN 12 12:53

June 12, 1984
12338 Chesterton Dr.
Upper Marlboro, MD. 20772

12:58

Mr. Duane Brown
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1610

Dear Mr. Brown:

Pursuant to our telephone conversation on June 12, 1984, I have enclosed for your attention a copy of the contractual agreement between Ameri-Comm Systems and the Americans for Jesse Jackson Committee and a copy of the membership acquisition analysis prepared by Ameri-Comm Systems.

If I can be of any further assistance, please feel free to contact me.

Respectfully,
Gregory H. Farmer

21040334350

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: Americomm

October 30, 1983

Americans for Jesse Jackson Committee
Attn: Mr. Gregory A. Farmer
12338 Chestertown Drive
Upper Marlboro, MD 20772

Dear Mr. Farmer:

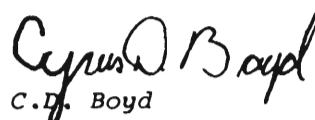
In reference to our conversation via telephone, Ameri-Comm Systems will supply
The Americans for Jesse Jackson Committee one hundred thirty (130) hours of
telemarketing time. The effort will comence the day after Jesse Jackson announces
his candidacy and end on completion of the one hundred thirty hours.

Ameri-Comm Systems will supply all administrative and support services needed,
fulfillment by mail, postage, printing, script development, data base manage-
ment, telephone cost as well as the salaries of Ameri-Comm Systems employees.

Ameri-Comm Systems will assume all cost incurred with efforts from this agreement
and Americans for Jesse Jackson will not assume any liablity for the cost incurred
by Ameri-Comm Systems.

In consideration of the above Americans for Jesse Jackson Committee, will pay
Ameri-Comm Systems seventy per cent (70%) of all donations received by Ameri-Comm
Systems, (on demand) resulting from this agreement.

Cordially,


C.D. Boyd

Managing Director
CDB/gh
Enclosure

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: Americomm

January 16, 1984

To: Americans for Jesse Jackson Committee

From: Cyrus D. Boyd

Reference: Membership Acquisition Analysis

According to the terms of our agreement, this will serve as a notice that Ameri-Comm Systems will not renew the agreement. Considering the cost associated with fund raising and membership acquisition, this office has found that in order to continue to work on behalf of your efforts we will have to have a restructuring of our agreement.

November 4 thru December 4, 1983
448 letters mailed

November 19, thru January 11, 1984
40 members returned (Total amount received \$920.00)

\$421.00	Telephone cost
520.00	Salary expense
164.00	Printing & typesetting
29.60	Postage
18.24	Reply mail cost
<u>\$1,212.84</u>	

Please contact me to discuss any future campaign, your group may have.

21040334352

SENSITIVE

November 26, 1984

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: Revised Interrogatories in MUR 1610

Pursuant to a Commission determination, the attached revised interrogatories are being circulated to the Commission for review.

91040334353



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES N. STEELE
GENERAL COUNSEL

FROM:

MARJORIE W. EMMONS/JODY C. RANSOM *JCR*

DATE:

NOVEMBER 28, 1984

SUBJECT:

MUR 1610 - Memorandum to the Commission
dated November 26, 1984

The above-captioned matter was circulated to the Commission on a 24 hour no-objection basis at 11:00, November 27, 1984.

There were no objections to the Memorandum to the Commission at the time of the deadline.

91040334354



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 30, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Gregory A. Farmer
Americans for Jesse Jackson
12338 Chesterton Drive
Upper Marlboro, Md. 20772

Re: MUR 1610
Americans for Jesse Jackson

Dear Mr. Farmer:

On March 28, 1984, you were notified that the Commission found reason to believe that Americans for Jesse Jackson violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii), provisions of the Federal Election Campaign Act of 1971, as amended and the regulations. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

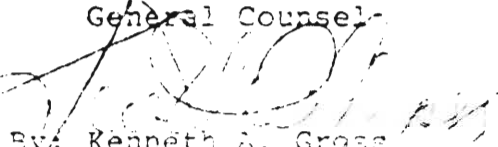
Consequently, the Federal Election Commission has issued the attached order which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena/order. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena and order.

If you have any questions, please direct them to Duane A. Brown, the attorney handling this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena/Order
Questions

21040334355

BEFORE THE FEDERAL ELECTION COMMISSION

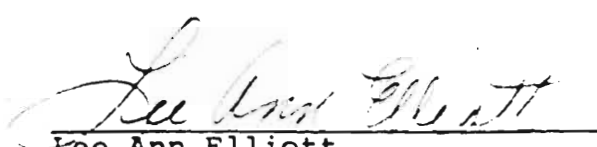
Americans for Jesse Jackson)
Gregory Farmer) MUR 1610

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.


Such answers must be submitted under oath and must be forwarded to the Commission within (10) days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand on November 1, 1984.



Lee Ann Elliott
Chairman

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

91040334356

Gregory Farmer

INTERROGATORIES AND REQUEST FOR DOCUMENTS

Please answer each of the following questions under oath and provide the requested documents.

Based on your response to the Commission's reason to believe finding dated April 5, 1984, and the supplement which you filed dated June 12, 1984, and based on other information ascertained by the Commission, it has been determined that the Americans in Support of the President Committee, the Americans for Jesse Jackson Committee and an organization known as Ameri-Comm Systems all had office operations based at the identical facility, notably, 6200 Annapolis Road, Suite 406, Hyattsville, Maryland 20784.

1. Please explain how you became aware of the availability of the office space used by you and the Americans for Jesse Jackson Committee located at 6200 Annapolis Road, Suite 406, Hyattsville, Maryland (hereinafter "Suite 406").

Please identify the individual(s) who brought the address to your attention.

2. Please state the name, address and phone number of each individual, company and entity with whom you entered into an agreement to occupy Suite 406.

3. Please provide a copy of each such written agreement. If no written agreement exists, please describe the terms of each oral agreement. In doing so, please specify:

(a) the amounts and types of expenses incurred by you and the Americans for Jesse Jackson Committee to occupy Suite 406;

(b) the duration of the agreement;

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(c) all parties to the agreement including names and addresses;

(d) all other terms of the agreement.

4. List all sources of funds derived to pay the costs of occupying Suite 406.

5. State whether you know Jesse Witherspoon.

(a) If so, please state when and how you met Mr. Witherspoon.

(b) Describe your relationship with Mr. Witherspoon prior to the inception of Americans for Jesse Jackson Committee.

State whether you have discussed this investigation with Mr. Witherspoon.

If so, state the substance of each such conversation and when it occurred.

6. State whether you know John H. Henderson.

(a) If so, please state when and how you met Mr. Henderson.

(b) State whether Mr. Henderson holds a position in Americans for Jesse Jackson Committee.

(c) If so, state what position.

(d) Please provide the address and phone number of Mr. Henderson.

7. Please describe the relationship between the Americans for Jesse Jackson Committee and the Americans in Support of the President Committee. In so doing, please state whether you have ever discussed strategies, goals and/or solicitation techniques with representatives of the Americans in Support of the President

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Committee and/or Jesse Witherspoon.

If so, what strategies, goals or solicitation techniques were discussed.

State who was present at each discussion.

8. To the best of your ability, describe Ameri-Comm Systems.
- (a) State how you came to know of Ameri-Comm Systems.
 - (b) State the names and addresses of all principals, officers and employees of Ameri-Comm Systems with whom you have had contact.

- 1. For each such individual, state the nature of the contact had with the individual.
- 2. State how you became familiar with each person named in 8b.
- 3. State whether you were ever employed by Ameri-Comm systems.

If so, state when and in what capacity.

9. Regarding the fact that Americans in Support of the President, Americans for Jesse Jackson and Ameri-Comm Systems occupied the same premises, please describe:

- (a) the circumstances of how each was established at the same premises;
- (b) the terms of all agreements and arrangements regarding the sharing of premises.
- (c) the layout (by diagram) of the office space available to each.

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10. Please state whether any of the three organizations noted in question #9 shared:

- (a) Common employees. If so, for each such employee describe the arrangement for sharing that employee.
- (b) Common equipment. If so, for each such piece of equipment describe the arrangement for sharing that equipment.
- (c) Common expenses, including but not limited to administrative, utilities, support services and salaries. If so, for each such expense describe the arrangement for sharing that expense.

11. Regarding the list(s) of names to whom solicitation letters were sent by Americans for Jesse Jackson, state:

- (a) The name of the owner of each list used in solicitation(s) by Americans for Jesse Jackson.
- (b) How the list(s) were obtained and from whom they were obtained.
- (c) Where the names on each list came from.

21040334360



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 30, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jesse Witherspoon, Jr.
Treasurer
Americans in Support of the President Committee
6200 Annapolis Road
Suite 406
Hyattsville, Md. 20784

RE: MUR 1610
Americans in Support of
the President Committee

Dear Mr. Witherspoon:

On March 28, 1984, you were notified that the Commission found reason to believe that Americans in Support of the President Committee and you, as treasurer, violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii), provisions of the Federal Election Campaign Act of 1971, as amended and the regulations. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached interrogatories which require you to provide additional information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to the questions. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of these questions.

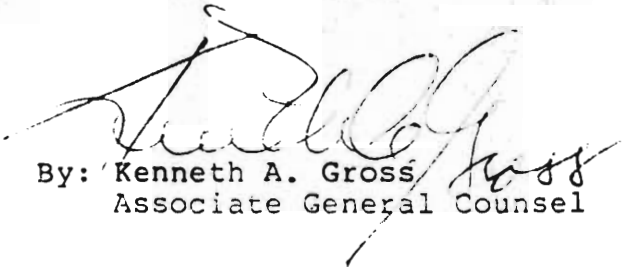
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Letter to Jesse Witherspoon
Page 2

If you have any questions, please direct them to Duane A. Brown the attorney handling this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

91040834362

BEFORE THE FEDERAL ELECTION COMMISSION

Americans in Support of the President)
Jesse Witherspoon, as treasurer) MUR 1610

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

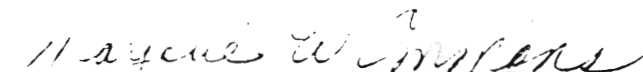
Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

Such answers must be submitted under oath and must be forwarded to the Commission within (10) days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand on *November 29*, 1984.


Lee Ann Elliott
Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

91040334363

INTERROGATORIES AND REQUEST FOR DOCUMENTS

Please answer each of the following questions under oath and produce the requested documents.

1. Please state your full name, permanent address and telephone number.

2. Please provide the full names and addresses of all the officers, management and campaign personnel who, at any time, took part in the operation of Americans in Support of the President ("ASPC").

For each individual, please state the title(s) and position(s) held, the responsibilities and duties of each position and the location from which each individual operated.

Based on your response to the Commission's reason to believe finding dated April 18, 1984, and other information ascertained by the Commission, it has been determined that the ASPC, the Americans for Jesse Jackson Committee and an organization known as Ameri-Comm Systems all had office operations based at the identical facility, notably, 6200 Annapolis Road, Suite 406, Hyattsville, Maryland 20784.

3. Please explain how you became aware of the availability of the office space used by you and the ASPC located at 6200 Annapolis Road, Suite 406, Hyattsville, Maryland (hereinafter "Suite 406").

Please state the name, address and telephone number of all individual(s) who brought the address to your attention.

4. Please state the name, address and phone number of each individual, company and entity with whom you entered into an agreement to occupy Suite 406.

5. Please provide a copy of each such written agreement. If no written agreement exists, please describe the terms of each oral agreement. In doing so, please specify:

(a) the amounts and types of expenses incurred by you and ASPC to occupy Suite 406;

(b) the duration of the agreement;

(c) all parties to the agreement including names and addresses;

(d) all other terms of the agreement.

6. List all sources of the funds used to pay the costs of Americans in Support of the President Committee occupying Suite 406.

7. State whether you know Gregory Farmer.

(a) If so, please state when and how you met Mr. Farmer.

(b) Describe your relationship with Mr. Farmer prior to the inception of ASPC.

State whether you have discussed this investigation with Mr. Farmer.

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If so, state the substance of each such conversation and when it occurred.

8. State whether you have ever had business dealings with Mr. Farmer.

If so, describe in detail the nature of your business dealings and state when they occurred.

9. State whether you know Richard Z. Kohn.

(a) If so, please state when and how you met Mr. Kohn.

(b) Describe your relationship with Mr. Kohn prior to the inception of ASPC.

(c) Please describe the relationship and responsibilities of Mr. Kohn as they relate to the ASPC.

10. State whether you know John H. Henderson.

(a) If so, please state when and how you met Mr. Henderson.

(b) Describe your relationship with Mr. Henderson prior to the inception of ASPC.

(c) Please describe the relationship and responsibilities of Mr. Henderson as it relates to the ASPC.

11. Please describe the relationship between the Americans for Jesse Jackson Committee and the ASPC. In so doing, please state whether Gregory Farmer and representatives of the Jackson Committee and you and representatives of ASPC have ever discussed strategies, goals and/or solicitation techniques.

If so, what strategies, goals or solicitation techniques were discussed.

State who was present at each discussion.

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12. To the best of your ability, describe Ameri-Comm Systems.

(a) State how you came to know of Ameri-Comm Systems

(b) State the names and addresses of all principals, officers and employees of Ameri-Comm Systems with whom you have had contact.

1. State how you became familiar with each person named in 12b and state the nature of the contact you had with each person named.

2. State whether you were ever employed by Ameri-Comm Systems.

If so, state when and in what capacity.

13. Regarding the fact that ASPC, Americans for Jesse Jackson and Ameri-Comm Systems occupied the same premises, please describe:

(a) the circumstances of how each was established at the same premises.

(b) the terms of all agreements and arrangements regarding the sharing of premises.

(c) the layout (by diagram) of the office space available to each.

14. Please state whether any of the three organizations noted in question #13 shared:

(a) Common employees. If so, for each such employee, describe the arrangement for sharing that employee.

(b) Common equipment. If so, for each such piece of equipment describe the arrangement for sharing that equipment.

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(c) Common expenses, including but not limited to, administrative, utilities, support services and salaries. If so, for each such expense describe the arrangement for sharing that expense.

15. Please itemize and document all expenses incurred and assumed by ASPC from its inception through the date of your response.

In your April 18, 1984 letter, you indicate that the ASPC received a total of \$9,035 in response to its solicitation. The supporting reports that accompanied your April 18 letter disclosed total receipts of \$8,682.50.

16. Please explain the discrepancy between your letter of April 18 and the supporting reports filed with that letter, as it pertains to total receipts.

(a) If the error is mathematical, please explain the errant mathematical entry.

(b) If the error is not mathematical, please list all sources of the additional contribution(s). If the contribution(s) were provided by one or more individuals, please provide the name and address of each individual and the amount of each contribution received.

In your response letter April 18, 1984, you indicate that the ASPC incurred \$6,609.59 in expenditures. The supporting reports which accompanied your April 18 letter disclose expenditures totalling \$8,645.99.

17. Please explain the discrepancy that exists between your letter of April 18 and the supporting reports filed with that letter, as it pertains to the total expenditures made by ASPC.

(a) If the error, is mathematical, please explain the errant mathematical entry.

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(b) If the error is not mathematical, please provide a list and the amount of any additional expenditures incurred by ASPC which are not covered in your letter of April 18.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 30, 1984

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cyrus D. Boyd
Managing Director
Ameri-Comm Systems
6200 Annapolis Road
Suite 406
Hyattsville, Md. 20784

Re: MUR 1610

Dear Mr. Boyd:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, Internal Revenue Code of 1954. In connection with an investigation being conducted by the Commission, the attached order which requires you provide certain information has been issued. The Commission does not consider you a respondent in this matter; but rather a witness only.

Since 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)(12)(A) apply. That section of the Act prohibits the making public of 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 this order. However, you are required to submit the information under oath within ten days of your receipt of this order.

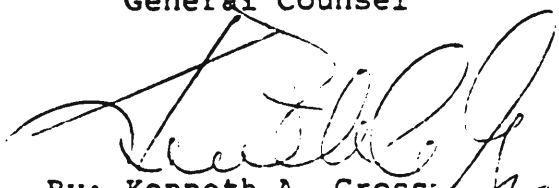
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Letter to Cyrus D. Boyd
Page 2

If you have any questions, please direct them to Duane A. Brown, the attorney handling this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure
Order
Questions

91040334371

BEFORE THE FEDERAL ELECTION COMMISSION

Cyrus D. Boyd

)
)

MUR 1610

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

Pursuant to 2 U.S.C. § 437d(a)(1) and (3) and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and Subpoenas you to produce requested documents.

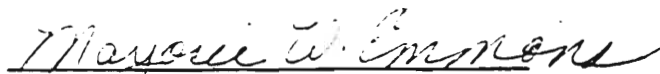
Such answers must be submitted under oath and must be forwarded to the Commission within (10) days of your receipt of this Order/Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set her hand on *November 29*, 1984.



Lee Ann Elliott
Chairman

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment(s)

21040334372

Cyrus D. Boyd
Ameri-Comm Systems

INTERROGATORIES AND REQUEST FOR DOCUMENTS

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission orders you to answer the following questions under oath and provide the requested documents.

1. State the date of inception for Ameri-Comm Systems.
2. Please state the names and addresses of all owners, officers and managers of Ameri-Comm Systems within the past eighteen months.
3. Please detail the purpose and function of Ameri-Comm Systems.

Based on information ascertained by the Commission, it has been determined that Americans in Support of the President Committee, Americans for Jesse Jackson Committee and your organization, Ameri-Comm Systems all had office operations based at the identical facility, notably, 6200 Annapolis Road, Suite 406, Hyattsville, Maryland 20784 (hereinafter "Suite 406").

4. State whether Ameri-Comm Systems leases or owns Suite 406.
 - a) If leased, provide the name(s) and address(es) of the lessor.
 - b) If leased, please provide a copy of the written lease agreement. If no written agreement exists please specify the terms of the oral agreement.
 - c) If owned, please indicate when the property was purchased.

The Commission has reviewed an agreement dated October 30, 1983, between Ameri-Comm Systems and Gregory Farmer, on behalf of the Americans for Jesse Jackson Committee, in which Ameri-Comm Systems agrees to provide certain services in exchange for a percentage of the gross receipts obtained through its direct mail fundraising efforts.

5. Please state whether the aforementioned agreement is a standard, customary agreement used by Ameri-Comm.

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a) If so, please specify how many other organizations within the past twelve months has Ameri-Comm entered into this type of agreement with.

1) State the names and addresses of all companies, organizations and establishments with which Ameri-Comm has entered into this type of agreement within the past twelve months.

2) Please specify whether the organizations mentioned are political committees, political organizations or other types of organizations.

3) Please provide a copy of a standard agreement used by Ameri-Comm when dealing with other political committees and political organizations.

b) If not, please state the circumstances which led Ameri-Comm to construct this agreement for Gregory Farmer.

6. Regarding the fact that Americans in Support of the President, Americans for Jesse Jackson and Ameri-Comm Systems occupied the same premises, please describe:

(a) the circumstances of how each was established at the same premises.

(b) the terms of all agreements and arrangements regarding the sharing of premises.

(c) the layout (by diagram) of the office space available to each.

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7. State whether Ameri-Comm leased office space to Gregory Farmer and Americans for Jesse Jackson.

If so, please detail the nature of the lease agreement setting forth the legal obligations of both lessor and lessee.

8. State whether Ameri-Comm leased office space to Jesse Witherspoon and Americans in Support of the President Committee.

If so, please detail the nature of the lease agreement setting forth the legal obligations of both lessor and lessee.

9. If Ameri-Comm leased to Gregory Farmer and Americans for Jesse Jackson and/or leased to Jesse Witherspoon and Americans in Support of the President, please state whether any of the three organizations shared:

(a) Common employees. If so, for each such employee, describe the arrangement for sharing that employee.

(b) Common equipment. If so, for each such piece of equipment describe the arrangement for sharing that equipment.

(c) Common expenses, including but not limited to, administrative, utilities, support services and salaries. If so, for each such expense describe the arrangement for sharing that expense.

d) State the date of inception and the date of termination of all lease agreements entered into between Ameri-Comm, Gregory Farmer and Americans for Jesse Jackson.

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e) State the date of inception and the date of termination of all lease agreements entered into between Ameri-Comm, Jesse Witherspoon and Americans in Support of the President.

10. If the use of Suite 406 comes under any agreement other than a lease, please provide a copy of the agreement. If no written agreement exists, please provide:

- a) the terms of the agreement(s).
- b) the parties to the agreement(s).
- c) the duration of the agreement(s).

11. Please indicate the nature of any other relationship between the three organizations.

91 J 40334376

HCC # 5973

Gregory A. Farmer
12338 Chesterton Drive
Upper Marlboro, Md. 20772
December 14, 1984

Mr. Duane Brown
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1610
Answers to Interrogatories

DEC 15 1984
2:41

1. Firstly, neither the Americans for Jesse Jackson Committee (hereafter the Committee) nor I as its sole officer ever occupied any office space at 6200 Annapolis Rd, Suite 406, Hyattsville Md. (hereinafter "Suite 406"). Donations for the Committee were sent to Suite 406 because it was occupied by the telemarketing service, Ameri-Comm Systems, contracted by the Committee to perform fund-raising activities (see enclosed copy of letter dated 10/30/83).
2. No agreement was made with any individual, company or entity to occupy Suite 406.
3. The Americans for Jesse Jackson Committee did not enter into an oral or written agreement to occupy Suite 406, thus, no expenses were incurred by the Committee concerning Suite 406.
4. I have no information concerning the sources of funds derived to pay the costs of occupying Suite 406.
5. (a) I met Mr. Jesse Witherspoon in December of 1983. Mr. Witherspoon was introduced to me at that time by Mr. Cyrus Boyd, the managing director of Ameri-Comm Systems. Mr. Boyd stated that Mr. Witherspoon worked for a black newspaper, had been involved with Mayor Barry's re-election campaign and occupied an office in the same building as Suite 406.

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MUR 1610 Answers Interrogatories

5. (b) I did not know Mr. Witherspoon prior to the inception of the Americans for Jesse Jackson Committee. I have not discussed this investigation with Mr. Witherspoon.
6. I do not know John H. Henderson nor has Mr. Henderson ever held a position in the Committee.
7. The only relationship, to my knowledge, between the Committee and the Americans in Support of the President Committee is the fact that both groups, at one time, had Ameri-Comm Systems conduct their respective fundraising campaigns. A copy of a letter dated April 2, 1984 from Mr. Cyrus D. Boyd to the FEC is the extent of my knowledge concerning the overlapping of Ameri-Comm Systems contractual agreements between the aforementioned parties. → A copy of the letter is enclosed for your perusal.

I have never discussed strategies, goals and/or solicitation techniques with representatives of the Americans in Support of the President or Jesse Witherspoon.

8. To the best of my ability I can only describe Ameri-Comm Systems as a telemarketing agency providing specific services to different clients. My first contact with Ameri-Comm occurred in September 1983. I answered an advertisement in the Washington Post for a telemarketing representative position and met with Mr. Cyrus D. Boyd. Mr. Boyd is the only representative of Ameri-Comm that I have met and the only address I have had for him is the one at Suite 406.

I was employed by Ameri-Comm System for only two days in September 1983 as a telemarketing representative and was paid on a commission basis.

9. As stated previously, the Committee did not occupy the premises at Suite 406 for office space. Those premises were occupied, to

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MUR 1610 Answers to Interrogatories

the best of my knowledge, by Ameri-Comm Systems only. Suite 406 was the mailing address for solicitations sent to the Committee.

10. The Committee did not share an office, employees, equipment, or common expenses with either Ameri-Comm Systems or the Americans in support of the President Committee. Ameri-Comm Systems was responsible for data base management in regard to the Committee.

11. The list(s) of names to whom solicitation letters were sent by the Committee, the owner of each list(s), how they were obtained and where the names on each list came from, was handled entirely by Ameri-Comm Systems.

Gregory A. Farmer
Gregory A. Farmer

Subscribed and sworn to before me this

14th day of December 1986

Charles J. McNamee

Notary Public

MY COMMISSION EXPIRES July 1, 1986

91040334379

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: AmeriComm

October 30, 1983

Americans for Jesse Jackson Committee
Attn: Mr. Gregory A. Farmer
12338 Chestertown Drive
Upper Marlboro, MD 20772

Dear Mr. Farmer:

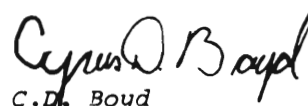
In reference to our conversation via telephone, Ameri-Comm Systems will supply The Americans for Jesse Jackson Committee one hundred thirty (130) hours of telemarketing time. The effort will comence the day after Jesse Jackson announces his candidacy and end on completion of the one hundred thirty hours.

Ameri-Comm Systems will supply all administrative and support services needed, fulfillment by mail, postage, printing, script development, data base management, telephone cost as well as the salaries of Ameri-Comm Systems employees.

Ameri-Comm Systems will assume all cost incurred with efforts from this agreement and Americans for Jesse Jackson will not assume any liability for the cost incurred by Ameri-Comm Systems.

In consideration of the above Americans for Jesse Jackson Committee, will pay Ameri-Comm Systems seventy per cent (70%) of all donations received by Ameri-Comm Systems, (on demand) resulting from this agreement.

Cordially,



C.D. Boyd
Managing Director
CDB/gh
Enclosure

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Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: Americomm

January 16, 1984

To: Americans for Jesse Jackson Committee

From: Cyrus D. Boyd

Reference: Membership Acquisition Analysis

According to the terms of our agreement, this will serve as a notice that Ameri-Comm Systems will not renew the agreement. Considering the cost associated with fund raising and membership acquisition, this office has found that in order to continue to work on behalf of your efforts we will have to have a restructuring of our agreement.

November 4 thru December 4, 1983
448 letters mailed

November 19, thru January 11, 1984
40 members returned (Total amount received \$920.00)

\$421.00	Telephone cost
520.00	Salary expense
164.00	Printing & typesetting
29.60	Postage
18.24	Reply mail cost
<u>\$1,212.84</u>	

Please contact me to discuss any future campaign, your group may have.

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: Americomm

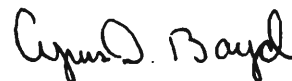
April 2, 1984

Mr. Duane Brown
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Dear Mr. Brown:

This follow up letter was requested by a former client Mr. Gregory A. Farmer, of Americans for Jesse Jackson Committee. Ameri-Comm Systems is a telemarketing firm offering services in the areas listed on the enclosed card. Ameri-Comm Systems contracted with Americans in Support of the President Committee and Americans for Jesse Jackson Committee, the contract period overlapped however both Committees were placed on notice by this office, of the overlapping period. Ameri-Comm Systems provided services in the form of a marketing test for membership acquisition, on behalf of Americans for Jesse Jackson Committee. We also provided similar services for Americans in Support of the President Committee. If you have any additional questions please feel free to phone me to discuss any questions you may have. (301-322-2200)

Cordially,



Cyrus D. Boyd

Enclosure (1)
YC-Farmer
file

RECEIVED AT THE FEC
GCC #6059
84 DEC 21 A 9: 53

November 18, 1984

Mr. Duane A. Brown
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463

Dear Mr. Brown

This letter is to confirm our conversation on December 13, 1984 in regard to my request for an extension to your answers in reference to my involvement with Americans in Support of the President Committee from October 1983 to February 1984.

This letter serves as a request for an extension from November 10, 1984 to December 28, 1984, due to a fact, that Ameri-Comm System have moved from the location 6200, Annapolis road suite 406 to 4500, S street Capital Heights Maryland, 20743, Phone 322 3282. After talking to you, I spoke to Mr. Cyrus Boyd, whom I agreed to handle his firms bank deposits for Americans in Support of the President Committee on a consultant basis as treasurer.

Mr. Boyd stated that he is still in the process of opening the boxes that carried his files, and that he will furnish me with the answers I need to complete the answers to your questions in your document to me on December 31, 1984. I feel that I will be able to complete all concerns by or, before December 28, 1984 if things go as I have planned. I would have been able to complete it on the date I gave you on December 13, 1984, if I had gotten the necessary information from Mr. Boyd.

I am in hope, that when I complete your interrogatories that the answers will be satisfactory to your commission. I am not an accountant nor, a bookkeeper and tried to keep the record best I can during the duration of the committee for the affair they produced at the hotel on February 23, 1984, plus, I am a Democrat for now 50 years and dont intend to change at age 68. In my answers to your questions of concern, you will get a clearly picture of what happened and now, thanks in advance.

CC

Charles N. Steele
Cyrus Boyd

FS

My office is still located 6200 Annapolis Rd, suite 416

Respectfully Yours

Jesse Witherspoon Jr.
Jesse Witherspoon Jr.

**Americans in Support
of the
President Committee**

RECEIVED THE FEC
GCC#6101
84 DEC 27 14:47

December 26, 1984

Mr. Duane A. Brown
Federal Election Commission
1325 K street N.W.
Washington, D.C.

Dear Mr. Brown

On November 30, 1984, I received From a Mr. Charles N. Steele, general Council for the Federal Election Commission, a letter along with outlined interrogatories of questions the commission requested to be answered. Enclosed, please find the answers to the questions to the best of my knowledge and my involvement, as follow:

- (1) Jesse Witherspoon Jr, 6200 Annapolis Road, Suite 416, Landover Hill, MD-386 2426
- (2) Cyrus Boyd, Ameri-Comm System, 4500 S street Capital Heights MD, Founder-coordinator Americans in Support of the President Committee- 322 3282

Richard Kohn, President, address unknown, can be contacted through and by Mr. Boyd at Mr. Boyds above address by phone call. I never knew Mr. Kohns numbers. Mr. Kohn, as President operated out of Ameri-Comm System office 6200, Annapolis Rd, suite 406.

Cyrus Boyd, Owner of Ameri-Comm System, Founder and coordinator, and overseer of the operation, and furnish staff of approx. 15 personnel on daily telephone operation for the Americans in Support of the President Committee function February 23, 1984.

- (3) I have never used office space located at 6200, Annapolis Rd, suite 406 known as Ameri-Comm, System Hyattsville, Maryland. My office is located at 6200, Annapolis Rd, suite 416, known as (LAST PARCE CONSULTANTS ASSOCIATES), Landover Hill, MD, telephone, 386 2426. 6200 Annapolis Rd, suite 406, is down the hall from my office, which is located at 416. Mr. Boyd was located at 406, who introduced me to his office
- (4) As stated I have never been located at suite 406, at 6200, Annapolis Rd, I am, and still, is located at 6200, Annapolis road, suite 416 Landover Hill, Maryland. The person whom you make reference to, name is Cyrus Boyd, new address above, see (2)
- (5) There were never an agreement in writing by and between myself and Mr. Boyd, but in the begining, I charged Mr. Boyd, Thirty percent of all proceeds of banking I handled for my time, office, telephone calls, car use ect. The total, see # 16

6200 Annapolis Road • Suite 406 • Hyattsville Maryland • 20784

This is not authorized by Ronald Reagan or any candidate

Jesse Witherspoon Jr

91040334384

- (6) The only sources of funds I am aware of in regard to the cost of Americans in support of the President Committee were as I understand it was coming from donations from citizens who were contacted by Ameri Comm System,s staff at Mr. Boyd,S location,suite 406. These were his staff telephone calls on a daily basis.
- (7) I have never met a Mr. Gregory Farmer,as I can remember. There were many working in Mr. Boyds office that I was introduced to,if Mr. Gregory was one, I dont recall.
- (8) As I have indicated in item 7,I had no dealing with a Mr. Farmer, only Mr. Boyd.
- (9) I was introduced to Mr. Richard L. Kohn,by Mr. Cyrus Boyd,as President of the Americans in Support of the President Committee on several different occasions at Mr. Boyd,s office location,and last,at the affair on Febuary 23,1984, where Mr. Kohn opened the affair with a speech,then he introduced myself. I had no other relationship with Mr. Kohn,prior to the inception of ASFC.
- (10) As in Mr. Kohn,s case, I never met a Mr. John H. Henderson,that I can remember, if so,Mr. Boyd might have introduced me to him but,may have been in a spirit of moment, I did see or met,Mr. Kohn several times that, I can remember,Not Mr. Henderson,I had no relationship with a Mr. Henderson at all.
- (11) I have no knowledge of Americans in Support of Jesse Jackson Committee as it relates to my or Mr. Boyds office,I never handled any business for it. I have never been involved in any of Jesse Jackson,s committes,I am anti Jesse Jackson.
- (12) I was contacted by Mr. Cyrus Boyd,Owner of Ameri-Comm System,organizer and the coordinator of Americans in Support of the President Committee in October 1983. Mr. Kohn, was the only officer of the organization I met,I was introduced to many of Mr. Boyds staff members whom name I dont remember off hand,but I has no contact with his staff other than meet them in the hallway daily,I have never been an employee of Ameri-Comm System.
- (13) I am not aware of any transactions between ASFC,Americans for Jesse Jackson,and Ameri-Comm System occupying the same office,I am aware of Americans in Support of the President Committee,only located in that office #406,others, I am not aware of.
- (14) As I stated, I am not aware of three organizations sharing #406,only Ameri-Comm, System,and Americans in Support of the President Committee,supervised by Cyrus Boyd,as owner,see item #2,will explain.
- (15) My bank record show that I banked \$ 9,035.00,total, \$ 8,735.00 was reported due to return checks of \$ 300.00, according to the bank total these checks were never made good by the senders.
- (16) There was a mistake made as indicated in item # 15 which explains the discrepancy.
- (17) Corrections\ ASFC,incurred \$ 6,609.59 in expenditures,East Wargo Consultants & 2,125.41- total \$ 8,735.00. Total \$ 9,035.00 - \$ 300.00, total \$ 8,735.00 - \$ 6,609.59 ,total \$ 2,125.41 == \$ 9,035.00. My total was not in my last report.

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GENERAL

4 DEC 27 A 9:36

December 25, 1984

TO WHOM IT MAY CONCERN

I was only appointed as acting treasurer by Mr. Cyrus Boyd, for the duration of his project, Americans in support of the President Committee at my location for banking only, suite 416 East Fargo Consultant Associates office.

I am sorry that I made mistakes in my report to your organization in April 1984.

I have gone over my record and found that I did not report my cost to Ameri-Comm System for my services rendered from October, 1983 through February, 1984. The account was closed April 1984 as indicated in my letter to your organization.

(Final Report)

Bank final report total -Deposits-----	\$ 9,035.00
Ameri- Comm System -----Received-----	\$ 6,609.59 -
East Fargo Consultants Associates, Witherspoon, -----	\$ 2,120.41 -

Total \$ 300.00 Return check

Total \$ 9,035.00 Deposits

(Comment)

Mr. Brown,

If there is any more questions, please feel free to call or write me at my office at any time 9 am until 6 pm. I hope this will satisfy my envolv, in this matter.

Thanks for your cooperation.

Jesse Witherspoon Jr.
Jesse Witherspoon Jr.

91040334386



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 14, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Cyrus Boyd
Managing Director
Ameri-Comm Systems
4500 S Street
Capitol Heights, MD

Re: MUR 1610

Dear Mr. Boyd:

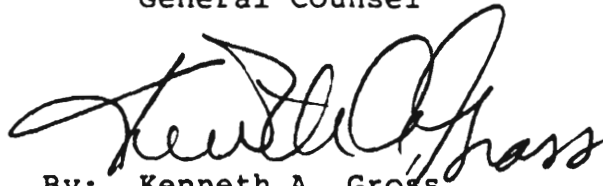
In the normal course of carrying out its supervisory responsibilities, the Federal Election Commission mailed to you the enclosed letter and order on November 30, 1984, as part of an on-going investigation in this matter. Inasmuch as your address had changed, the letter was returned to our office.

We again enclose the letter and order to you and request that you reply as quickly as possible.

If you have any questions, you may contact Duane Brown, the attorney in charge of this matter, at 523-4000.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosure

21040334337

BEFORE THE FEDERAL ELECTION COMMISSION

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05 FEB 14 09:59

In the Matter of
Americans in Support of
the President Committee
Jesse Witherspoon, Jr., as
treasurer
Americans for Jesse Jackson

MUR 1610

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #1

By memorandum dated November 26, 1984, this Office sent the Commission a revised set of interrogatories for the Commission's review. Interrogatories were sent to the Americans in Support of the President Committee, ("ASPC"), Jesse Witherspoon, as treasurer; Americans for Jesse Jackson ("Jackson Committee") with Gregory Farmer as its sole officer and to Ameri-Comm Systems with Cyrus Boyd as the managing director. The letter to Ameri-Comm Systems was returned undelivered because Ameri-Comm had moved to an undisclosed location.

The return address found on the solicitation letters mailed by the Jackson Committee and the ASPC had the identical address as that of Ameri-Comm Systems. In response to whether the three groups shared office space, Mr. Witherspoon indicates that he never shared space in the offices of Ameri-Comm Systems. In fact, Mr. Witherspoon states that although the building address of his office was the same as that of Ameri-Comm, his personal office was located in Suite 416 and not 406 as that of Ameri-Comm. Mr. Witherspoon further states that his only connection with Ameri-Comm Systems and Cyrus Boyd was that he

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charged Mr. Boyd 30 per cent of all of Ameri-Comm's proceeds in exchange for banking and bookkeeping services. Mr. Witherspoon also states that he never paid Ameri-Comm or Cyrus Boyd for any services because none were ever provided to him or ASPC. Finally, Mr. Witherspoon also clarified several mathematical entries made in reports filed previously by him on behalf of the ASPC.

In response to the interrogatories on behalf of the Jackson Committee, Gregory Farmer, as did Mr. Witherspoon, indicates that the Committee never shared or occupied space with Ameri-Comm Systems. In addition, Mr. Farmer argues that at no time was there an oral or written agreement to occupy the same suite as that of Ameri-Comm Systems and that no costs were incurred by the Jackson Committee or Mr. Farmer as a result of any agreement. Moreover, Mr. Farmer states that he never discussed strategies, goals or solicitation techniques with anyone including Mr. Witherspoon and the ASPC. Finally, Mr. Farmer disclosed that Ameri-Comm Systems owned the lists of names solicited on behalf of the Jackson Committee.

The interrogatories mailed to Cyrus Boyd and Ameri-Comm were returned to the Commission because Ameri-Comm had removed its offices from Hyattsville, Maryland to Capitol Heights, Maryland prior to our mailing. A new address was provided by Mr. Witherspoon in his interrogatories. Because much of the activity in question centers around Ameri-Comm System's role with the aforementioned two committees, this Office remailed the

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interrogatories to the new address of Ameri-Comm. (Attachment).

Once a response is received and an analysis made, a report with appropriate recommendations will be circulated .

Charles N. Steele
General Counsel

February 13, 1985
Date

[Signature]
BY: Kenneth A. Gross
Associate General Counsel

Attachment
Letter to Cyrus Boyd

21040334390



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO:

CHARLES N. STEELE
GENERAL COUNSEL

FROM:

MARJORIE W. EMMONS/JODY C. RANSOM

DATE:

FEBRUARY 15, 1985

SUBJECT:

MUR 1610 - Comprehensive Investigative
Report #1 signed February 13, 1985

The above-captioned matter was circulated to the Commission on a 24 hour no-objection basis at 4:00, February 14, 1985.

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

21 J J 4 0 3 3 1 3 3 1

Ameri-Comm Systems

March 07, 1985

Mr. Duane A. Brown
Federal Election Commission
Washington, D.C. 20463

In responding to your request for information, in reference to Ameri-Comm Systems please find enclosed the information requested by your office.

Ameri-Comm Systems was established in January 1982, as a telemarketing firm.

Cyrus D. Boyd was sole owner of Ameri-Comm Systems.
4500 S Street Beaver Heights, MD 20743.

Ameri-Comm Systems was a telemarketing firm offering telemarketing services to client companies. (Please find enclosed a brochure describing the services offered.)

Ameri-Comm Systems leased suite 406 at 6200 Annapolis Rd. Hyattsville, MD 20785.

The suite was leased to Cyrus D. Boyd. The lease was month to month.

The agreement with Mr. Farmer was, was a standard agreement for Ameri-Comm Systems for that type of effort (fund raising services). Other situations as mentioned in the enclosed brochure called for pre-paid services on an hourly rate)

Other Companies employing that type contract were :

Martha's Table
14th & W Street N.W.
Washington, D.C.
(Social services)

T-Comm Systems
16th & P St. N.W.
Washington, D.C.
(Social Services)

RIR Industries
St. Louis MO.
(Direct marketing)

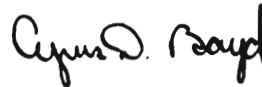
Americans in Support of the
President Committee
5200 Annapolis Rd. #417
Hyattsville, MD 20743
(Political Committee)

In response to your request for a copy of a standard contract for Ameri-Comm Systems and its clients, a standard contract was never developed because each situation was different due to the specialized nature of each agreement. Please find enclosed a copy of the only other agreement with a political committee.

Ameri-Comm Systems received mail for Americans for Jesse Jackson Committee, as well as for Americans in Support of the President Committee. This was a method for Ameri-Comm Systems to monitor the value and performance of the relationship with each client, since the up-front cost were incurred by Ameri-Comm Systems. Mr. Farmer never had access to the office as a tenant.

I certify the above to be true by affixing my signature.

Cyrus D. Boyd



6200 Annapolis Rd., Suite 406
Capital Plaza Building
Hyattsville, MD. 20785

(301)386-3456

21040334392

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: Americomm

January 3, 1984

Mr. Withespoon
Americans in Support of the President Committee
6200 Annapolis Rd. Suite # 416
Hyattsville, Md. 29784

Dear Mr. Withespoon:

Based on our conversation via telephone on December 19, 1983, Ameri-Comm Systems will accept the tele marketing project we discussed at that time.

Ameri-Comm Systems will provide all support services to assist your organization in coordinating the reception at the Hyatt Regency Hotel, on February 23, 1984.

Ameri-Comm Systems will supply all materials and support as well as administrative services for a fee of \$ 30.00 per hour, based on our standard rate card.

Payments will be made on demand and will not exceed 70% of your current drawer balance.

In our most accurate estimate this project will or should not exceed 500 total hours, if at any future point Ameri-Comm Systems determines this project will exceed the amount of hours indicated, this office will place you on notice as soon as possible.

In any event we will start the project on Monday January 9, 1984.

Cordially,

Cyrus D. Boyd *CCB*
Managing Director

ACC# 6993
(mur#)

Ameri-Comm Systems™

6200 Annapolis Rd., Suite 406 • Hyattsville, MD 20784 • (301) 386-3456 • Cable Address: AmeriComm

April 2, 1984

5:28
A9:19

Mr. Duane Brown
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

Dear Mr. Brown:

This follow up letter was requested by a former client Mr. Gregory A. Farmer, of Americans for Jesse Jackson Committee. AmeriComm Systems is a telemarketing firm offering services in the areas listed on the enclosed card. Ameri-Comm Systems contracts with Americans in Support of the President Committee and Americans for Jesse Jackson Committee, the contract period overlapped, however both Committees were placed on notice by this office of the overlapping period. Ameri-Comm Systems provided services in the form of a marketing test for membership acquisition, on behalf of Americans for Jesse Jackson Committee. We also provided similar services for Americans in Support of the President Committee. If you have any additional questions please feel free to phone me any time to discuss any questions you may have. (301-323-2379)

Sincerely,

Cyrus A. Smith

enclosure (1)

HF REC
GCC#7452
85 MAY 15 A9: 33
m 1610

May 10, 1985

Duane A. Brown
Federal Election Commission
1325 K st. N.W.
Washington, D.C.

Dear Mr. Brown,

This letter is in reference to your and my conversation on Tuesday May 7, 1985 in regard to my involvement with the Americans in Support of the President Committee the year 1983 through February 1984. Mr. Cyrus Boyd, came to my office in September 1983 in reference to my volunteering to act as Treasurer for a proposed Americans In Support Of The President Committee and indicating that I would become a member of the committee. After listening to Mr. Boyd, I indicated to Mr. Boyd, that I would act as his committee's Treasurer, but only to handle the deposits and disbursements of the committee's bank account. I also indicated to Mr. Boyd, that my office would charge the committee for my time, telephone, the use of my office, car expense, etc. Mr. Boyd, indicated that I would receive thirty (30), percent of all funds handled by my office and that the committee would receive seventy (70) percent of the total for his office and committee functions.

These funds would be coming from donations from people who wish to contribute toward supporting the Americans in support of the President committee and who would participate in promoting a reception at the Hyatt Regency Hotel some time in February of 1984. I made it clear to Mr. Boyd, that I was a staunch Democrat for 50 years and that I would have to remain as such, that I would not become involved in helping in a campaign for Mr. Reagan. Later, I was introduced to a Mr. Richard E. Kohn, by Mr. Boyd, as the President of Americans in support of the President Committee. At this point, I felt that the committee had already been formed and that they only wanted me to act as treasurer for this special project. Once I met Mr. Kohn, a white man, as President, more secured in working with the committee as its acting treasurer.

The first funds given to me for deposit to open the account at the Citizen's bank was of the amount of \$ 400.00 October 12, 1983 in checks from Mr. Boyd. The committee according to Mr. Boyd, function was as follows: (1) Hiring 10 or more employees as telephone solicitations of funds, donated to the committee for operations, stationary, stamps, letters, to go out to the people, courier service, to pick up the donations, and office rent which included tables and chairs for employees to work. This operation was located at 6200, Annapolis Rd, suite 406, Landover Mill, Maryland some, call it Hyattsville, Maryland.

I have a copy of the letter you read to me over the telephone that made it look as though I was a member of the committee by Mr. Boyd sending me the letter that, I spoke to him about and indicated to him that it was wrong for him to send me that letter since I had indicated to him in the beginning that I could not be a part of the committee and would act as volunteer, for the committee only for the duration of the program. I hope that this letter will help clarify some of your problems in this matter.

Respectfully Yours

Jesse Witherspoon Jr.

*Class send me a
letter for me for
I will never get involved in any
thing of this kind again never.*

**icans in Support
of the
dent Committee**

85 MAY 15 9:33

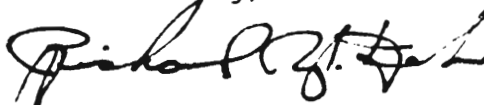
January 31, 1984

Mr. Robert Baker
Aid Division of TAD
Sterling, VA. 22170

Dear Mr. Baker:

Thank you for your support of Ronald Reagan. This will serve as admission for the persons listed below. The reception will be at the Hyatt Regency Hotel at 400 New Jersey Avenue in Northwest Washington, D.C. . The reception will be between 6 & 8 pm, on Thursday February 23, 1984. Please contact us as soon as possible at (301-231-3680), if there are any changes in the attendees listed below or if any of the social security numbers listed are incorrect. Again thank you very much for your continued support of the President of the United States of America.

Sincerely,



Richard Z. Kohn
RZK/bl

Guest to be phoned in

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Americans in Support of) MUR 1610
the President Committee)
Jesse Witherspoon, Jr., as)
treasurer)
Americans for Jesse Jackson)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On January 3, 1984, the Jesse Jackson for President Committee (the "Jackson Committee"), the authorized committee of Jesse Jackson, filed a complaint with the Commission alleging that an unauthorized organization known as Americans for Jesse Jackson was soliticting contributions using the name of Jesse Jackson without the authorization of the Jackson Committee in violation of 2 U.S.C. § 432(e)(4) of the Act. The Jackson Committee also attached additional literature to its complaint which showed that an organization referred to as Americans in Support of the President Committee located at the same address as that of Americans for Jesse Jackson, was soliciting funds on behalf of President Reagan. In their solicitations both organizations claim not to be authorized by any candidate. In addition, both solicitations fail to state who paid for the communications in violation of 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). At the time, neither organization had registered or reported with the Commission as political committees pursuant to 2 U.S.C. §§ 433 and 434.

On March 26, 1984, the Commission found reason to believe the Americans for Jesse Jackson Committee violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). In addition, the Commission found reason to believe the Americans in Support of the President Committee and Jesse Witherspoon, as treasurer, violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). Responses to the RTB notifications and original interrogatories left unanswered questions. Accordingly, on November 30, 1984, a second set of interrogatories was sent to the Americans in Support of the President Committee, ("ASPC"), Jesse Witherspoon, as treasurer; Americans for Jesse Jackson ("AJJ") Gregory Farmer as its sole officer and to Ameri-Comm Systems with Cyrus Boyd as the managing director. The original letter to Ameri-Comm was returned undelivered because Ameri-Comm had moved to an undisclosed location, however, that location was later ascertained and, on February 14, 1985, a second letter was forwarded to Cyrus Boyd.

The return address found on the solicitation letter mailed by the AJJ and the ASPC had the identical address as that of Ameri-Comm Systems. In response to whether the three groups shared office space, Mr. Witherspoon indicates in two separate correspondences that he never shared space in the offices of Ameri-Comm Systems. In fact, Mr. Witherspoon states that although the building address of his office was the same as that of Ameri-Comm, his personal office was located in Suite 416 and not 406 as that of Ameri-Comm. Mr. Witherspoon further states that his only connection with Ameri-Comm Systems and Cyrus Boyd

was that he charged Mr. Boyd 30 per cent of all of Ameri-Comm's proceeds in connection with the ASPC fundraiser in exchange for banking, office and bookkeeping services. Mr. Witherspoon also states that he never paid Ameri-Comm or Cyrus Boyd for any services because none were ever provided to him or ASPC. In a telephone conversation with General Counsel staff on May 7, 1985, Mr. Witherspoon stated that Mr. Boyd and a Richard Kohn, President of ASPC, approached him and asked if he would handle the banking for the ASPC. Mr. Witherspoon further stated that he was assured he would not be responsible for any other activity of the ASPC other than banking and bookkeeping (Attachment I).

In response to the interrogatories on behalf of the AJJ, Gregory Farmer, as did Mr. Witherspoon, indicated that the Committee never shared or occupied space with Ameri-Comm Systems (Attachment II). In addition, Mr. Farmer argues that at no time was there an oral or written agreement to occupy the same suite as that of Ameri-Comm Systems and that no costs were incurred by the Jackson Committee or Mr. Farmer as a result of any agreement. Moreover, Mr. Farmer states that he never discussed strategies, goals or solicitation techniques with anyone including Mr. Witherspoon and the ASPC. Finally, Mr. Farmer disclosed that Ameri-Comm Systems owned the lists of names solicited on behalf of the Jackson Committee.

The interrogatories mailed to Cyrus Boyd and Ameri-Comm were returned to the Commission because Ameri-Comm had removed its offices from Hyattsville, Maryland to Capitol Heights, Maryland

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prior to our mailing. A response from Cyrus Boyd was subsequently received at the Commission on March 28, 1985.^{1/} Essentially, Mr. Boyd states that Ameri-Comm, wholly owned by him, was a telemarketing firm responsible for the lease at 6200 Annapolis Road, Hyattsville, Maryland, Suite 406 (Attachment III). He further indicated that the agreement between AJJ and Ameri-Comm whereby Ameri-Comm received 70% of the receipts in return for providing specialized services to AJJ was a standard agreement for this "type of effort". He also lists the ASPC as another group for which the same type of agreement was negotiated. Finally, he explained that the reason the address for AJJ, ASPC and Ameri-Comm was the same was because Ameri-Comm was collecting all of the mail to AJJ & ASPC in order to monitor "the value ... of the relationship with each client." In other words, in order to collect its 70% commission, the return mailings were sent to Ameri-Comm's office only.

II. LEGAL ANALYSIS

If the AJJ Committee received contributions or made expenditures in excess of \$1,000 in a calendar year, and, therefore, qualified as a political committee, it would be

^{1/} In a telephone conversation with General Counsel staff, Mr. Boyd stated that he had previously responded to the interrogatories but no correspondence from him was ever received at the Commission until March 28.

required to file a statement of organization with the Commission in accordance with 2 U.S.C. § 433 and report to the Commission in accordance with 2 U.S.C. § 434(a)(1). In telephone conversations with General Counsel staff, Mr. Farmer indicated that AJJ contracted with Ameri-Comm to supply all administrative and support services for the committee, including solicitation, postage, printing, mailing and telephone services. Ameri-Comm agreed to assume all costs incurred by these efforts and agreed that the AJJ would "not assume any liability for the cost incurred by Ameri-Comm." In consideration of the aforementioned services, the AJJ would pay Ameri-Comm 70% of all donations received by Ameri-Comm as a result of its efforts.

Mr. Farmer indicates that Ameri-Comm mailed 448 solicitations between November 4 and December 4, 1983 at a cost of \$1,212.84. From these solicitations, forty contributions were received totalling \$920. Finally, Mr. Farmer indicated that Ameri-Comm terminated its agreement with the AJJ when it realized that the costs associated with the fundraising had exceeded the total contributions received.

2 U.S.C. § 431(4) defines a political committee as:

- A) Any committee club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes expenditures aggregating in excess of \$1,000 during a calendar year;

The total contributions, received by the AJJ from the solicitation was \$920.

2 U.S.C. § 431(9)(A)ii) defines an expenditure to include:

A written contract, promise, or agreement
to make an expenditure.

21040334402
The agreement between AJJ and Ameri-Comm to pay Ameri-Comm 70% of all donations received is an agreement to make an expenditure. However, since the total contributions received were \$920, the total amount due to Ameri-Comm from the AJJ was \$644. All other disbursements paid by the AJJ when coupled with those to Ameri-Comm, do not exceed \$1,000. Accordingly, the AJJ does not appear to qualify as a political committee pursuant to § 431(4). Moreover, since the AJJ does not qualify as a political committee it was not required to file a statement of organization in accordance with 2 U.S.C. § 433 or report its receipts and disbursements in accordance with 2 U.S.C. § 434. In addition, the AJJ would not be in violation of § 432(e)(4) since the requirements of those sections only apply to groups that qualify as political committees.

On the other hand, 2 U.S.C. § 441d(a)(3) applies to any person. That section states that:

Whenever any person makes an expenditure for the purpose of advocating the election or defeat of a clearly identified candidate, or solicits any contribution through ... direct mailing, such communication --- if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of one person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee.

Although the AJJ did state that the communication was not authorized, it failed to state the name of the persons who paid for the communication in violation of § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

Finally, the Commission received a letter from Mr. Farmer requesting pre-probable cause conciliation. A copy of a proposed conciliation agreement is attached for the Commission's approval.

21040331403
The response filed by Jesse Witherspoon to the first set of interrogatoires indicated that additional violations of the Act may have occurred. Mr. Witherspoon indicated that the ASPC had its inception on October 12, 1983.^{2/} In addition, Mr. Witherspoon states that the 1000 cards and 1000 letters were mailed as part of a solicitation, and contributions totalling \$9,035 were received. Accompanying the response to the interrogatories were two reports of receipts and disbursements which appeared to conflict with the statement filed by Mr. Witherspoon in response to the interrogatories. The first report covering the period October 12, 1983 through December 31, 1983 is labeled by the Committee to be its 1983 Year End and Termination Report. The second report covering the period January 1, 1984 through February 24, 1984 is labeled by the Committee to be its April 15 Quarterly Report and, again, its Termination report. The date of both reports is April 15, 1984. Consequently, on September 6, 1984, the Commission

^{2/} In response to receipt of the complaint and on January 20, 1984, the Americans in Support of the President Committee filed its statement of Organization listing Jesse Witherspoon as its Treasurer.

ordered additional interrogatories to clarify questions of concern which remained. In response to the second set of interrogatories, Mr. Witherspoon clarified the entry made in his reports by stating that he originally reported \$6,609.59 as expenditures for the ASPC but that that figure failed to include a disbursement to East Fargo Consultants, owned by Witherspoon, in the amount of \$2,125.41 for services he rendered to the ASPC for banking and bookkeeping. This total figure (\$8,735.00) coupled with \$300.00 in returned checks accounted for the \$9,035 in contributions received.

Finally, if the Commission were to accept the Year End/Termination report as it exists, since the report was due January 31, 1984 and was not filed until April 15, 1984 there still appears to be a violation of 2 U.S.C. § 434. Although Mr. Witherspoon has indicated that he was responsible for only the banking and bookkeeping for the ASPC, he did request pre-probable cause conciliation on behalf of the ASPC in an effort to settle this matter. A copy of a proposed agreement is attached for the Commission's approval.

DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

RECOMMENDATION

1. Enter into conciliation with Americans for Jesse Jackson, prior to a finding of probable cause to believe.
2. Enter into conciliation with Americans in Support of the President Committee, Jesse Witherspoon, as treasurer, prior to a finding of probable cause to believe.
3. Approve the proposed conciliation agreements.
4. Approve the ~~attached~~ letters.

Charles N. Steele
General Counsel

May 23, 1985
Date

BY:

Kenneth A. Gross
Associate General Counsel

Attachments

- I. Letters from Jesse Witherspoon (2)
- II. Letter from Gregory Farmer
- III. Letter from Cyrus Boyd
- IV. Letter and Conciliation Agreement to Jesse Witherspoon
- V. Letter and Conciliation Agreement to Gregory Farmer



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JODY C. RANSOM
DATE: MAY 29, 1985
SUBJECT: OBJECTION - MUR 1610 General Counsel's Report
Signed May 23, 1985

The above-named document was circulated to the
Commission on Friday, May 24, 1985 at 2:00.

Objections have been received from the Commissioners
as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____
Commissioner Harris	_____X_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Reiche	_____

This matter will be placed on the Executive Session
agenda for Tuesday, June 4, 1985.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Americans in Support of the)
President Committee) MUR 1610
Jesse Witherspoon, Jr., as)
treasurer)
Americans for Jesse Jackson)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 11, 1985, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1610:

1. Enter into conciliation with Americans for Jesse Jackson prior to a finding of probable cause to believe.
2. Enter into conciliation with Americans in Support of the President Committee, Jesse Witherspoon, as treasurer, prior to a finding of probable cause to believe.
3. Approve the conciliation agreements attached to the General Counsel's report dated June 10, 1985.
4. Direct the General Counsel to send appropriate letters pursuant to the above actions.

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

Attest:

6-12-85

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

91040334407



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 20, 1985

Gregory Farmer
Americans for Jesse Jackson
12338 Chesterton Drive
Upper Marlboro, MD 20772

RE: MUR 1610
Americans for Jesse Jackson


Dear Mr. Farmer:

On March 26, 1984, the Commission found reason to believe that your committee violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). At your request, the Commission determined on June 11, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 20, 1985

Jesse Witherspoon, Jr.
Treasurer
Americans in Support of the
President Committee
6200 Annapolis Road #416
Hyattsville, MD 20784

RE: MUR 1610
Americans in Support of the
President Committee,
Jesse Witherspoon, as treasurer

Dear Mr. Witherspoon:

On March 26, 1984, the Commission found reason to believe that you and your committee violated 2 U.S.C. §§ 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). At your request, the Commission determined on June 11, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Duane A. Brown, the attorney assigned this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross

Associate General Counsel

Enclosures

RECEIVED AT THE FEC
GCC# 8071
85 JUL 19 PM 12:24
MUR 1610

5 JUL 22 AM 11:52

July 18, 1985

Duane A. Brown
Federal Election Commission
1325 K st. N.W.
Washington, D.C. 20463

Dear Mr. Brown:

This letter is to certify that I have been unable to contact Mr. Cyrus Boyd, the coordinator and Mr. Richard Kohn, president, of the Americans in support of the President Committee in regard to the Election Commission's findings also, I contacted a lawyer friend of mine who advised me to send you this letter to request an extension of this matter in order that I may respond in writing, a complete, detailed, letter that will cover all concern of your commission's decision.

Therefore, this letter serves as a request for an extension of an additional thirty (30 days), which I feel will be a reasonable time for the persons involved and my friend attorney, who advised me to write this letter, to respond to the agreement. I felt after talking to you on Tuesday July 17, that I need some legal help in this matter even though, I appreciate every thing you are doing to help. I need every person involved from the beginning to sit down with me and my lawyer, and send you a complete detailed outlined letter to your commission. Hope you will honor this request. The bank account have been closed since March, 1984, and there is no money balance in the account plus, I have none.

Jesse Witherspoon Jr
Jesse Witherspoon Jr

Kenneth A. Gross
Cyrus Boyd
Richard Kohn

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M1610

AUG 20 AIO: 01

Jesse Witherspoon Jr.
6200, Annapolis Road

August 16, 1985

Lois Lerner

Pursuant to our conversation on August 15, 1985, I am addressing the reminder to you. You stated that I should wait to be notified by the commission of the new attorney appointed in the status of my case. I sincerely thank you for your help and information.

.CC

Charles N. Steele, General Counsel
Kenneth A. Gross, Associate Counsel

Respectfully

Jesse Witherspoon Jr.
Jesse Witherspoon Jr..

6200, Annapolis Rd suite
416

Phone 386 2426

21040334411



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 20, 1985

Mr. Jesse Witherspoon, Jr.
6200 Annapolis Road
Suite 416
Landover Hills, Md 20784

Re: MUR 1610
Americans for Jesse
Jackson and Jesse
Witherspoon, as treasurer

Dear Mr. Witherspoon:

This is in response to your letter of August 15, 1985, requesting information as to who is handling the above-captioned matter. Please be advised that the new attorney assigned to the matter is Mr. Charles Snyder. You may contact Mr. Snyder at (202) 523-4000.

Sincerely,

A handwritten signature in cursive script, reading "Lois G. Lerner", is written over the typed name.

Lois G. Lerner
Assistant General Counsel

91040334412

Sept 11, 1964

SEP 13 4:00

Therese Snyder
Federal Election Commission
1301, H. Street N.W.
Washington, D.C.

Mr. Boyd

This letter is in reference to the meeting held on Thursday September 3, 1964 at your office 1301 H Street N.W. in regard to my involvement with Cyrus Boyd, owner of Ameri-Comm System Inc, and Mr. Richard L. Kohn, president of Americans in support of the President Committee. In that meeting, I promise to outline in detail my expense agreement with Mr. Boyd and Mr. Kohn, and why I am in no position to pay any fines if any, to the Election Commission. Enclosed, you will again find a copy of a letter I sent to Mr. Brown some time ago explaining what my involvement was and how I became involved.

In our agreement, I was to receive thirty percent of their donations for my operation which included, (1) my office (2) car, (3) my office help, (4) pay for myself, (5) and banking and book keeping for in and out going expenses for the committee. If you notice I did not receive the thirty percent. The reason was, that when time came for them to prepare for the affair at the Hyatt Regency Hotel on February 23, 1964, the funds were at a point that there was only enough money to pay for the affair therefore, the bill of the bank account had to be paid but for that purpose leaving my office short but, the affair was a success. I left out (6) long distant call and local daily for my office.

The total shown in your report is from October 1963 through April 1964 after the affair at the hotel and the bank account closed. Even though I acted as Treasurer for the committee, I was not aware of the ties I now find myself in moreover, I had no experience in this kind of thing but, from my understanding, Mr. Boyd and Mr. Kohn, had dealt in this before. I did no keeping of the record of people who donated funds, nor did I talk to any of the donors who gave donations, I only was given addresses at time to pick up some of the checks and gave them to Mr. Boyd, who in turn, return them back to me for banking.

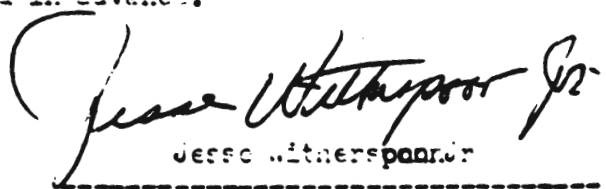
I knew nothing about rules and regulations of your commission because I never receive them, they went to Mr. Boyd at his office. I did not know about certain documents that you tell me now, I should have sent in at certain periods, that was not my function to my agreement with Mr. Boyd and Mr. Kohn.

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Page 2
Request

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I am sorry this case have caused you so much trouble but, I will do ever thing I can
to solve this case, again, I thank you in advance.


Jesse Witherspanner Jr.

had to file bankruptcy a few years
ago when I retired because I was unable to
pay bills I had during the time I was working.
You may check the bankruptcy court in Maryland
for the record and because I had to retire.

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Americans in Support of the President
Committee
Jesse Witherspoon, Jr., as
treasurer et al.

MUR 1610

GENERAL COUNSEL'S REPORT

On June 11, 1985, the Commission authorized the commencement of conciliation with the Respondents in the above-captioned Matter prior to a finding of probable cause to believe. The Office of General Counsel has concluded that an extension of the conciliation period by an additional thirty days would facilitate the conclusion of a satisfactory settlement with the Americans in Support of the President Committee and Jesse Witherspoon, Jr. as treasurer.

Charles N. Steele
General Counsel

Oct 2, 1985
Date

BY:

Kenneth A. Gross
Associate General Counsel

CS #6

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OFFICE OF THE FEDERAL
ELECTION COMMISSION
WASHINGTON, D.C. 20543

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of
American in Support of
The President Committee
Jesse Witherspoon, Jr, as treasurer

MUR 1610

GENERAL COUNSEL'S REPORT

Attached is a conciliation agreement which has been signed by Jesse Witherspoon, treasurer of the Americans in Support of the President Committee.

RECOMMENDATION

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Charles N. Steele
General Counsel

Date

January 9, 1986

BY:

Kenneth A. Gross
Associate General Counsel

Attachment

1. Conciliation Agreement (1)
2. Letter from Jesse Witherspoon
3. Proposed letter to respondents

91040334416

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

American in Support of)

The President Committee)

Jesse Witherspoon, Jr., as treasurer)

MUR 1610

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 13, 1986, the Commission decided by a vote of 6-0 to take the followings actions in MUR 1610:

1. Accept the conciliation agreement attached to the General Counsel's Report signed January 9, 1986.
2. Close the file.

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

Attest:

1-14-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:	Thurs.,	1-9-86,	2:09
Circulated on 48 hour tally basis:	Thurs.,	1-9-86,	4:00
Deadline for vote:	Mon.,	1-13-86,	4:00



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 21, 1986

Mr. Jesse Witherspoon, Jr., Treasurer
Americans in Support of the President Committee
6200 Annapolis Road, Suite 416
Landover Hill, Maryland

RE: MUR 1610
Americans in Support of the
President Committee and Jesse
Witherspoon, Jr., as treasurer

Dear Mr. Witherspoon:

On January 13, 1986, the Commission accepted the conciliation agreement signed by you, in settlement of a violation of 2 U.S.C. §§ 433, 434, and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file will be closed in this matter as it pertains to Americans in Support of the President Committee and you, as its treasurer, upon our receipt of the civil penalty as set forth in this agreement, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing within 10 days.

The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

-2-

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

21040831419

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of)
Americans in Support of the) MUR 1610
President Committee)
Jesse Witherspoon, Jr., as)
treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Americans in Support of the President Committee and Jesse Witherspoon, as treasurer, ("Respondents") violated 2 U.S.C. §§ 433, 434 and 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii) by failing to register and report, failing to file the 1983 Year End Report in a timely manner and by soliciting contributions through direct mail but failing to state the name of the person who paid for the communication.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

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III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent Americans in Support of the President Committee is a political committee as defined in 2 U.S.C. § 431(4)(A).

2. Respondent Jesse Witherspoon is the treasurer of that political committee.

3. Respondents made an expenditure for the purpose of financing a communication expressly advocating the election of Ronald Reagan.

4. Respondents used the communication to solicit contributions through the use of direct mail.

5. Respondents were required to state clearly on the communication the name of the person who financed the communication.

6. Respondents failed to state clearly on the communication the name of the person financing the communication.

7. Respondents received \$9,035 in contributions in support of Ronald Reagan as a result of the solicitation.

8. Respondents failed to register and report as a political committee.

9. After receiving notification of their responsibilities from the Commission, the Respondents filed a

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1983 Year End Report on April 15, 1984. The Year End Report was due on January 31, 1984.

10. In the April 15 report, Respondents failed to report a \$2,125.41 disbursement to East Fargo Consultants.

V. Respondents' failure to state clearly on the communication the name of the person financing the communication violated 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

VI. Respondents' failure to register as a political committee violated 2 U.S.C. § 433.

VII. Respondents' failure to file its 1984 Year End Report in a timely manner and report the \$2,125.41 disbursement to East Fargo Consultants violated 2 U.S.C. § 434.

VIII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred dollars (\$200) pursuant to 2 U.S.C. § 434g(a)(5)(A). The penalty is to be paid in two installments: the first, in the amount of one hundred dollars (\$100), shall be paid on the date that Respondents are notified that this agreement has been signed on behalf of the Commission; the second installment, also of one hundred (\$100) shall be paid no later than thirty (30) days after the date respondents have been notified that this agreement has been signed on behalf of the Commission.

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IX. Respondents agree that they shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

X. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

XI. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

XII. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

XIII. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or

21040334423

oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY:

Kenneth A. Gross *January 15, 1986*
Kenneth A. Gross
Associate General Counsel

10-30-85
Date

FOR THE RESPONDENTS:

Jesse Witherspoon Jr. _____

CS 5

91040334424



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

20 MAR 6 12:33
SENSITIVE

March 6, 1986

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *all*
General Counsel

SUBJECT: MUR #1610

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission a finding of probable cause to believe was mailed on March 5, 1986. Following receipt of the Respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments

1. Brief
2. Letter to Respondent

91040334425



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 5, 1986

Gregory Farmer
Americans for Jesse Jackson
12338 Clifton Avenue,
Upper Marlboro, Maryland 20772

RE: MUR 1610
Americans for Jesse Jackson

Dear Mr. Farmer:

Based on a complaint filed with the Commission on January 3, 1984, and information supplied by you the Commission determined on March 26, 1984, that there was reason to believe that Americans for Jesse Jackson had violated 2 U.S.C. §§ 432(e)(4), 433, 434, and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 110.1(a)(1)(iii) of the Commission's regulations, 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 probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 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 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 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 to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

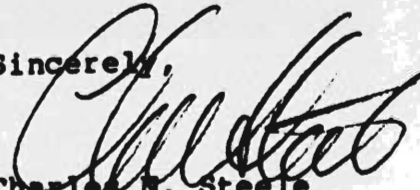
A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

2140331426

Gregory Farmer
Page 2

Should you have any questions, please contact Charles Snyder, the attorney assigned to handle this matter, at (202) 376-5690.

Sincerely,



Charles N. Steele
General Counsel

Enclosure
Brief

21040334427

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Americans for Jesse Jackson) MUR 1610
)

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

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This matter was initiated by a complaint filed by Ralph C. Thomas, on behalf of the Jesse Jackson for President Committee, the political committee authorized by Jesse Jackson in connection with his 1984 campaign for the Democratic nomination for the Presidency, alleging that Americans for Jesse Jackson ("AJJ"), a committee not authorized by Jesse Jackson, had solicited contributions by using the candidate's name, in violation of 2 U.S.C. § 432(e)(4). On March 26, 1984, the Commission voted to find reason to believe that AJJ had violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii). The bases for these additional findings were that AJJ's solicitation letters did not contain the disclaimer required by 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii), and that, since AJJ had spent in excess of \$1,000 in 1984 for the purpose of influencing a Federal election, it had an obligation, which it failed to meet, to register and report as a political committee.

The investigation conducted by this Office subsequent to the Commission's finding of reason to believe revealed the following

facts. According to Gregory Farmer, President of AJJ, the "primary purpose for organizing the [AJJ] committee was to give financial support to the first black candidate to generate the type of enthusiasm that Jesse Jackson did in his 1984 campaign." Toward that end, AJJ contracted with Ameri-Comm Systems, a telemarketing firm, whereby Ameri-Comm would supply AJJ with 130 hours of telemarketing time in exchange for 70% of "all donations received by Ameri-Comm System, (on demand) resulting from the agreement."

Included among the services to be performed by Ameri-Comm under the contract were script development, printing, and mailing of solicitation letters, as well as telephoning and "data base management." It was further provided that "Ameri-Comm Systems will assume all cost incurred with efforts from this agreement and Americans for Jesse Jackson will not assume any liability for the cost incurred by Ameri-Comm Systems." In short, Ameri-Comm would do 130 hours of fundraising work, and turn over 30% of the proceeds to AJJ.

The investigation further discovered that Ameri-Comm incurred costs of \$1,212.84 as a result of its fundraising efforts, and received contributions of only \$920. Due to this deficit, Ameri-Comm notified AJJ on January 16, 1984 that it would not renew their agreement.*

*/ The contract provided that Ameri-Comm's solicitation effort on behalf of AJJ would begin upon the day after Jesse Jackson announced his candidacy for President, and end upon the completion of the 130 hours of telemarketing time.

9104034429

On June 11, 1985, the Commission authorized pre-probable cause conciliation with AJJ and approved a proposed conciliation agreement, which was then proffered to the respondent. The latter replied that it did not agree with the terms offered by the Commission, but proposed no alternative. Thus, the 30 day period established for pre-probable cause conciliation elapsed without an agreement.

II. Legal Analysis

In the view of the General Counsel, this matter involves, in essence, three categories of violations of the Federal Election Campaign Act ("the Act"), each of which will now be considered in turn.

OMISSION OF DISCLAIMER

Under the Act,

Whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, or solicits any contribution through any broadcasting station, newspaper, magazine, outdoor advertising facility, direct mailing, or any other type of general public political advertising, such communication - ...

(3) if not authorized by a candidate, an authorized political committee of a candidate, or its agents, shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee.

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2 U.S.C. § 441d(a)(3). In this case, the AJJ solicitation letter, signed by Gregory A. Farmer, states that "We want Jesse Jackson and America to count on you for support" The letter also thanks the recipient "for your support of Jesse Jackson." Included in this mailer was a card stating: "Thank You! For your contribution of \$____. Please return cash, check or money order in the self addressed stamped envelope as soon as possible. Make all payments to: Americans For Jesse Jackson Committee." This Office contends that the language just quoted constitutes the solicitation of a contribution. Accordingly, the requirement of a disclaimer, set forth in 2 U.S.C. § 441d(a)(3), applies in this case.

The AJJ mailing contains the following disclaimer: "This is not authorized by Jesse Jackson or any candidate." This language clearly fails to satisfy the requirements of the relevant statute, as it does not state the name of the person who paid for the communication. Thus, the General Counsel recommends that the Commission find probable cause to believe that Respondent violated 2 U.S.C. § 441d(a)(3).

FAILURE TO REGISTER AND REPORT

A "political committee" is defined under the Act to mean:

any committee, club, association, or other group of persons which receives contributions aggregating in excess of \$1,000 during a calendar year or which makes expenditures aggregating in excess of \$1,000 during a calendar year.

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2 U.S.C. § 431(4)(A). All political committees are required to register with, and report to, the Commission, in accordance with 2 U.S.C. §§ 433 and 434, respectively.

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In this case, AJJ received \$920 in contributions. But Ameri-Comm, the organization which contracted with AJJ to perform fundraising services on behalf of the latter, expended \$1,212.84 for that purpose. The term expenditure, under the Act, is defined to include "a written contract, promise or agreement to make an expenditure." 2 U.S.C. § 431(9)(A)(ii). In this case, Ameri-Comm acted as the agent of AJJ, pursuant to their contract, and made expenditures to solicit contributions for AJJ. Thus, the Office of General Counsel concludes that the amount expended by Ameri-Comm pursuant to its contract with AJJ constitutes an expenditure by AJJ. Since the amount of that expenditure exceeded \$1,000, AJJ qualified as a political committee. In view of AJJ's failure to register and report, therefore, there is probable cause to believe that committee violated 2 U.S.C. §§ 433 and 434.

USE OF CANDIDATE'S NAME

Under the Act,

(4) The name of each authorized committee shall include the name of the candidate who authorized such committee under paragraph (1). In the case of any political committee which is not an authorized committee, such political committee shall not include the name of any candidate in its name.

2 U.S.C. § 432(e)(4).

Since Respondent used the name of Jesse Jackson, then a candidate for President, in its name, and AJJ was not a committee authorized by Jesse Jackson, the Office of General Counsel recommends that the Commission find probable cause to believe that Respondent violated 2 U.S.C. § 432(e)(4).

III. GENERAL COUNSEL'S RECOMMENDATION

Find probable cause to believe Americans for Jesse Jackson violated 2 U.S.C. § 432(e)(4), 433, 434, and 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

5 May 1986
Date


Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of
Americans for Jesse Jackson

MUR 1610.. 3

RECEIVED

JUN 17 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 26, 1984, the Commission found reason to believe that Americans for Jesse Jackson had violated 2 U.S.C. §§ 432(e)(4), 433, 434, 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

After an unsuccessful effort to settle the matter through pre-probable cause conciliation,^{*}/ the Office of General Counsel sent respondent a brief on March 5, 1986. Respondent did not submit a reply brief.

II. LEGAL ANALYSIS

See O.G.C. brief.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

^{*}/ The Commission did conciliate with the Americans in Support of the President Committee and Jesse Witherspoon, Jr., as treasurer in this same MUR. A recommendation in the General Counsel's report of January 9, 1986, recommending acceptance of the conciliation agreement with the latter respondent and the closing of the file was intended to mean that the file should be closed only with respect to Americans in Support of the President Committee and Jesse Witherspoon, Jr., as treasurer.

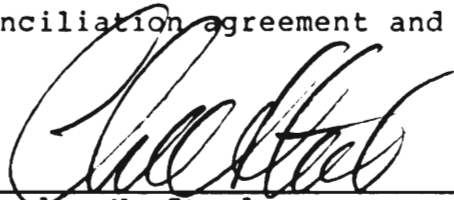
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IV. RECOMMENDATIONS

1. Find probable cause to believe that Americans for Jesse Jackson violated 2 U.S.C. §§ 432(e)(4), 433, 434, and 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).
2. Approve and send the attached conciliation agreement and letter.

6 June 1986
Date


Charles N. Steele
General Counsel

Attachments:

1. Proposed Conciliation Agreement
2. Proposed letter to respondents

210408344336

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1610
Americans for Jesse Jackson)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 17, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1610:

1. Find probable cause to believe that Americans for Jesse Jackson violated 2 U.S.C. §§ 432(e) (4), 433, 434, and 441d(a) (3) and 11 C.F.R. § 110.11(a) (1) (iii).
2. Approve the conciliation agreement attached to the General Counsel's report dated June 6, 1986.
3. Approve the letter attached to the General Counsel's report dated June 6, 1986.

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

Attest:

6-17-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 19, 1986

Gregory Farmer
Americans for Jesse Jackson
12338 Chesterton Drive
Upper Marlboro, MD 20772

RE: MUR 1610
Americans for Jesse Jackson

Dear Mr. Farmer:

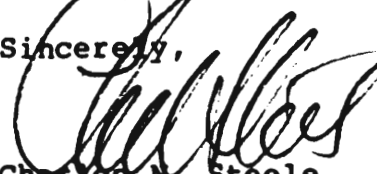
On June 17, 1986, the Commission determined that there is probable cause to believe Americans for Jesse Jackson committed a violation of 2 U.S.C. §§ 432(e)(4), 433, 434, and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended, in connection with its unauthorized use of the name of Jesse Jackson, its failure to register and report with the Commission, and its failure to disclose who paid for its solicitation letters.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it along with the civil penalty to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Charles Snyder, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,


Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
CLERK OF THE
FEDERAL ELECTION COMMISSION
SEP 10 1986

In the Matter of)

Americans for Jesse Jackson)

MUR 1610

SEP 10 1986 AIO: 24

EXECUTIVE SESSION

SEP 16 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND/PREVIOUS COMMISSION ACTION

On March 26, 1984, the Commission found reason to believe that Americans for Jesse Jackson ("AJJ") violated the Federal Election Campaign Act by:

1. failing to register and report as a political committee despite making expenditures in excess of \$1,000 during a calendar year, in violation of 2 U.S.C. §§ 433 and 434;

2 using the name of a candidate for Federal office in its name, without authorization, in violation of 2 U.S.C. § 432(e)(4); and

3. soliciting contributions through direct mail but failing to state clearly thereon the name of the person who paid for the communication, in violation of 2 U.S.C. § 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

After an unsuccessful attempt to settle the matter through pre-probable cause conciliation, the Commission, on June 17, 1986, found probable cause to believe AJJ violated 2 U.S.C. §§ 433, 434, 432(e)(4), and 441d(a)(3) and 11 C.F.R. § 110.11(a)(1)(iii).

This Office has attempted to settle this matter through conciliation for over 30 days, pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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In light of the foregoing, and in view of the fact that less than 30 days remain in the 90 days post-probable cause conciliation period, this Office recommends that the Commission reject respondent's counter-offer and authorize the filing of a civil suit.

II. RECOMMENDATIONS

1. Reject the counter-proposal of Americans for Jesse Jackson.
2. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Americans for Jesse Jackson.

3. Approve and send the attached letter.

Date 9 Sept 1986



Charles N. Steele
General Counsel

Attachment:
Proposed letter to respondent

21040334442

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1610
Americans for Jesse Jackson)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of September 16, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1610:

1. Reject the counter-proposal of Americans for Jesse Jackson.
2. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Americans for Jesse Jackson.
3. Approve the send the letter attached to the General Counsel's report dated September 9, 1986.

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

Attest:

9-17-86

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 19, 1986

Gregory A. Farmer, President
Americans for Jesse Jackson
12338 Chesterton Drive
Upper Marlboro, MD 20772

RE: MUR 1610

Dear Mr. Farmer:

You were previously notified that on June 17, 1986, the Federal Election Commission found probable cause to believe that you violated 2 U.S.C. §§ 432(e)(4) 433, 434, and 441d(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 110.11(a)(1)(iii) of the Commission's regulations, in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Ivan Rivera at (202) 376-8200 by October 2, 1986.

Sincerely,

Charles N. Steele
General Counsel

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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

FILED _____ ENTERED _____
CLERK OF COURT RECEIVED

FEDERAL ELECTION COMMISSION,

Plaintiff,

v.

AMERICANS FOR JESSE JACKSON,
(GREGORY FARMER, President)

Defendant.

MAY 14 1987

Civil Action No. Y-86-3766

CV

CONSENT ORDER

DEPUTY

CONSENT ORDER

This action for declaratory, injunctive and other appropriate relief was instituted by the plaintiff Federal Election Commission (the "Commission" or "FEC") pursuant to the express authority granted the Commission by sections 307(a)(6) and 309(a)(6)(A) of the Federal Election Campaign Act of 1971, as amended (the "Act" or "FECA"), codified at 2 U.S.C. §§ 437d(a)(6) and 437g(a)(6)(A).

This court has original jurisdiction over this suit pursuant to 28 U.S.C. § 1345 as an action brought by an agency of the United States expressly authorized to sue by an Act of Congress. Venue is properly found in the District of Maryland, in accord with 2 U.S.C. § 437g(a)(6)(A), as the defendant can be found, resides or transacts business in this district.

The parties now agree to entry of this court's judgment and consent to the issuance of this order, as evidenced by the signatures affixed hereto. Defendant assures this court that it will comply in all respects with the Federal Election Campaign Act of 1971, as amended.

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The parties agreed the pertinent facts in this matter are as follows:

1. During the calendar year 1984, defendants, through its contract with Ameri-Comm Systems, spent over \$1,000 expressly advocating the election of presidential candidate Jesse Jackson and solicited contributions using the name of Jesse Jackson.

2. 2 U.S.C. § 431 defines a political committee as any committee or group of persons which makes expenditures aggregating in excess of \$1,000 during a calendar year. Under 2 U.S.C. § 433(a) and 434, a political committee must register and file reports of receipts and disbursements with the Commission.

3. Defendant failed to register as a political committee and failed to file reports of receipts and disbursements with the Commission during the period in question.

4. 2 U.S.C. § 432(e)(4) prohibits any political committee that is not an authorized committee to include the name of any candidate in its name.

5. During the time in question, defendant was not an authorized committee of Jesse Jackson although it used the name of the presidential candidate in its name.

6. 2 U.S.C. § 441d(a)(3) and 11 C.F.R. 110.11(a)(1)(iii) require that whenever any person makes an expenditure for the purpose of financing communications expressly advocating the election or defeat of a clearly identified candidate, or solicits contributions through general public political advertising means, if not authorized by a candidate or candidate's committee, the

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communication shall clearly state the name of the person who paid for the communication and state that the communication is not authorized by any candidate or candidate's committee.

7. During the time in question, defendant made a direct mail solicitation that did not state the name of the person who paid for the communication as is required by 2 U.S.C. § 441d(a)(3).

THEREFORE, it is ORDERED, ADJUDGED AND DECREED:

1. That defendant Americans For Jesse Jackson violated 2 U.S.C. § 433(a) by failing to file a statement of organization with the Commission.

2. That defendant Americans For Jesse Jackson violated 2 U.S.C. § 434 by failing to file reports of receipts and expenditures with the Commission.

3. That defendant Americans For Jesse Jackson violated 2 U.S.C. § 432(e)(4) by using the name of Jesse Jackson in its name.

4. That defendant Americans For Jesse Jackson violated 2 U.S.C. § 441d(a)(3) by failing to include a sufficient statement of identification on its solicitation communication.

5. That the court imposes, and defendant agrees to pay to the plaintiff Federal Election Commission a civil penalty in the amount of five hundred dollars (\$500) with an initial payment of two hundred and fifty dollars (\$250) to be made within thirty (30) days from the filing of this consent order with the court and the remaining balance of two hundred and fifty dollars (\$250) to be paid within thirty (30) days thereafter.

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6. That the defendant file all outstanding reports with the Commission within thirty (30) days from the filing of this consent order with the court.

7. That defendant is permanently enjoined from future similar violations of the Federal Election Campaign Act of 1971, as amended.

United States District Judge

We hereby consent to the entry of the foregoing consent judgment and order.

Lawrence M. Noble
Acting General Counsel

Gregory L. Farmer, President
12338 Chesterton Drive
Upper Marlboro, MD 20772

Ivan Rivera
Assistant General Counsel

FOR THE DEFENDANT
Americans For Jesse Jackson

Lisa E. Klein
Trial Attorney

FOR THE PLAINTIFF
FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463
(202) 376-5690

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1610

DATE FILMED 4/12/91 CAMERA NO. 4

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