7/19/77

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas H. Carter
201 Copeland Road - R-6
Atlanta, Georgia 30342

Re: MUR 246(76)

Dear Mr. Carter:

Pursuant to your telephone request of July 15, 1977, I am enclosing a copy of your complaint, correspondence to you from the Commission, and the certification of Commission action. I trust this information will assure you that the file has been closed and that no further action is contemplated by the Commission.

Sincerely yours,

Gloria R. Sulton
Attorney

Enclosure

GSulton:dks:7/19/77

HUR 246 GC Sutton

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☒ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr Thomas N. Carter

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	943629	

(Always obtain signature of addressee or agent)

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

Thomas N. Carter

4. DATE OF DELIVERY
7-22-77

POSTMARK
JUL 22 1977
WILLIAMSPORT PA PRESSE STA
USPO

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GOP: 1976—O-203-456

7 7 1 1 1 2 1 5 7 5 1

ACC# 155

Thomas H. Carter
201 Copeland Road R-6
Atlanta, Georgia 30342

AC 404 256 5612

771096

April 4, 1977

Mr William C. Oldaker
Federal Election Commission
1325 K Street
Washington, D. C. 20463

Dear Mr. Oldaker: RE: MUR 246 (76)

Please make change in address and phone as above. Old address of 3773 North Decatur Road A, Decatur, Ge. 30032.

We have much new information on the above case for investigation.

An appeal is being filed with the U. S. Court of Appeals with mandamous as provided by law in the Washington District.

The complaint is still very much open, only thing we have is an opinion from Murphy and that will not hold in a court of law.

You will be furnished a copy of appeal from the court.

Yours very truly,

Thomas H. Carter

Thomas H.Carter

T. H. Carter
201 Copeland Road R-6
Atlanta, Georgia 30342

ATLANTA, GA
PM

Mr. William Oldaker, Counsel
Federal Election Commission
1325 K Street
Washington, D. C. 20463

CC#1271

RECEIVED
FEDERAL ELECTION
COMMISSION

'77 FEB 14 AM 10:22

THOMAS H. CARTER
2772 North Decatur Road A
Decatur, Georgia, 30032
AC 404, 296-0042

February 11, 1977

TO:

Vernon W. Thomson
Federal Election Commission
Washington, D. C.

770492

[illegible] Griffin Bell
[illegible]
[illegible] 10th. Street
[illegible], D. C. 20530

Dear Mr. Bell:

RE: Complaint to Federal Election Commission No. MUR 2-3-76
2 USC 437 G (a) (5) (D)

[illegible] to [illegible] Rule No. 111.5 [illegible] Rule No. 111.6 [illegible].

[illegible] "[illegible] Commission" this is not [illegible] Rules of Commission.

[illegible] to the [illegible] to make the [illegible] proper court.

Yours truly,

Thomas H. Carter

Thomas H. Carter

[illegible] Mail No. 23060
[illegible]

FEDERAL [illegible]
OFFICE [illegible]
[illegible]

T.H. Carter
3773 A North Decatur Road
Decatur, Georgia 30032

'77 FEB 14 AM 9:58

Mr. Vernon W. Thomson, Chairman
Federal Election Commission
Washington, D. C. 20463

JAN 06 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Honorable Elliott E. Levitas
U.S. House of Representatives
Washington, D.C. 20515

Re: MUR 246 (76)

Dear Mr. Levitas:

This responds to your letter of December 15, 1976 regarding the above-referenced case and based on a complaint filed by your constituent, Thomas H. Carter.

For your information, I am enclosing a copy of the report submitted to the Commission by my office, which formed the basis of the Commission's decision. If you have further questions, please feel free to contact me, on 382-5657.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure
dks:GSulton:1/5/77
cc: Compliance
GS

OC

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☒ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Elliott Levitas

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	438092	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

D Fernandez

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

☆ GOP : 1976—O-203-458

Thomas H. Carter
3773 A North Decatur Road 17
Decatur, Georgia 30032
404 294 8941

December 27, 1976

Attorney General Edward Levi
Department of Justice
Constitution and 10th. Street
Washington, D. C. 20530

Regard Complaint Federal
Election Commission
Vernon W. Thomson Chair:
Number MUR 246-76-cc 490
P.L. 93 443 - 94 283
Carter Campaign 1976

Dear Mr. Levi;

November 16, 1976 your office was mailed for action or answer as a what action, if any the justice department could or would take see the election laws were enforced.

Several exhibits were attached to above letter attached for you to examine. Much more can be added to violations upon investigation. Only enough information was given to get commission to act according rules furnished. A lawyer will only give enough information to get in court.

Copy of letter November 16, 1976 mailed Senator Herman Talmadge and Congressman Elliot Levitis, replys have been received from both gentlemen, no reply from youroffice.

This letter will be mailed CERTIFIED MAIL to insure delivery, with copies to Judge Griffin Bell at his home and Mr. Vernon W. Thomson, Chairman of the Federal Election Commission.

We would not like to see anyone obstructing justice of a Federal Law and another Watergate.

If your office wants to wait for a new Attorney General to take over the Justice Department, please be good enough to let me know by letter in the return mail. From November 16th. to December 27th. is long enough to get an answer.

Respectfully Submitted

Thomas H. Carter

THOMAS H. CARTER

Copy 11-16-76 Letter
Judge Griffin Bell
Vernon W. Thomson
Senate Judical Committee
Chairman James O. Eastland
Republican Party-Washington

THOMAS H. CARTER
3773 A North Decatur Road
Decatur, Georgia 30032
404 294 8941

November 16, 1976

Attorney General David Levi
Senator Herman E. Talmadge
Congressman Everett H. Levits

RE: Complaint Federal Commission
No. MUR 246 - 76 CC 490
P. L. 93 443 - 94 283

Gentlemen:

Attached are several copies of COMPLAINT filed according to instructions furnished by the FEDERAL ELECTION COMMISSION. See letter attached.

Complaint was filed and acknowledged , see letter attached, no mention of not being in proper form.

Two lawyers for the Commission have written saying I have decided and in my opinion, letters attached, If they were to be the JUDGE and JURY it would have been written in the law and we would have known.

If the law is any good it should be enforced to the letter and if it is not then it ahould have been taken off the books, saving the tax payers $6,000,000. a year,See 439 c.

We have a very large group joining in this action and will take all legal action to the highest court and the people by the press.

Thanks very much for prompt action and letters, so we will know the next action to take. After investigation and your findings dismiss or sustain according to law.

Lawyers John G. Murphy, Jr. and William Oldaker just could be found guilty of obstructing justice of a FEDERAL LAW.

Respectifully submitted

Thomas H Carter

THOMAS H. CARTER

Senator Herman E. Talmadge
Talmadge Farms, Inc.
Lovejoy, Georgia 30250

Congressman Elliot E Levitis
141 Trenity Place
Decatur, Georgia 30030

David Levi, Attorney General
Department of Justice
Constitution and 10th. St.
Washington, D. C. 20530

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

8 OCT 1976

Mr. Thomas H. Carter
3773 North Decatur Road, Apt. A
Decatur, Georgia 30032

Re: MUR 246 (76)

Dear Mr. Carter:

This letter further acknowledges receipt of your complaint dated September 27, 1976 alleging certain violations of the Federal Election Campaign Act of 1971, as amended (the Act) by the Committee for Jimmy Carter. I have reviewed your allegations and have concluded that they do not furnish reason to believe that the Act has been violated. Accordingly, upon my recommendation, the Commission has decided not to proceed further in this matter.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. Further communications may be directed to the attorney assigned to this matter, Gloria R. Sulton (telephone number 202/382-4041). Please note the file reference number identified above.

Sincerely yours,

John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

UNDERSCORE ADDED

EXHIBIT "B"

WASHINGTON OFFICE:
506 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-4272

HOME OFFICE:
141 EAST TRINITY PLACE
DECATUR, GEORGIA 30030
(404) 377-1717

Congress of the United States
House of Representatives
Washington, D.C. 20515

AVIATION
SURFACE TRANSPORTATION
PUBLIC BUILDINGS AND GROUNDS
INVESTIGATIONS AND REVIEW

GOVERNMENT OPERATIONS COMMITTEE
SUBCOMMITTEES:
COMMERCE, CONSUMER AND MONETARY AFFAIRS
INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES

December 15, 1976

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

Dear Mr. Murphy:

On October 8th, 1976, you responded to my constituent, Mr. Thomas H. Carter, 3773 North Decatur Road, Apartment A, Decatur, Georgia 30032, concerning allegations he made regarding the Carter campaign.

You stated that you concluded that the allegations did not furnish reason to believe that the Federal Election Campaign Act of 1971, as amended, had been violated.

I would appreciate it very much if you would advise me of the specific reasons you felt there was no violation of law so that I may report this to my constituent.

Thank you for your assistance in this matter.

With best wishes, I am

Very truly yours,

Elliott H. Levitas
Member of Congress

EHL:yml

T. H. Carter
3773 A North Decatur Road
Decatur, Georgia 30032

Mr. Vernon W. Thomson, Chairman
Federal Election Commission
1325 K Street
Washington, D. C. 20463

COMPLAINT MUR 246 - CARTER CAMPAIGN

CC 1156
MUR 246

ELLIOTT H. LEVITAS
4TH DISTRICT, GEORGIA

WASHINGTON OFFICE:
506 CANNON HOUSE OFFICE BUILDING
WASHINGTON, D.C. 20515
(202) 225-4272

HOME OFFICE:
141 EAST TRINITY PLACE
DECATUR, GEORGIA 30030
(404) 377-1717

Congress of the United States
House of Representatives
Washington, D.C. 20515

PUBLIC WORKS AND TRANSPORTATION COMMITTEE
SUBCOMMITTEES:
AVIATION
SURFACE TRANSPORTATION
PUBLIC BUILDINGS AND GROUNDS
INVESTIGATIONS AND REVIEW

GOVERNMENT OPERATIONS COMMITTEE
SUBCOMMITTEES:
COMMERCE, CONSUMER AND MONETARY AFFAIRS
INTERGOVERNMENTAL RELATIONS AND HUMAN RESOURCES

December 15, 1976

761222

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

Re: MUR 246 (76)

Dear Mr. Murphy:

On October 8th, 1976, you responded to my constituent, Mr. Thomas H. Carter, 3773 North Decatur Road, Apartment A, Decatur, Georgia 30032, concerning allegations he made regarding the Carter campaign.

You stated that you concluded that the allegations did not furnish reason to believe that the Federal Election Campaign Act of 1971, as amended, had been violated.

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Thank you for your assistance in this matter.

With best wishes, I am

Very truly yours,

Elliott H. Levitas

Elliott H. Levitas
Member of Congress

EHL:yml

Congress of the United States
House of Representatives
Washington, D.C. 20515

OFFICIAL BUSINESS

'76 DEC 1 1:24

WASHINGTON, D.C. PM DEC 16 1976 20515

PROMOTE MAIL EARLY

M.C.

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

1039
MUR 246
Sulton

AM 10:24

Thomas H. Carter
3773 A North Decatur Road
Decatur, Georgia 30032

November 17, 1976

763762

Gloria R. Sulton, Attorney
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

Dear Ms Sulton: RE: Caoplaint MUR 246 (76)

Our letter of September 27, 1976 as acknowledged in letter Dated October 8, 1976 by John G. Murphy, Jr.

The above letter original has been misplaced and we very much need a copy of this complaint. It will be necessary for future action in the U. S. Court of Appeals in Washington.

Several hundred copies of this complaint were mailed out so we can always find a copy.

Do not let this file get lost as we can't use another Watergate at this time.

Thank you very much for this copy of complaint of September 27, 1976.

Yours very truly

Thomas H. Carter

Thomas H. Carter

GEORGE A. FISHER
CLERK

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
WASHINGTON, D. C. 20001

November 11, 1976

T. H. Carter
3773A North Decatur Road
Decatur, Georgia 30032

Dear Mr. Carter:

GEORGE A. FISHER, Clerk

By: Robert A. Bonner
Robert A. Bonner
Chief Deputy Clerk

THOMAS H. CARTER
3773 A North Decatur Road
Decatur, Georgia 30032
404 294 8941

November 16, 1976

Attorney General David Levi
Senator Herman E. Talmadge
Congressman Everett H. Levits

RE: Complaint Federal Commission
No. MUR 246 - 76 CC 490
P. L. 93 443 - 94 283

Gentlemen:

Attached are several copies of COMPLAINT filed according to instructions furnished by the FEDERAL ELECTION COMMISSION. See letter attached.

Complaint was filed and acknowledged , see letter attached, no mention of not being in proper form.

Two lawyers for the Commission have written saying I have decided and in my opinion, letters attached, If they were to be the JUDGE and JURY it would have been written in the law and we would have known.

If the law is any good it should be enforced to the letter and if it is not then it ahould have been taken off the books, saving the tax payers $6,000,000. a year,See 439 c.

We have a very large group joining in this action and will take all legal action to the highest court and the people by the press.

Thanks very much for prompt action and letters, so we will know the next action to take. After investigation and your findings dismiss or sustain according to law.

Lawyers John G. Murphy, Jr. and William Oldaker just could be found guilty of obstructing justice of a FEDERAL LAW.

Respectifully submitted

THOMAS H. CARTER

Senator Herman E. Talmadge
Talmadge Farms, Inc.
Lovejoy, Georgia 30250

Congressman Elliot E Levitis
141 Trenity Place
Decatur, Georgia 30030

David Levi, Attorney General
Department of Justice
Constitution and 10th. St.
Washington, D. C. 20530

T. H. Carter
3773 A North Decatur Road
Decatur, Ga. 30032

Gloria R. Sulton, Attorney
Federal Election Commission
1325 K Street N.W.
Washington D. C. 20463

Regard Complaint MUR 246

cc / 46

THOMAS H. CARTER
3773 A North Decatur Road
Decatur, Georgia 30032
404 294 8941

November 16, 1976

763828

Attorney General David Levi
Senator Herman E. Talmadge
Congressman Everett H. Levits

RE: Complaint Federal Commission
No. MUR 246 - 76 CC 490
P. L. 93 443 - 94 283

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Respectfully submitted

Thomas H Carter

THOMAS H. CARTER

Senator Herman E. Talmadge
Talmadge Farms, Inc.
Lovejoy, Georgia 30250

Congressman Elliot F Levitis
141 Trenity Place
Decatur, Georgia 30030

David Levi, Attorney General
Department of Justice
Constitution and 10th. St.
Washington, D. C. 20530

SCOTTDALE
ELECTION DISTRICT NAME

NORT. SHAW EDUC. BLDG.
LOCATION OF POLLING PLACE

LOCATION OF POLLING PLACE-ATLANTA ONLY

WARD	SENATE	HOUSE	COMMISSION	DATE
55	53	04		7/07/76

CARTER THOMAS H
3773 NORTH DECATUR RD A
DECATUR GA 30032
22332680 Thomas H Carter
REGISTRATION NO SIGNATURE OF VOTER

ELECTION DISTRICT CARD

THOMAS H. CARTER
3773 North Decatur Road Apt. A
Decatur, Georgia 30032
404 294 8941

September 1, 1976

7704100177

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

Gentlemen:

Book handed out by CARTER CAMPAIGN HEADQUARTERS in Atlanta, Washington and other places. " A STATE IN ACTION - GEORGIA 1971 - 1975" .

Printed by Printing Division / Department of Administrative Services / State of Georgia. Paid for by Georgia tax payers. Cost $6,343.00, Quinity 5,000. 84 Pages

Reprints, Back cover, Inside front cover. Pages 4 and 5 attached.

Alleged book being used in violation of FEDERAL CAMPAIGN and FINANCIAL DISCLOSURE ACT. Not reported as Contribution as required by law.

Information for FEDERAL ELECTIONS COMMISSION TO INVESTIGATE and take proper action.

Yours very truly,

THOMAS H. CARTER

Please acknowledge receipt of this letter.

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

SEP 09 1976

Mr. Thomas H. Carter
3773 North Decatur Rd. Apt A
Decatur, GA 30032

Re: CC #490

Dear Mr. Carter:

We have received your letter of September 1, 1976 inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended, by the Jimmy Carter Campaign.

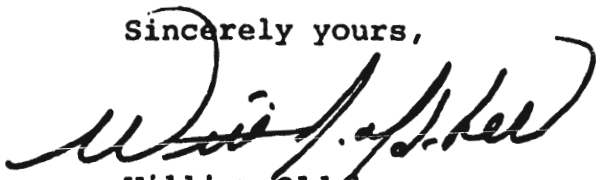
The Federal Election Campaign Act, as amended, requires that all complaints be signed, sworn, and notarized by the person making the complaint. (See 2 U.S.C. §437g(a)(2)). Under §111.2 of the Commission's proposed regulations it is also required that a complaint contain: (1) the full name, address and telephone number of the complainant; (2) a clear and concise statement of the Acts which are alleged to constitute a violation of Federal Election Campaign Act of 1971; (3) copies of any evidence available to the complainant which sustain the allegations of the complaint. In the event you wish to file a complaint, please comply with these requirements.

In the interests of complying with the above procedures, I think it would be helpful for you to consult 2 U.S.C. §431(e), of the Act which defines the meaning of contribution. See also §100.4 of the Commission's proposed regulations. (Copies of the Federal Election Campaign Act of 1971, as amended, as well as the Commission's regulations are enclosed with this letter.) I hope that an examination of these materials will answer most of your questions and will enable you to be specific in any assertions or allegations you might make in the event you wish to file a complaint with the Commission.

shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Please feel free to contact me if you have any further questions. The staff member assigned to this matter is David R. Spiegel (telephone no. 202/382-4055).

Sincerely yours,



William Oldaker
Assistant General Counsel

THOMAS H. CARTER
3773 North Decatur Road Apt. A
Decatur, Georgia
404 294 8941

October 11, 1976

Regard MUR 246 (76)

Mr. Vernon W. Thomson, Chairman
The Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

CERTIFIED MAIL, RETURN RECEIPT

Complaint was filed according to Rules and Regulations furnished to me by Mr. William Oldaker and was all in order.

Under date of October 8, 1976 Mr. John G. Murphy, Jr. General Counsel for FEDERAL ELECTION COMMISSION (EXHIBIT "B" ATTACHED) and made a part of this.

Please note Mr. Mufphy states in his letter "I have revied your allegations and have concluded and upon MY recommendations, the Commission has decided"

Rules and Regulations of the commission were furnished to abide by. If Mr. Murphy is to be a one mad Judge and Jury then we should have been told and the tax payers should not have to pay 6 Million a year for the COMMISSION, See exhibit "C" 439 c attached Exhibit "C".

Mail copy of minutes of meeting of the six members of the commission and two Ex offico members of the house and Senate how they voted on the above complaint dated September 27, 1976.

If we are to have rules and regulations we should all abide by them and not a one sided opinion by Mr. Murphy.

The first thing an attorney learns is not to give all the information to the attorney for the defendant. Copy of the allegations attached and marked Exhibit "A". This item in the Atlanta Constitution admits every thing we need to know, mush more san be added to an investigation.

Mr. Murphy is trying to run out the clock, November 2nd. is getting close.

Sincerely yours,

Thomas H Carter

THOMAS H. CARTER

Copy of the five pages sent to all the news media.

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

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- [x] Show to whom and date delivered..... 15¢
- [ ] Show to whom, date, & address of delivery.. 35¢
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  Show to whom and date delivered..... 65¢
- [ ] RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Verne W. Thomson

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	230734	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

A STATE IN ACTION

Georgia 1971-1975

A PUBLICATION OF THE OFFICE OF GOVERNOR, STATE OF GEORGIA ..... JIMMY CARTER, GOVERNOR

EXHIBIT "A"

Cost $6,343
Quantity 5,000

THIS PUBLICATION WAS PRINTED BY: PRINTING DIVISION/DEPARTMENT OF ADMINISTRATIVE SERVICES/STATE OF GEORGIA

Jimmy Carter

GOVERNOR OF GEORGIA

THE ATLANTA CONSTITUTION, Thur., Sept. 9, 1976

State Paid For Books On Carter

By FAY S. JOYCE

To boost Jimmy Carter's presidential image, the Carter campaign has mailed out 1,000 to 1,500 paperback books about his term as governor that were printed at state expense.

A campaign spokeswoman said Carter tried to reimburse the state for the publication, but was refused.

Entitled "A State in Action, Georgia 1971-1975," the illustrated, 89-page book lists improvements and shortcomings in numerous fields, including pollution, mental retardation, prisons, tax reform, detection of sickle cell anemia, education and transportation.

It credits state agencies, the legislature and Carter for steps forward and describes the shortcomings as "unmet needs."

Five thousand copies of the review were printed at a cost of $6,343, making each worth $1.27.

Previous Georgia governors have had books about their terms composed and printed at state expense, but Carter's use of his may be a violation of federal campaign finance laws.

The attractive books don't show up as a contribution from the state on Carter's early reports, and campaign treasurer Robert Lipshutz said Wednesday he could not remember if they had been listed.

"He probably should have reported it," said Susan Tifft, a spokeswoman for the Federal Election Commission, which is charged with making sure presidential candidates comply with the campaign finance disclosure act. "But these things are very borderline."

Prepared near the end of Carter's term, the books were sent to schools and kept and mailed out on request by state archivists until Gov. George Busbee ordered general budget cutbacks in mid-1975.

"They were throwing out the books and asked if we wanted to take 'em," said Carter assistant press secretary Betty Rainwater. "We mailed out 1,000 to 1,500 of 'em to our own staffers, state coordinators, and anybody who needed to know more about him (Carter)."

About two dozen are left.

Miss Rainwater said she spent several days trying to talk State Archives Director Carroll Hart into accepting payment for the volumes, but "they preferred for us not to pay."

Miss Hart could not be reached for comment Wednesday.

Miss Rainwater said Carter's book cost less than the hardbound volumes published for most of his predecessors, Lester Maddox and Carl Sanders, which featured color photos.

The "unmet needs" section was never before included with the list of accomplishments, she added.

Secretary of State Ben Fortson, who oversees the archives department, didn't know of any efforts by the Carter camp to reimburse the state for the books.

"Reimburse?" the 30-year secretary asked. "Everybody that's ever been in office got something out. Nobody ever offers to pay for any of those reports, (and) they all run for governor or Senate or House or something else."

Miss Rainwater said the Archives department asks governors for written reviews of their terms, but Fortson disputed that.

"The archives don't ask 'em," he said. "It's just something they do."

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

8 OCT 1976

Mr. Thomas H. Carter
3773 North Decatur Road, Apt. A
Decatur, Georgia 30032

Re: MUR 246 (76)

Dear Mr. Carter:

This letter further acknowledges receipt of your complaint dated September 27, 1976 alleging certain violations of the Federal Election Campaign Act of 1971, as amended (the Act) by the Committee for Jimmy Carter. I have reviewed your allegations and have concluded that they do not furnish reason to believe that the Act has been violated. Accordingly, upon my recommendation, the Commission has decided not to proceed further in this matter.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. Further communications may be directed to the attorney assigned to this matter, Gloria R. Sulton (telephone number 202/382-4041). Please note the file reference number identified above.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

UNDERSCORE ADDED

EXHIBIT "B"

THE FEDERAL ELECTION COMMISSION

1325 K Street, N.W., Washington, D.C. 20463
Telephone (202) 382-5162
Toll Free (800) 424-9530

§437c. Federal Election Commission

(a) (1) There is established a commission to be known as the Federal Election Commission. The Commission is composed of the Secretary of the Senate and the Clerk of the House o Representatives, ex officio and without the right to vote, an six members appointed by the President of the United State by and with the advice and consent of the Senate. No mor than 3 members of the Commission appointed under th paragraph may be affiliated with the same political party.

(2) (A) Members of the Commission shall serve f terms of 6 years, except that of the members fi.. appointed–

(i) Two of the members, not affiliated with the same political party, shall be appointed for terms ending on April 30, 1977;

§439c. Authorization of appropriations

There are authorized to be appropriated to the Commission for the purpose of carrying out its functions under this Act, and under chapters 95 and 96 of Title 26 of the United States Code, not to exceed $5 million for the fiscal year ending June 30, 1975. There are authorized to be appropriated to the Commission $6,000,000 for the fiscal year ending June 30, 1976, $1,500,000 for the period beginning July 1, 1976, and ending September 30, 1976, and $6,000,000 for the fiscal year ending September 30, 1977.

1. FECA TEXT: The text of "The Federal Election Campaign Act [FECA] of 1971" (as amended by the "Federal Election Campaign Act Amendments of 1974" (P.L. 93-443), and by the "Federal Election Campaign Act Amendments of 1976" (P.L. 94-283)), as codified in Titles 2 and 26 of the United States Code;

§437g. Enforcement

(a) (1) Any person who believes a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1954 has occurred may file a complaint with the Commission. Such complaint shall be in writing, shall be signed and sworn to by the person filing such complaint, and shall be notarized. Any person filing such a complaint shall be subject to the provisions of section 1001 of Title 18, United States Code. The Commission may not conduct any investigation under this section, or take any other action under this section, solely on the basis of a complaint of a person whose identity is not disclosed to the Commission.

(2) The Commission upon receiving any complaint under paragraph (1), and if it has reason to believe that any person has committed a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1954, or, if the Commission, on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, has reason to believe that such a violation has occurred, shall notify the person involved of such alleged violation and shall make an investigation of such alleged violation in accordance with the provisions of this section.

EXHIBIT "C"

§441 Penalty for violations

(a) Any person, following the date of the enactment of this section, who knowingly and willfully commits a violation of any provision or provisions of this Act which involves the making, receiving, or reporting of any contribution or expenditure having a value in the aggregate of $1,000 or more during a calendar year shall be fined in an amount which does not exceed the greater of $25,000 or 300 percent of the amount of any contribution or expenditure involved in such violation, imprisoned for not more than one year, or both.

(e) "contribution" –

(1) means a gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of –

(A) influencing the nomination for election, or election, of any person to Federal office or for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party; or

PART 111—COMPLIANCE PROCEDURE

AUTHORITY: Sec. 310(8), Pub. L. 92-225, added by Sec. 208, Pub. L. 93-443, 88 Stat. 1279, and amended by Secs. 105 and 107(a)(1), Pub. L. 94-283, 90 Stat. 481 (2 U.S.C. 437d(a)(8)), and Sec. 315(a)(10), Pub. L. 92-225, 86 Stat. 16, amended by Secs. 208(a) and (c)(10), and 209(a)(1) and (b)(1), Pub. L. 93-443, 88 Stat. 1279, 1287, and Sec. 105, Pub. L. 94-283, 90 Stat. 481 (2 U.S.C. 438(a)(10)).

§ 111.1 Scope.

These regulations provide procedures for processing possible violations of the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431, *et seq.*) and chapters 95 and 96 of the Internal Revenue Code of 1954 (26 U.S.C. §§ 9001, *et seq* and 9031 *et seq.*).

§ 111.2 Complaint; filing.

(a) Any person may file a complaint with the Commission setting forth grounds for believing that a person has violated the Act or chapter 96 of the Internal Revenue Code of 1954. A complaint shall be in writing and signed, and shall be sworn to and notarized.

(b) A complaint shall contain—

(1) The full name, address, and telephone number of the complainant;

(2) A clear and concise statement of the acts which are alleged to constitute a violation of the Act;

(3) Any documentation of allegations of the complaint available to the complainant; and

(4) An assertion that the person complaining, if not a candidate, is not filing the complaint on behalf of or at the request or suggestion of a candidate, unless such is the fact, in which case it shall be set forth.

§ 111.3 Initial processing.

The General Counsel shall review the complaint and all relevant material filed

with the Commission and report to the Commission on the factual and legal bases for the possible violation. On the basis of the General Counsel's report and the relevant materials, the Commission shall determine by the agreement of at least four of its members whether it has "reason to believe" that the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 have been or will be violated and order any investigation it believes necessary.

§ 111.4 Notification.

Upon determination by agreement of at least four members of the Commission that it has reason to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur, the General Counsel shall notify respondent of that determination, providing a copy of the complaint or summary of the matters brought into question and advising respondent that he or she should submit any factual or legal information which he or she believes demonstrates that no action should be taken against him or her. Such notification shall be confidential as required by 2 U.S.C. § 437g(a)(3)(B).

§ 111.5 Investigation.

(a) In any case in which the Commission finds it has reason to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur, it shall order an investigation into those maters about which it believes it needs further information.

(b) If a complaint is filed by a candidate, any investigation shall include an investigation of the reports and statements filed by the complaining candidate, pursuant to 2 U.S.C. § 437g(a)(3).

§ 111.6 Commission action.

After review of the relevant materials obtained during the investigation, the Commission by agreement of at least four of its members shall determine whether there is reasonable cause to believe that respondent has committed or is about to commit a violation of the Act or of chapter 95 or 96 of the Internal Revenue Code of 1954. In the event that the Commission so determines, it shall inform the respondent of its decision and seek voluntary compliance by the respondent.

§ 111.7 Conciliation.

EXHIBIT "D"

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

October 21, 1976

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas H. Carter
3733 North Decatur Road, Apt. A
Decatur, Georgia

Re: MUR 246 (76)

Dear Mr. Carter:

This will acknowledge receipt of your letter dated October 11, 1976, directed to Commissioner Thomson. In my opinion your letter fails to provide additional information which is sufficient to reopen the case.

Commission meetings dealing with compliance matters are held in executive session and are not available for public review.

We appreciate your concerns that the Federal Election Campaign Laws are properly enforced. If you have information regarding other possible violations of the Federal Election Campaign Law please do not hesitate to contact us.

Sincerely yours,

William C. Oldaker
Assistant General Counsel

MAILGRAM SERVICE CENTER
MIDDLETOWN, VA. 2264

western union Mailgram

UNITED STATES POSTAL SERVICE U.S.MAIL

2-016536E311002 11/06/76 ICS IPMMTZZ CSP ATLA
1 4042948941 MGM TDMT ATLANTA GA 11-06 0108P EST

T H CARTER
3773 NORTH DECATUR RD APT A
DECATUR GA 30032

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

4042948941 MGM TDMT ATLANTA GA 100 11-06 0108P EST
ZIP
VERNON W THOMPSON
CHAIRMAN FEDERAL ELECTION COMMISSION
1325 K ST NORTHWEST
WASHINGTON DC 20463

RE: COMPLAINT MUR246CC490776 SEPTEMBER 9 1976

THIS IS TO ADVISE YOU THIS COMPLAINT WILL BE FILED IN US COURT OF APPEALS CODE SECTION 9011 SECTION ONE AND TWO

WRIT OF MANDAMUS WILL BE FILED THIS WILL BE DONE ON MONDAY NOVEMBER 8

THOMAS H CARTER
3773 NORTH DECATUR RD
APT A
DECATUR GA 30032

13:08 EST

MGMCOMP MGM

404 294 8941 100 OCT 22 1976 D 294 8941 1

Thorn Bell

LIST OF CALLS

THOMAS H CARTER
3773 N DECATUR RD
APT A-3773
DECATUR GA 30032

ATLANTA
R05 035

CHARGES FOR 294 8941
923WASHINGTON DC 202 382 4055AL 231 4 3
1012WASHINGTON DC 202 382 4041AL 238 20 8

NOV 13

1074
OCT 22 NOV 22 9 75
10 30 59 99

13 17

TOTAL 23 91

1242 75 13

pd 11/14/76
ck #325

MAILGRAM SERVICE CEN .R
MIDDLETOWN, VA. 22645

western union Mailgram®

UNITED STATES POSTAL SERVICE U.S.MAIL

2-010679E314002 11/09/76 ICS IPMMTZZ CSP ATLB
1 4042948941 MGM TDMT DECATUR GA 11-09 1024A EST

T H CARTER
3773A NORTH DECATUR RD
DECATUR GA 30032

THIS MAILGRAM IS A CONFIRMATION COPY OF THE FOLLOWING MESSAGE:

4042948941 TDMT DECATUR GA 29 11-09 1024A EST
PMS GEORGE A FISHER, CLERK
U S COURT OF APPEALS ROOM 4826 U S COURTHOUSE
WASHINGTON DC 20001
PLEASE MAIL TODAY WITHOUT FAIL TITLE 28 U.S. CODE SECTION 2284
REGARDING JUDICIAL REVIEW PUBLIC LAW 94283 MAIL TO T H CARTER 3773A
NORTH DECATUR ROAD DECATUR GEORGIA 30032
T H CARTER

10:24 EST

MGMCOMP MGM

GEORGE A. FISHER
CLERK

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
WASHINGTON, D. C. 20001

November 11, 1976

T. H. Carter
3773A North Decatur Road
Decatur, Georgia 30032

Dear Mr. Carter:

GEORGE A. FISHER, Clerk

By: Robert A. Bonner
Robert A. Bonner
Chief Deputy Clerk

T. H. Carter
3773 A North Decatur, ~~GEORGIA~~ Road
Decatur, Georgia 30032

Mr. David Levi, Attorney General
Department of Justice
Constitution Ave and 10th. St. N. W.
Washington, D. C. 30530

October 21, 1976

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Thomas H. Carter
3733 North Decatur Road, Apt. A
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Re: MUR 246 (76)

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We appreciate your concerns that the Federal Election Campaign Laws are properly enforced. If you have information regarding other possible violations of the Federal Election Campaign Law please do not hesitate to contact us.

Sincerely yours,

William C. Oldaker
Assistant General Counsel

GSulton:mpc:10/20/76

CC #740
MUR 246

THOMAS H. CARTER
3773 North Decatur Road Apt. A
Decatur, Georgia
404 294 8941

October 11, 1976

Regard MUR 246 (76)

762920

Mr. Vernon W. Thomson, Chairman
The Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

CERTIFIED MAIL, RETURN RECEIPT

Complaint was filed according to Rules and Regulations furnished to me by Mr. William Oldaker and was all in order.

Under date of October 8, 1976 Mr. John G. Murphy, Jr. General Counsel for FEDERAL ELECTION COMMISSION (EXHIBIT "B" ATTACHED) and made a part of this.

Please note Mr. Murphy states in his letter "I have revied your allegations and have concluded and upon MY recommendations, the Commission has decided"

Rules and Regulations of the commission were furnished to abide by. If Mr. Murphy is to be a one man Judge and Jury then we should have been told and the tax payers should not have to pay 6 Million a year for the COMMISSION, See exhibit "C" 439 c attached Exhibit "C".

Mail copy of minutes of meeting of the six members of the commission and two Ex offico members of the house and Senate how they voted on the above complaint dated September 27, 1976.

If we are to have rules and regulations we should all abide by them and not a one sided opinion by Mr. Murphy.

The first thing an attorney learns is not to give all the information to the attorney for the defendant. Copy of the allegations attached and marked Exhibit "A". This item in the Atlanta Constitution admits every thing we need to know, mush more can be added to an investigation.

Mr. Murphy is trying to run out the clock, November 2nd. is getting close.

Sincerely yours,

Thomas H. Carter

THOMAS H. CARTER

Copy of the five pages sent to all the news media.

A STATE IN ACTION

Georgia 1971-1975

A PUBLICATION OF THE OFFICE OF GOVERNOR, STATE OF GEORGIA ..... JIMMY CARTER, GOVERNOR

EXHIBIT "A"

Cost $6,343
Quantity 5,000

THIS PUBLICATION WAS PRINTED BY: PRINTING DIVISION/DEPARTMENT OF ADMINISTRATIVE SERVICES/STATE OF GEORGIA

Jimmy Carter

GOVERNOR OF GEORGIA

THE ATLANTA CONSTITUTION, Thur., Sept. 9, 1976

State Paid For Books On Carter

By FAY S. JOYCE

To boost Jimmy Carter's presidential image, the Carter campaign has mailed out 1,000 to 1,500 paperback books about his term as governor that were printed at state expense.

A campaign spokeswoman said Carter tried to reimburse the state for the publication, but was refused.

Entitled "A State in Action, Georgia 1971-1975," the illustrated, 89-page book lists improvements and shortcomings in numerous fields, including pollution, mental retardation, prisons, tax reform, detection of sickle cell anemia, education and transportation.

It credits state agencies, the legislature and Carter for steps forward and describes the shortcomings as "unmet needs."

Five thousand copies of the review were printed at a cost of $6,343, making each worth $1.27.

Previous Georgia governors have, had books about their terms composed and printed at state expense, but Carter's use of his may be a violation of federal campaign finance laws.

The attractive books don't show up as a contribution from the state on Carter's early reports, and campaign treasurer Robert Lipshutz said Wednesday he could not remember if they had been listed.

"He probably should have reported it," said Susan Tifft, a spokeswoman for the Federal Election Commission, which is charged with making sure presidential candidates comply with the campaign financial disclosure act. "But these things are very borderline."

Prepared near the end of Carter's term, the books were sent to schools and kept and mailed out on request by state archivists until Gov. George Busbee ordered general budget cutbacks in mid-1975.

"They were throwing out the books and asked if we wanted to take 'em," said Carter assistant press secretary Betty Rainwater. "We mailed out 1,000 to 1,500 of 'em to our own staffers, state coordinators, and anybody who needed to know more about him (Carter)."

About two dozen are left.

Miss Rainwater said she spent several days trying to talk State Archives Director Carroll Hart into accepting payment for the volumes, but "they preferred for us not to pay."

Miss Hart could not be reached for comment Wednesday.

Miss Rainwater said Carter's book cost less than the hardbound volumes published for most of his predecessors, Lester Maddox and Carl Sanders, which featured color photos.

The "unmet needs" section was never before included with the list of accomplishments, she added.

Secretary of State Ben Fortson, who oversees the archives department, didn't know of any efforts by the Carter camp to reimburse the state for the books.

"Reimburse?" the 80-year secretary asked. "Everybody that's ever been in office got something out. Nobody ever offers to pay for any of those reports, (and) they all run for governor or Senate or House or something else."

Miss Rainwater said the Archives department asks governors for written reviews of their terms, but Fortson disputed that.

"The archives don't ask 'em," he said. "It's just something they do."

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

8 OCT 1976

Mr. Thomas H. Carter
3773 North Decatur Road, Apt. A
Decatur, Georgia 30032

Re: MUR 246 (76)

Dear Mr. Carter:

This letter further acknowledges receipt of your complaint dated September 27, 1976 alleging certain violations of the Federal Election Campaign Act of 1971, as amended (the Act) by the Committee for Jimmy Carter. I have reviewed your allegations and have concluded that they do not furnish reason to believe that the Act has been violated. Accordingly, upon my recommendation, the Commission has decided not to proceed further in this matter.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. Further communications may be directed to the attorney assigned to this matter, Gloria R. Sulton (telephone number 202/382-4041). Please note the file reference number identified above.

Sincerely yours,

John G. Murphy, Jr.
General Counsel

UNDERSCORE ADDED

shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

further questions. The staff member assigned to this matter is David R. Spiegel (telephone no. 202/382-4055).

Sincerely yours,

William Oldaker
Assistant General Counsel

EXHIBIT "B"

THE FEDERAL ELECTION COMMISSION

1325 K Street, N.W., Washington, D.C. 20463
Telephone (202) 382-5162
Toll Free (800) 424-9530

§437c. Federal Election Commission

(a) (1) There is established a commission to be known as the Federal Election Commission. The Commission is composed of the Secretary of the Senate and the Clerk of the House o Representatives, ex officio and without the right to vote, an six members appointed by the President of the United State by and with the advice and consent of the Senate. No mor than 3 members of the Commission appointed under th paragraph may be affiliated with the same political party.

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(2) The Commission upon receiving any complaint under paragraph (1), and if it has reason to believe that any person has committed a violation of this Act or of chapter 95 or chapter 96 of the Internal Revenue Code of 1954, or, if the Commission, on the basis of information ascertained in the normal course of carrying out its supervisory responsibilities, has reason to believe that such a violation has occurred, shall notify the person involved of such alleged violation and shall make an investigation of such alleged violation in accordance with the provisions of this section.

EXHIBIT "C"

§441j. P lty for violations

(a) Any person, following the date of the enactment of this section, who knowingly and willfully commits a violation of any provision or provisions of this Act which involves the making, receiving, or reporting of any contribution or expenditure having a value in the aggregate of $1,000 or more during a calendar year shall be fined in an amount which does not exceed the greater of $25,000 or 300 percent of the amount of any contribution or expenditure involved in such violation, imprisoned for not more than one year, or both.

(e) "contribution" –

(1) means a gift, subscription, loan, advance, or deposit of money or anything of value made for the purpose of –

(A) influencing the nomination for election, or election, of any person to Federal office or for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party; or

PART 111—COMPLIANCE PROCEDURE

AUTHORITY: Sec. 310(8), Pub. L. 92-225, added by Sec. 208, Pub. L. 93-443, 88 Stat. 1279, and amended by Secs. 105 and 107(a)(1), Pub. L. 94-283, 90 Stat. 481 (2 U.S.C. 437d(a)(8)), and Sec. 315(a)(10), Pub. L. 92-225, 86 Stat. 16, amended by Secs. 208(a) and (c)(10), and 209(a)(1) and (b)(1), Pub. L. 93-443, 88 Stat. 1279, 1287, and Sec. 105, Pub. L. 94-283, 90 Stat. 481 (2 U.S.C. 438(a)(10)).

§ 111.1 Scope.

These regulations provide procedures for processing possible violations of the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431, *et seq.*) and chapters 95 and 96 of the Internal Revenue Code of 1954 (26 U.S.C. §§ 9001, *et seq* and 9031 *et seq.*).

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(b) A complaint shall contain—

(1) The full name, address, and telephone number of the complainant;

(2) A clear and concise statement of the acts which are alleged to constitute a violation of the Act;

(3) Any documentation of allegations of the complaint available to the complainant; and

(4) An assertion that the person complaining, if not a candidate, is not filing the complaint on behalf of or at the request or suggestion of a candidate, unless such is the fact, in which case it shall be set forth.

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The General Counsel shall review the complaint and all relevant material filed

with the Commission and report to the Commission on the factual and legal bases for the possible violation. On the basis of the General Counsel's report and the relevant materials, the Commission shall determine by the agreement of at least four of its members whether it has "reason to believe" that the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 have been or will be violated and order any investigation it believes necessary.

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Upon determination by agreement of at least four members of the Commission that it has reason to believe that a violation of the Act or chapter 95 or 96 of the Internal Revenue Code of 1954 has occurred or will occur, the General Counsel shall notify respondent of that determination, providing a copy of the complaint or summary of the matters brought into question and advising respondent that he or she should submit any factual or legal information which he or she believes demonstrates that no action should be taken against him or her. Such notification shall be confidential as required by 2 U.S.C. § 437g(a)(3)(B).

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(b) If a complaint is filed by a candidate, any investigation shall include an investigation of the reports and statements filed by the complaining candidate, pursuant to 2 U.S.C. § 437g(a)(3).

§ 111.6 Commission action.

After review of the relevant materials obtained during the investigation, the Commission by agreement of at least four of its members shall determine whether there is reasonable cause to believe that respondent has committed or is about to commit a violation of the Act or of chapter 95 or 96 of the Internal Revenue Code of 1954. In the event that the Commission so determines, it shall inform the respondent of its decision and seek voluntary compliance by the respondent.

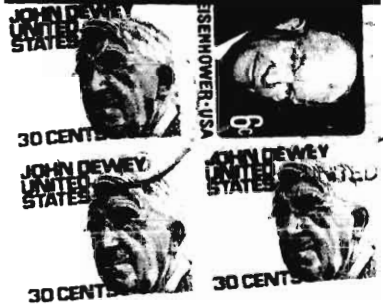
§ 111.7 Conciliation.

EXHIBIT "I"

T. H. Carter
3773 A. North Decatur Road
Decatur, Georgia 30032

RETURN RECEIPT REQUESTED

76 OCT 15 PM 1:20



CERTIFIED
No. 230734
MAIL

Mr. Vernon W. Thomson, Chairman
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20462

Certified mail- Urgent

8 OCT 1976

Mr. Robert J. Lipshutz
Treasurer
Committee for Jimmy Carter
Post Office Box 1976
Atlanta, Georgia 30301

Re: MUR 246 (76)

Dear Mr. Lipshutz:

This is to advise that a complaint was filed against you by Mr. Thomas N. Carter alleging a violation of 2 U.S.C. §434(b) of the Federal Election Campaign Act of 1971, as amended (the Act). A copy is enclosed for your information. After reviewing the allegation, I concluded that there was no reason to believe that a violation of the Act had occurred. Accordingly, upon my recommendation, the Commission decided not to proceed further in the matter.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

Enclosure

GSulton:amh:9/30/76:MUR FILE

8 OCT 1976

Mr. Thomas H. Carter
3773 North Decatur Road, Apt. A
Decatur, Georgia 30032

Re: MUR 246 (76)

Dear Mr. Carter:

This letter further acknowledges receipt of your complaint dated September 27, 1976 alleging certain violations of the Federal Election Campaign Act of 1971, as amended (the Act) by the Committee for Jimmy Carter. I have reviewed your allegations and have concluded that they do not furnish reason to believe that the Act has been violated. Accordingly, upon my recommendation, the Commission has decided not to proceed further in this matter.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. Further communications may be directed to the attorney assigned to this matter, Gloria R. Sulton (telephone number 202/382-4041). Please note the file reference number identified above.

Sincerely yours,

Signed: John G. Murphy, Jr.

John G. Murphy, Jr.
General Counsel

GSulton:amh:9/30/76:MUR FILE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 246 (76)
Committee for Jimmy Carter	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on October 7, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

Marjorie W Emmons

Marjorie W. Emmons
Secretary to the Commission

GC

PS Form 3811, Mar. 1976

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

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

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☑ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
  Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
  Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Thos. Carter

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	438299	

(Always obtain signature of addressee or agent)

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

4. DATE OF DELIVERY | POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: | CLERK'S INITIALS

☆ GOP: 1976—O-203-456

DATE AND TIME OF TRANSMITTAL: 10/7/76

NO. MUR 246

REC'D: 9/27/76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Thomas H. Carter

Respondent's Name: Committee for Jimmy Carter

Relevant Statute: 2 U.S.C. §434(b)

Internal Reports Checked: Reports being checked by Reports Examining

Federal Agencies Checked: NONE

SUMMARY OF ALLEGATION

Carter Committee failed to report as a contribution the cost of printing a book entitled "A State in Action, Georgia 1971-1975", printed by the State of Georgia. The Carter Committee received a quantity of these books and mailed them to campaign workers between June and August 1976.

PRELIMINARY LEGAL ANALYSIS

The book is a traditional publication done by each Governor at the end of his or her term and distributed to schools, etc. throughout the State. The printing is done by the State and paid for out of State funds. It is reported in a newspaper article accompaning the complaint that extra copies were offered to the Carter Campaign and offers to pay for them were rejected by the State Archives Director. Whether it may be reportable depends on whether it is a contribution within the meaning of 2 U.S.C. §431(e).

con't

RECOMMENDATION

Close file finding no reason to believe a violation of the Act has been committed. Send the attached letters.

Date of Next Commission Review:

PRELIMINARY LEGAL ANALYSIS

A contribution is "anything of value" made for the purpose of influencing a Federal election. While there is no question that the book has some value, it is questionable whether the State of Georgia can be attributed with making a gift "for the purpose of influencing . . . . " If the gift is treated as a contribution, then presumably 2 U.S.C. §441a applies to limit such contributions. In that event, the state must be categorized as a "person" within the meaning of the Act. "Person" is defined as "an individual, partnership committee, association, corporation, labor organization, and any other organization or group of persons." There appears to be no legislative history to support a finding that a sovereign state is a person within the meaning of the Act.

Since the complaint is prediactedon what is at best an uncertain area, we recommend the Commission take no further action on this MUR.

SEP 30 1976

Mr. Thomas H. Carter
3773 North Decatur Road, Apt. A
Decatur, Georgia 30032

Re: MUR 246 (76)

Dear Mr. Carter:

This is to acknowledge receipt of your complaint of September 23, 1976, alleging violations of the Federal Election Campaign Laws. A staff member has been assigned to analyze your allegations and a recommendation to the Federal Election Commission as to how this matter should be handled will be made shortly. You will be notified as soon as the Commission determines what action should be taken. For your information, we have attached a brief description of the Commission's preliminary procedures for the handling of complaints.

Sincerely yours,

William C. Oldaker
Assistant General Counsel

Enclosure
GSulton:pjg:9/29/76
MUR file

CC #605

JIMMIE CARTER CAMPAGIN FOR PRESIDENT OF UNITED STATES -1976 MUR 246

DAVID R. SPEIGEL 76 SEP 27 A10:54

Re: CC #490

Complaint: Thomas H. Carter
3773 North Decatur Rd., Apt. A
Decatur, Ga. 30032
Telephone: 404-284-8941

762505

Statement of Alledged Violation:

Failure to report as a political contribution to the Carter for President Campaign the $6,343,00 cost of the printing of a book entitled A State in Action, Georgia 1971-1975, which was handed out as campaign literature at the Carter for President Headquarters during the period June through August, 1976.

The book was printed by the Printing Division, Department of Administrative Services, State of Georgia.

Exhibit A: Article entitled, "State Paid For Books On Carter", Atlanta Constitution, Thursday, September 9, 1976.

Exhibit B: Letter from the Federal Election Commission, September 9, 1976.

Exhibit C: A State in Action, Georgia 1971-1975, About Front Cover, A Publication of the Office of Governor, State of Georgia, Jimmy Carter, Governor, Table of Contents, Expanding State Services, pages 4 and 5, Back Inside Cover showing cost and quantity.

To the attention of David R. Spiegel: Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

The above is true and correct to the best of our knowledge and belief.

Notary Public: Sara P. Hood

Thomas H. Carter

Thomas H. Carter

Sworn to the 23rd day of September, 1976, DeKalb County, Georgia

Notary Public, Georgia State at Large
My Commission Expires September 10, 1978

THE ATLANTA CONSTITUTION, Thur., Sept. 9, 1976

For 108 Years the South's Standard Newspaper

ATLANTA, GA. 30302, THURSDAY, SEPTEMBER 9, 1976

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By FAY S. JOYCE

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A campaign spokeswoman said Carter tried to reimburse the state for the publication, but was refused.

Entitled "A State in Action, Georgia 1971-1975," the illustrated, [illegible]-page book lists improvements and shortcomings in numerous fields, including pollution, mental retardation, prisons, tax reform, detection of sickle cell anemia, education and transportation.

It credits state agencies, the legislature and Carter for steps forward and describes the shortcomings as "[illegible] needs."

Five thousand copies of the review were printed at a cost of $6,343, making each worth $1.27.

Previous Georgia governors have had books about their terms compiled and printed at state expense, but Carter's use of his may be a violation of federal campaign finance law.

The attractive books [illegible] up as a contribution from [illegible] Carter's early reports, and campaign treasurer Robert Lipnitz said Wednesday he could not remember if they had been listed.

"He probably [illegible] it," said Susan Tolt, a spokesman for the Federal Election Commission, which is charged with making sure presidential candidates comply with the campaign law.

See BOOKS, Page 8-A

Books

[illegible]

nance disclosure act. "But these things are very borderline."

Prepared near the end of Carter's term, the books were sent to schools and kept and mailed out on request by state archivists until Gov. George Busbee ordered general budget cutbacks in mid-1975.

"They were throwing out the books and asked if we wanted to take 'em," said Carter assistant press secretary Betty Rainwater. "We mailed out 1,000 to 1,500 of 'em to our own staffers, state coordinators, and anybody who needed to know more about him (Carter)."

About two dozen are left.

Miss Rainwater said she spent several days trying to talk State Archives Director Carroll Hart into accepting payment for the volumes, but "they preferred for us not to pay."

Miss Hart could not be reached for comment Wednesday.

Miss Rainwater said Carter's book cost less than the hardbound volumes published for most of his predecessors, Lester Maddox and Carl Sanders, which featured color photos.

The "unmet needs" section was never before included with the list of accomplishments, she added.

Secretary of State Ben Fortson, who oversees the archives department, didn't know of any efforts by the Carter camp to reimburse the state for the book.

"Reimburse?" the 50-year secretary asked. "Everybody that [illegible] office got something out. Nobody ever offers to pay for any of these reports (and) they all run for governor or Senate or House or something else."

Miss Rainwater said the Archives department asks governors for written reviews of their terms, but [illegible] disputed that.

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A PUBLICATION OF THE OFFICE OF GOVERNOR, STATE OF GEORGIA ..... JIMMY CARTER, GOVERNOR

A STATE IN ACTION

Georgia 1971-1975






FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

SEP 09 1976

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3773 North Decatur Rd. Apt A
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Re: CC #490

Dear Mr. Carter:

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The Federal Election Campaign Act, as amended, requires that all complaints be signed, sworn, and notarized by the person making the complaint. (See 2 U.S.C. §437g(a)(2)). Under §111.2 of the Commission's proposed regulations it is also required that a complaint contain: (1) the full name, address and telephone number of the complainant; (2) a clear and concise statement of the Acts which are alleged to constitute a violation of Federal Election Campaign Act of 1971; (3) copies of any evidence available to the complainant which sustain the allegations of the complaint. In the event you wish to file a complaint, please comply with these requirements.

In the interests of complying with the above procedures, I think it would be helpful for you to consult 2 U.S.C. §431(e), of the Act which defines the meaning of contribution. See also §100.4 of the Commission's proposed regulations. (Copies of the Federal Election Campaign Act of 1971, as amended, as well as the Commission's regulations are enclosed with this letter.) I hope that an examination of these materials will answer most of your questions and will enable you to be specific in any assertions or allegations you might make in the event you wish to file a complaint with the Commission.

-B-

Please feel free to contact me if you have any further questions. The staff member assigned to this matter is David R. Spiegel (telephone no. 202/382-4055).

Sincerely yours,

William Oldaker
Assistant General Counsel

Enclosure

A STATE IN ACTION

Georgia 1971-1975

HERITAGE TRUST SITES

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During the last four years, this Administration -- with the cooperation of the General Assembly -- has done more than merely allocate new dollars. Through Reorganization, we implemented a series of actions that trimmed the fat from governmental activities, making possible more services for every State dollar.

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Cost $6,343
Quantity 5,000

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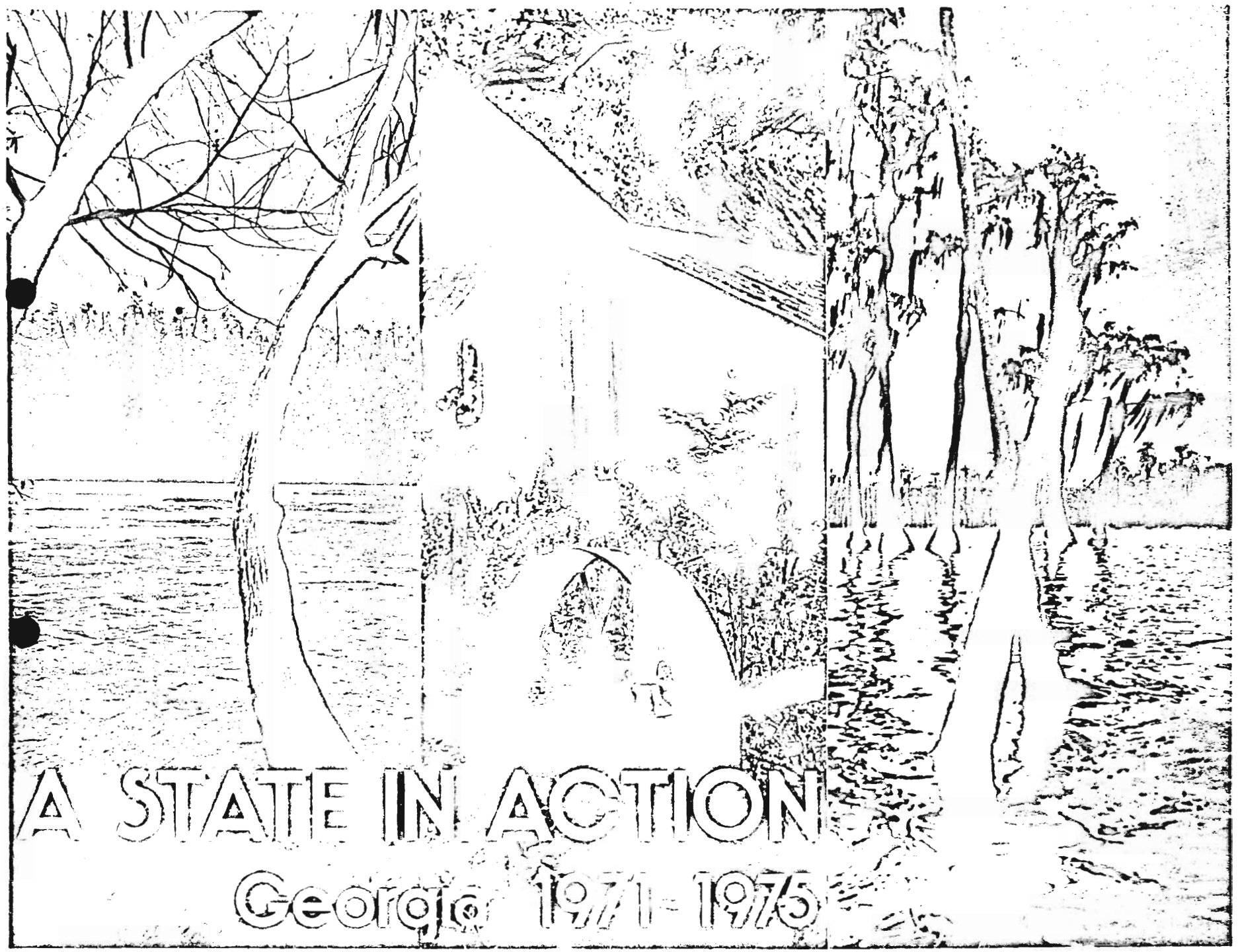
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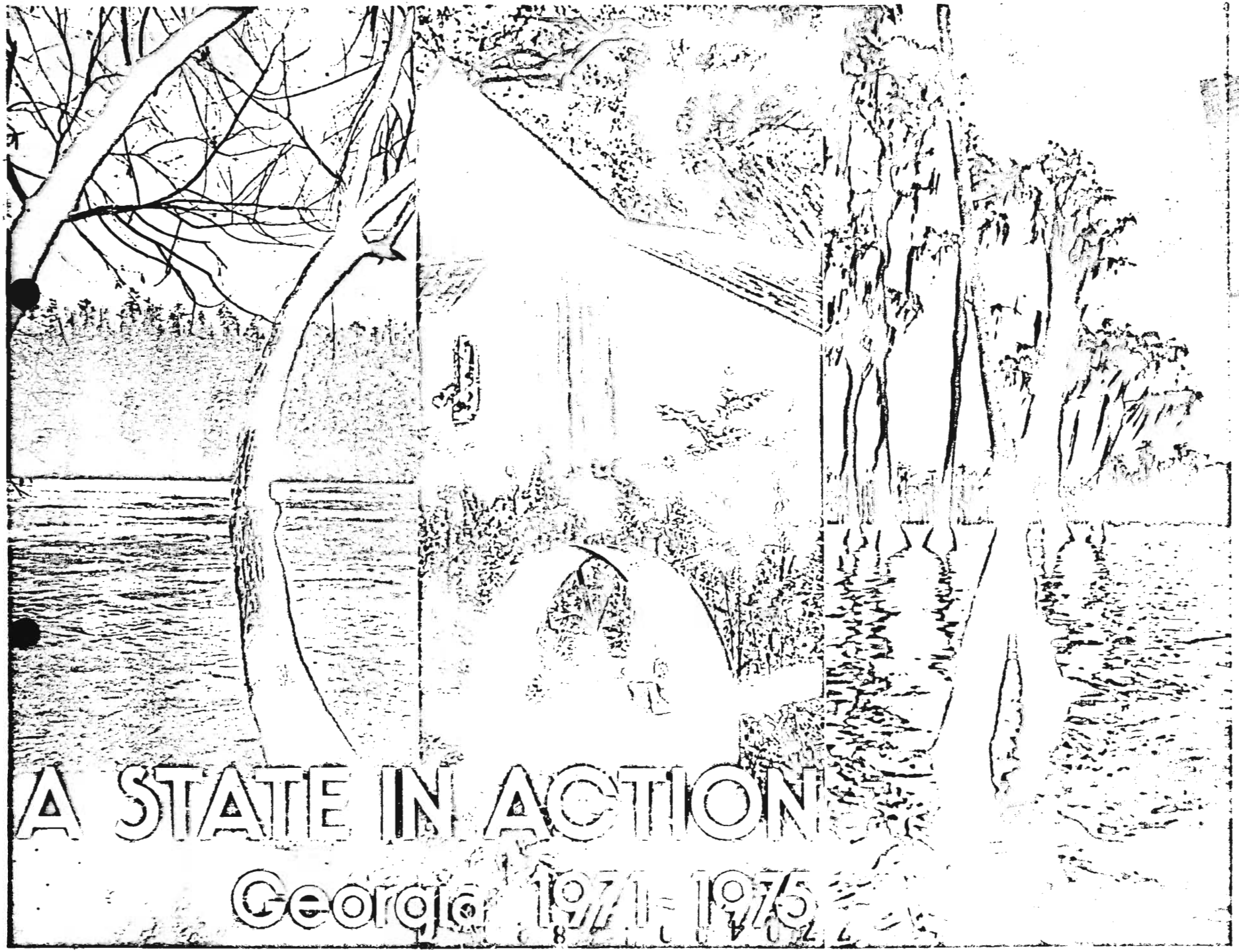

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3773 A North Decatur Road
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CERTIFIED
No. 230701
MAIL

Mr. David S. Speigel
FEDERAL ELECTION COMMISSION
1325 K Street N. W.
Washington, D. C. 30463

CERTIFIED MAIL REGARD CC #490

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We have received your letter of September 1, 1976 inquiring into the possibility of a violation of the Federal Election Campaign Act of 1971, as amended, by the Jimmy Carter Campaign.

The Federal Election Campaign Act, as amended, requires that all complaints be signed, sworn, and notarized by the person making the complaint. (See 2 U.S.C. §437g(a)(2)). Under §111.2 of the Commission's proposed regulations it is also required that a complaint contain: (1) the full name, address and telephone number of the complainant; (2) a clear and concise statement of the Acts which are alleged to constitute a violation of Federal Election Campaign Act of 1971; (3) copies of any evidence available to the complainant which sustain the allegations of the complaint. In the event you wish to file a complaint, please comply with these requirements.

In the interests of complying with the above procedures, I think it would be helpful for you to consult 2 U.S.C. §431(e), of the Act which defines the meaning of contribution. See also §100.4 of the Commission's proposed regulations. (Copies of the Federal Election Campaign Act of 1971, as amended, as well as the Commission's regulations are enclosed with this letter.) I hope that an examination of these materials will answer most of your questions and will enable you to be specific in any assertions or allegations you might make in the event you wish to file a complaint with the Commission.

Please feel free to contact me if you have any further questions. The staff member assigned to this matter is David R. Spiegel (telephone no. 202/382-4055).

Sincerely yours,

/S/

William Oldaker
Assistant General Counsel

Enclosure

DSpiegel:amh:9/8/76:MUR File

CC # 490

SCOTTDALE
ELECTION DISTRICT NAME

ROBT. SHAW EDUC. BLDG.
LOCATION OF POLLING PLACE

LOCATION OF POLLING PLACE - ATLANTA ONLY

WARD	SENATE	HOUSE	COMMISSION	DATE
33	53	04	7/07/76	

CARTER THOMAS H
3773 NORTH DECATUR RD A
DECATUR GA 30032

REGISTRATION NO — SIGNATURE OF VOTER

ELECTION DISTRICT CARD

RECEIVED
FEDERAL ELECTION
COMMISSION

76 SEP 3 A10:39

THOMAS H. CARTER
3773 North Decatur Road Apt. A
Decatur, Georgia 30032
404 294 8941

September 1, 1976

761965

FEC Correspondence Control # [redacted]

CERTIFIED MAIL
No. 857497

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

Gentlemen:

Book handed out by CARTER CAMPAIGN HEADQUARTERS in Atlanta, Washington and other places. " A STATE IN ACTION - GEORGIA 1971 - 1975" .

Printed by Printing Division / Department of Administrative Services / State of Georgia. Paid for by Georgia tax payers. Cost $6,343.00, Quinity 5,000. 84 Pages

Reprints, Back cover, Inside front cover. Pages 4 and 5 attached.

Alleged book being used in violation of FEDERAL CAMPAIGN and FINANCIAL DISCLOSURE ACT. Not reported as Contribution as required by law.

Information for FEDERAL ELECTIONS COMMISSION TO INVESTIGATE and take proper action.

Yours very truly,

Thomas H. Carter
THOMAS H. CARTER

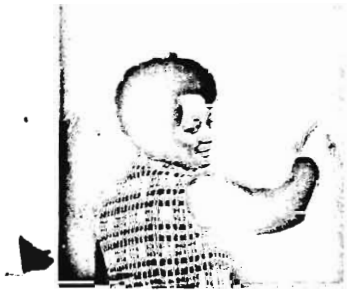
Please acknowledge receipt of this letter.

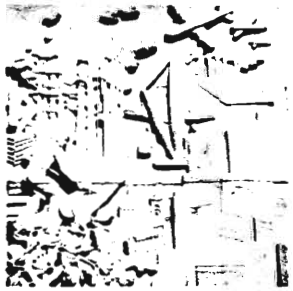
7704002331

A PUBLICATION OF THE OFFICE OF GOVERNOR, STATE OF GEORGIA ..... JIMMY CARTER, GOVERNOR

A STATE IN ACTION

Georgia 1971-1975



Expanding State Services

In all of Georgia's history, there has never been another four-year period that paralleled the last four years in improvement of State services.

The upsurge in quality of service was made possible because of a vigorous, expanding economy. There has been no general Statewide tax increase during my Administration -- a campaign promise which has been kept.

And I believe that all the needs of the State during the next four years can be met without a tax increase because this Administration is leaving the State in excellent financial condition.

During the last four years, this Administration -- with the cooperation of the General Assembly -- has done more than merely allocate new dollars. Through Reorganization, we implemented a series of actions that trimmed the fat from governmental activities, making possible more services for every State dollar.

One of my first actions after becoming Governor was to launch the "Goals for Georgia" program. We asked the people of Georgia to tell us the programs they wanted their State Government to initiate.

The accomplishments outlined in this publication reflect the State's efforts to respond to the wishes of the people.

We have made tremendous strides in all areas of government.

Salaries for all employees have been increased to match higher work and training standards.

Education has received almost $300 million in new dollars to upgrade its services to our students, with special attention being given to progress in vocational education and special education for the handicapped and gifted.

In addition, the State launched its first efforts on behalf of pre-school education. The Adequate Education Law was passed that will herald a new day in educating every youngster who attends Georgia public schools after July 1, 1975.

The first State funds for construction of public libraries have been provided.

We started the Heritage Trust program, the first long-range, State-funded program in Georgia's history to preserve our valuable natural and cultural resources.

In the area of Human Development, we have launched or expanded programs to help the alcoholic and the drug user.

In addition, programs in family planning and mental retardation have been upgraded. The first State efforts to help victims of sickle cell anemia and to provide housing for Georgians were launched.

Industrial development has been unprecedented. New and expanded industry in 1973, for instance, was 25% higher than in any previous year.

We have made Georgia a major location for motion pictures, with the likelihood that by the end of 1974 more movies will have been made in Georgia in a two-year span than in all of the previous years combined.

Among actions to foster international trade, I have made two trips abroad and we have established full-time offices in Brussels and Tokyo. The results are impressive.

In the area of law enforcement, the Georgia Bureau of Investigation has been upgraded to a level comparable with some of the better law enforcement agencies in the nation.

A new program of using young undercover agents has resulted in a successful attack against drug pushers, with a conviction rate almost perfect.

For property tax owners, we have provided a broad program of reforms to provide more equalized assessments. And the State has taken over the financing of several costly local

programs to ease the property tax burden.

There has been a comprehensive program of judicial reform.

Georgia's battle against pollution has gained ground with a solid slate of accomplishments during the period.

Comprehensive planning and new techniques have brought improved service in highway construction with greatly reduced numbers of employees.

The initial move towards fluoridating all public water systems in Georgia has been launched.

We have put our idle State dollars to work through a new system of "cash flow" management that earned $28.2 million in FY 1974 -- a 344 percent increase in only four years.

In the area of Game and Fish, 11 programs have been launched or expanded that have resulted in more hunting and fishing for some 1.2 million Georgians who now enjoy these outdoor pursuits.

In addition to promoting economy and efficiency, Reorganization reduced the number of State agencies, boards, commissions, etc. from about 300 to 22 operating agencies. This has brought government closer to the people and created a structure that the people can understand.

These -- and many more -- accomplishments make me proud that I was able to serve the people of Georgia as Governor during this period of unparalleled growth.

These accomplishments were made possible because of the joint efforts of many dedicated Georgians.

The General Assembly provided leadership during this period in passing such timely legislation as Reorganization, judicial reform, pollution control, the Adequate Education Law and many others.

The State's department heads and employees have worked hard to improve programs to provide better services for our people.

Many thousands of Georgians have unselfishly dedicated their time and effort in serving on State boards and commissions and on many special study teams that have helped to provide the impetus for this period of prosperity and progress.

Georgia citizens helped to inspire our progress by providing the type of public support necessary to make this program of action possible.

To all of these people and the many other Georgians who have been a part of this great thrust forward for our State during the last four years, I want to express my thanks.

This publication is designed to highlight some of the many accomplishments.

It is not a detailed portrait, but a capsule glimpse at some of the programs implemented during my Administration.

I feel confident that we are leaving the State to the next Administration in the best shape possible.

There are many unmet needs and this publication discusses those too.

Georgia has a bright future. In the next few years, we expect progress that will outstrip what we have been able to accomplish.

We think a foundation has been built that will make this possible.

Jimmy Carter

GOVERNOR OF GEORGIA

Cost $6,343
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THIS PUBLICATION WAS PRINTED BY: PRINTING DIVISION/DEPARTMENT OF ADMINISTRATIVE SERVICES/STATE OF GEORGIA

T. H. Carter
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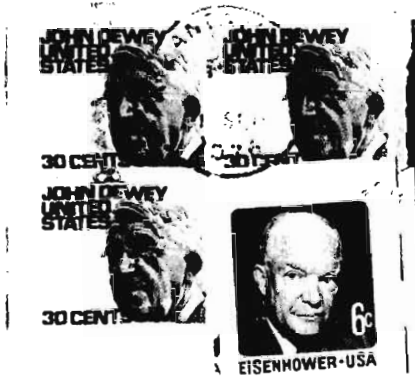
Decatur, Georgia 30032

RETURN RECEIPT REQUESTED

CERTIFIED
No.
MAIL

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



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