



FEDERAL ELECTION COMMISSION

1800 K STREET NW
WASHINGTON, DC 20006

THIS IS THE BEGINNING OF MUR # 403



FEDERAL ELECTION COMMISSION

MEMOS to FILE on Bill n Charlie by David Anderson,

dated 5/2/77, 5/4/77, 6/3/77, 5/26/77

- additional attached material was

omitted because of duplication

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- | | |
|--|---|
| <input type="checkbox"/> (1) Classified Information | <input type="checkbox"/> (6) Personal privacy |
| <input type="checkbox"/> (2) Internal rules and practices | <input type="checkbox"/> (7) Investigatory files |
| <input type="checkbox"/> (3) Exempted by other statute | <input type="checkbox"/> (8) Banking Information |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input checked="" type="checkbox"/> (5) Internal Documents | |

Signed Biz Van Gelder

date Nov. 23, 1977

FEC 9-21-77

*Please do not put in public
word until written letters are sent
to Joseph - James Carter. The
letters had the wrong figures.*

American Insurance Management
CORPORATION

200 2616
NRN
SUITE 200, 4601 PARK ROAD
POST OFFICE BOX 11243 • TELEPHONE 704/527-1234
CHARLOTTE, NORTH CAROLINA 28209
CABLE ADDRESS AIMCO

78 FEB 7 AM 10:59

February 2, 1978

Ms. Biz Van Gelder
c/o Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

Dear Ms. Van Gelder:

This letter is in regard to the "Loose Group" of Atlanta, Georgia and their \$2,000 overpayment to my 1976 Congressional campaign. After considering all the available facts, i.e. my campaign bank account is closed, my political committees are disbanded and termination reports have already been submitted on the candidate and the Collins for Congress - '77 Organization, I have given the Loose Group my personal check for \$2,000 to satisfy the FEC decision. A xerox copy of that check is attached.

I believe this to be the simplest and most direct way to handle the matter and I hope the FEC agrees.

I am no longer in Georgia and will probably never be a candidate again. Losing two campaigns, spending my life's savings and wasting a marriage is a heavy price to pay to try to serve my fellow man. I do not regret having made the decisions, however, I just hope that our system has benefited and its recipients appreciate the involvement.

If I can be of further assistance, please contact me.

Good luck in your own endeavors.

Sincerely,

J. Quincy Collins
J. Quincy Collins

JQC/sod



7304000079

QUINCY COLLINS
PHONE 422-9390
24 QUEENSBOROUGH SQUARE
MARIETTA, GEORGIA 30064

113

PAY TO THE
ORDER OF

The Love Group
Two thousand and 00/100

30 Jan

1976

64.531
611

\$ 2000.00

DOLLARS

The CITIZENS and SOUTHERN BANK
OF COBB COUNTY
MARIETTA, GEORGIA

FOR *W/W* FEC INSTRUCTIONS

-10611005311: 771 73

10211 0113

Quincy Collins

American Insurance *Management*

1-800-333-3333

SUITE 200 4601 PARK ROAD

POST OFFICE BOX 11343

CHARLOTTE NORTH CAROLINA 28211

Ms. Biz Van Gelder
c/o Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

FEB 7 AM 10:56

LAW OFFICES
EDWARD W. GADRIX, JR.
SUITE 245 - PERIMETER TOWER
270 CARPENTER DRIVE, N.E.
ATLANTA, GEORGIA 30328

200 2455
NEN
FEDERAL ELECTION
78 JAN 16 AM 10:28

(404) 252-8105

January 11, 1978

Ms. Biz Van Gelder, Esq.
Office of General Council
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

MUR 403

RE: Ed Gadrix for Congress Committee

Dear Biz,

In accordance with our telephone conversation of several weeks ago, I want to assure you of my cooperation and the cooperation of the Ed Gadrix for Congress Committee in reimbursing the contribution of any party or group to the Committee which were not qualified.

At the present time, the Ed Gadrix for Congress Committee is in a state of termination and is without any funds to make any repayment of any amounts.

It is my understanding from other counsel that this letter can serve as an ammendment to reopen the Committee in order to establish the excess contributions as a debt to the Loose Group. I will appreciate you treating this letter as such an ammendment.

I have also misplaced your earlier letter to me concerning the exact amount to be paid back to the Loose Group, and I would appreciate your sending me a copy of same so that this can be handled as soon as possible. In addition, I will always welcome your suggestions and guidance for full compliance in this matter.

I mentioned to you the fact that one supplier is claiming an amount due which is disputed.

I have reviewed the Federal Election Commission Regulations in order to determine litagation procedures for the Committee but have been unable to find the proper procedures in civil actions.

I would appreciate any reference you might have concerning how the Committee can be sued and sue other parties. Particularly, I would appreciate any reference you might have as to individual liability of the Candidate, Treasurer or any other parties as to any such claims. In other words, is the Committee a separate entity such as a corporation?

I will appreciate any help you give in this matter.

Sincerely,

Edward W. Gadrix, Jr.

LAW OFFICES

EDWARD W. GADRIN, JR.

SUITE 245 HELIMETER TOWER

370 CARPENTER DRIVE, N.E.

ATLANTA, GEORGIA 30328

Ms. Bix Van Gelder, Esq.
Office of General Council
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463



Doc # 2169

LAW OFFICES

JONES, CORK, MILLER & BENTON

500 FIRST NATIONAL BANK BUILDING

MACON, GA. 31201

RECEIVED
FEDERAL ELECTION
COMMISSION
C. BAKER JONES
1805-1068

'77 DEC 2 AM 11:12

TELEPHONE
AREA CODE 912
745-2821

WALLACE MILLER, JR.
JOHN W. SMITH
CHARLES M. CORK, JR.
E. BRUCE BENTON
CARR G. DODSON
TIMOTHY K. ADAMS
JOHN C. CORK
H. JEROME STRICKLAND
HUBERT C. LOVEIN, JR.
W. WARREN FLOWDEN, JR.
RUFUS O. JAMES III
THOMAS C. JAMES III
STEVE L. WILSON
G. BOONE SMITH III
JAMES M. ELLIOTT, JR.
ROGER MILLS
THOMAS C. ALEXANDER
WALLACE MILLER III
GLEN WOOD, JR.

November 30, 1977

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

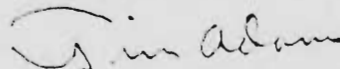
Dear Mr. Oldaker:

This will acknowledge receipt of your letter of November 21, 1977 relative to the "Loose Group".

Our committee ended the campaign with a substantial deficit and I will probably need to talk to Mr. Van Gelder, but I want to talk to the candidate before calling Mr. Van Gelder.

The purpose of this letter is simply to acknowledge receipt and to let you know that we are giving this our immediate attention.

Sincerely,



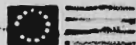
TIMOTHY K. ADAMS

TKA/gmo

FIRST NATIONAL BANK
MACON, GEORGIA 31201

77 DEC 2 AM 11 3-12

Mr. William C. Oldaker
Federal Election Commission
1625 K Street, N. W.
Washington, D. C. 20463



LONG-TERM

100-2168
NRN
RECEIVED
FEDERAL ELECTION
COMMISSION

November 29, 1977

'77 DEC 2 PM 1:51

Ms. Riz Van Gelder
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Ms. Van Gelder,

This letter is to confirm our telephone conversation of November 29, 1977.

Since the campaign is insolvent, we must carry the refund to the Loose Group as a debt. However, please be assured that repayment of the debt will be of the highest priority.

Additionally, since the Loose Group's contribution totalled \$4,000 (\$3,000 before the 1976 primary and \$1,000 before the 1976 general election), we believe that our liability may be only \$2,000. This would be the excess given prior to the primary.

Thanking you in advance, I remain

Yours,

L.H. Carter
Mr. L.H. Carter
Treasurer
Gingrich Campaign
Committee

LHC:lv

NEWT GINGRICH

P.O. BOX 999
CARROLLTON, GEORGIA
30117

77 DEC 2 PM 1:51



Ms. Biz Van Gelder
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



POST OFFICE BOX 276 • DORAVILLE, GEORGIA 30340 • 457-7271

REC-2137
FEDERAL ELECTION COMMISSION

30362
'77 NOV 28 AM 10:25

November 23, 1977

Mr. William C. Oldaker
General Council
Federal Election Commission
1335 K Street, NW
Washington, DC 20463

Reference: MUR 403(77)

Dear Mr. Oldaker:

Attached is the LOOSE GROUP'S check in the amount of \$500.00 in compliance with the Conciliation Agreement under the above reference.

Yours very truly,

T. V. Patton
Treasurer, Loose Group

TVP:skt
cc: Mr. Timothy S. Perry

Conciliatory Agreement

LESTER GROUP
P.O. BOX 226
ATLANTA, GEORGIA 30306
DATE

155

11/23 1977

United States Treasurer
Five hundred and ^{no}/₁₀₀

509⁰⁰



Guaranty Bank

[Signature]

⑆06⑆2⑆0⑆66⑆ ⑆0 2⑆ 63 3⑆



TRITON
INCORPORATED

POST OFFICE BOX 276 • DORAVILLE GEORGIA 30092



777 MC 29 AM 10:25

Mr. William C. Oldaker
General Council
Federal Election Commission
1325 K Street, NW
Washington, DC 20463



FEDERAL ELECTION COMMISSION

1200 STREET N.W.
WASHINGTON, D.C. 20543

November 23, 1977

Mr. Martin E. Ouzts
Ed Gadrix for Congress Committee
Suite 600
3300 Buckeye Road
Atlanta, Georgia 30341

Re: MUR 403

Dear Mr. Ouzts:

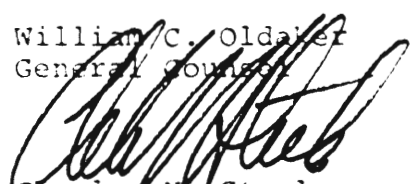
In our letter to you of November 21st, we incorrectly stated that the Ed Gadrix for Congress Committee received \$2,000 in contributions from the Loose Group. Upon further investigation, we found that the Ed Gadrix Committee actually received \$3,000 from the Loose Group and is thus required to return \$2,000 not \$1,000 as originally stated in excess funds to the Group, pursuant to 11 CFR 110.9(a).

We apologize for the mistake.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel





FEDERAL ELECTION COMMISSION

1201 K STREET, N.W.
WASHINGTON, D.C. 20543

November 23, 1977

Mr. L. H. Carter
Newt Gingrich for Congress Committee
P. O. Box 999
Carrollton, Georgia 30117

Re: MUR 403

Dear Mr. Carter:

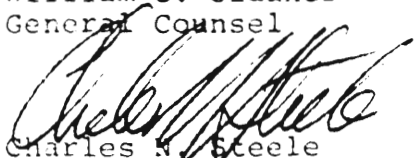
In our letter to you of November 21st, we incorrectly stated that the Newt Gingrich for Congress Committee received \$3,000 in contributions from the Loose Group. Upon further investigation, we found that the Newt Gingrich Committee actually received \$4,000 from the Loose Group and is thus required to return \$3,000, not \$2,000 as originally stated in excess funds to the Group, pursuant to 11 CFR 110.9(a).

We apologize for the mistake.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

William C. Oldaker
General Counsel


Charles N. Steele
Associate General Counsel





FEDERAL ELECTION COMMISSION

1100 STREET NW
WASHINGTON, D.C. 20543

November 21, 1977

Mr. Martin E. Ouzts
Ed Gadrix for Congress Committee
Suite 600
3300 Buckeye Road
Atlanta, Georgia 30341

Re: MUR 403

Dear Mr. Ouzts:

The Commission has recently entered into a conciliation agreement with the Loose Group, a contributor to your campaign. As part of the conciliation process, the Loose Group admitted that they violated 2 U.S.C. §441a which prohibits persons and committees, other than those defined as multicandidate committees under 2 U.S.C. §441a(a)(4), from making contributions in excess of \$1,000 per election. The Loose Group, which is not a multi-candidate committee is thus required to observe this \$1,000 limit.

Our records show that the Ed Gadrix for Congress Committee received \$2,000 from the Loose Group in 1976. In order to correct the violation and pursuant to 11 CFR 110.9(a), the Ed Gadrix Committee is required to return to the Loose Group the \$1,000 in excess funds.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "W. O. Oldaker", is written over the typed name.

William O. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1100 K STREET, N.W.
WASHINGTON, D.C. 20543

November 21, 1977

Mr. L. H. Carter
Newt Gingrich for Congress Committee
P. O. Box 999
Carrollton, Georgia 30117

Re: MUR 403

Dear Mr. Carter:

The Commission has recently entered into a conciliation agreement with the Loose Group, a contributor to your campaign. As part of the conciliation process, the Loose Group admitted that they violated 2 U.S.C. §441a which prohibits persons and committees, other than those defined as multicandidate committees under 2 U.S.C. §441a(a)(4), from making contributions to a political candidate in excess of \$1,000 per election. The Loose Group, which is not a multi-candidate committee is thus required to observe this \$1,000 limit.

Our records show that the Newt Gingrich for Congress Committee received \$3,000 from the Loose Group in 1976. In order to correct the violation and pursuant to 11 CFR 110.9(a), the Newt Gingrich Committee is required to return to the Loose Group the \$2,000 in excess funds.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "W. C. Oldaker", is written over the typed name.
William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

ROBERT S. KLEIN, A
WASHINGTON, D.C. 20543

November 21, 1977

Mr. Timothy H. Adams, Treasurer
Billy Adams for Congress Committee
500 First National Bank Building
Marion, Indiana 46951

Re: MUR 403

Dear Mr. Adams:

The Commission has recently entered into a conciliation agreement with the Loose Group, a committee to your campaign. As part of the conciliation process, the Loose Group admitted that they violated 2 U.S.C. §441a which prohibits persons and committees, other than those defined as multicandidate committees under 2 U.S.C. §441a(a)(4), from making contributions to a political candidate in excess of \$1,000 per election. The Loose Group, which is not a multi-candidate committee, is thus required to observe this \$1,000 limit.

Our records show that the Billy Adams for Congress Committee received \$3,000 from the Loose Group in 1976. In order to correct the violation and pursuant to 11 CFR 110.9(a), the Billy Adams Committee is required to return to the Loose Group the \$2,000 in excess funds.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "William C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1100 K STREET, N.W.
WASHINGTON, D.C. 20543

November 21, 1977

Mr. Alfonso D. Cerqueda
Collins for Congress '76 Committee
P.O. Box 1268
Smyrna, Georgia 30080

Re: MUR 403

Dear Mr. Cerqueda:

The Commission has recently entered into a conciliation agreement with the Loose Group, a contributor to your campaign. As part of the conciliation process, the Loose Group admitted that they violated 2 U.S.C. §441a which prohibits persons and committees, other than those defined as multicandidate committees under 2 U.S.C. §441a(a)(4), from making contributions to a political candidate in excess of \$1,000 per election. The Loose Group, which is not a multi-candidate committee is thus required to observe this \$1,000 limit.

Our records show that the Collins for Congress Committee received \$3,000 from the Loose Group in 1976. In order to correct the violation and pursuant to 11 CFR 110.9(a), the Collins Committee is required to return to the Loose Group the \$2,000 in excess funds.

Within ten days of your receipt of this letter, please advise us of how you propose to return these funds. If you have any questions, please contact Biz Van Gelder, the attorney assigned to this matter (202-523-4175).

Sincerely yours,

A handwritten signature in cursive script, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker
General Counsel





FEDERAL ELECTION COMMISSION

1225 K STREET, N.W.
WASHINGTON, D.C. 20543

November 16, 1977

Mr. Timothy Perry
Alston, Miller, & Gaines
C & S National Bank Building
35 Broad Street
Atlanta, Georgia 30303

Re: MUR 403 (77)

Dear Mr. Perry:

Enclosed is a copy of the conciliation agreement signed by all parties. This copy is to keep for your records. When the Commission is in receipt of the Loose Group's check for \$500 (made payable to the United States Treasurer), the matter will officially be closed.

Thank you for your cooperation on this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "William C. Oldaker".

William C. Oldaker
General Counsel

Enclosure



FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

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FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

<u>DATE</u>	<u>CANDIDATE OR PRINCIPAL CAMPAIGN COMMITTEE</u>	<u>AMOUNT</u>
Aug 10	Billy Adams for Congress Committee	\$ 3,000
Aug 10	Newt Gingrich for Congress Committee	3,000
Sep 7	Ed Gadrix for Congress Committee	2,000
Sep 7	Quincy Collins for Congress Committee	3,000
Oct 28	Ed Gadrix for Congress Committee	1,000
Oct 28	Newt Gingrich for Congress Committee	1,000
	<u>TOTAL</u>	<u>\$13,000</u>

WHEREFORE, THE RESPONDENTS AGREE:

1. That the respondent's contributions violated the contribution limitations of 2 U.S.C. §441a(a);

2. That the respondents at all times will adhere to the requirements of the Federal Election Campaign Act of 1971, as amended;

3. That the respondents will pay a civil penalty in the amount of Five Hundred (\$500.00) Dollars pursuant to 2 U.S.C. §437g(a)(6)(B).

GENERAL CONDITIONS:

A. That the Federal Election Commission retain jurisdiction over this matter for three (3) years subsequent to the general election of November 2, 1976, to assure compliance with the Act. 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.

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this agreement shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this agreement.

C. It is mutually agreed that this agreement*shall become effective as of the date that all parties have executed same and the Commission has approved the entire agreement. This agreement made and entered into this 16th day of November 1977.

DATE: 11/16/77

William C. Oldaker
WILLIAM C. OLDAKER,
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C.

DATE: 9/30/77

Thomas H. Patton
THOMAS H. PATTON,
Treasurer
The Loose Group
Post Office Box 276
Doraville, Georgia 30362

* and the statements contained herein

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
The Loose Group)

MUR 403 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 2, 1977, the Commission determined by a vote of 6-0 to find Reasonable Cause to Believe that the Loose Group violated the contribution limitations of 2 U.S.C. Section 441a(a) and accept and ratify the conciliation agreement as recommended in the report from the General Counsel on the above-captioned matter.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)
)

MUR 403 (77)

The Loose Group

October 20, 1977

GENERAL COUNSEL'S REPORT

INTRODUCTION:

On August 8, 1977, the Federal Election Commission determined there was Reason to Believe that the Loose Group had violated 2 U.S.C. §441a (a) by contributing in excess of \$1,000 to each of four Federal candidates.

The Loose Group is a non-partisan quasi-political club comprised of approximately 26 Atlanta-area businessmen who share a common business and governmental philosophy and who financially support Federal and state candidates who mirror their views. They contribute to the Group on a regular basis and have informal meetings to discuss issues and ideas.

EVIDENCE:

The Loose Group registered with the Comptroller General as a political committee in December 19, 1972. A review of the year-end-reports submitted to the Commission by the Loose Group reveals that individual contributions to the Group averaged between \$0 and \$900 during 1976, (see Schedule A).¹

¹ As Schedule A illustrates, the Loose Group lists all its members whether or not they contribute during the reporting period.

Since the Group does not fulfill the definition of a multi-candidate committee,^{2/} the Loose Group is relegated to making expenditures of \$1,000 or less to any Federal candidate it endorses.

During calendar year 1976, the Group listed contributions in excess of \$1,000 to the following Federal candidates:

<u>NAME OF CANDIDATE-COMMITTEE</u>	<u>TOTAL CONTRIBUTIONS</u>
Billie Adams for Congress Committee.	\$3,000
Newt Gingrich for Congress Committee	\$4,000
Ed Gafrix for Congress Committee	\$3,000
Quincy Collins for Congress Committee	\$3,000

Therefore, the Group contributed \$9,000 in excess of the contribution limits set forth in 2 U.S.C. §441a(a).

DEVELOPMENT OF THE MATTER:

The Loose Group was originally notified of the violation by the Disclosure Division in November of 1976 and from that date on, they showed a consistent willingness to cooperate and conciliate. At that time, the Group retained counsel to represent them. Numerous telephone conversations occurred between the Disclosure Division and counsel for the Loose Group resulting in an eventual referral to the Office of the General Counsel.

^{2/} 2 U.S.C. §441a(a)(4) defines multi-candidate political committee as, "a political committee which has been registered under Section 433 for a period of not less than 6 months, which has received contributions from more than 50 persons and, except for any State political party organization, has made contributions to 5 or more candidates for Federal office."

It has always been the Loose Group's position that the excessive contributions were inadvertent and it argues that it is difficult to remedy a violation where the candidate(s) in question have been defeated and have little or no assets.^{3/}

On August 8, 1977, the Commission approved a draft conciliation agreement with a provision for a \$500 fine. The agreement was sent to Mr. Perry who distributed the agreement to each member of the Loose Group. The Group accepted the terms with a minor caveat.^{4/} (see attachment C)


RECOMMENDATIONS:

The Commission should find Reasonable Cause to Believe that the Loose Group violated the contribution limitations of 2 U.S.C. §441a(a) and accept and ratify the attached conciliation agreement.

DATE: 21 October 1977

Attachments

WILLIAM C. OLDAKER
GENERAL COUNSEL



CHARLES N. STEELE
ASSOCIATE GENERAL COUNSEL

^{3/} There was speculation that representations were made as to the amount of a fine which would be levied against the Loose Group. As the attached memorandum indicates (see Attachment B), notice was given that a fine would be assessed, but no dollar amount was established until the Commission approved the draft.

^{4/} Respondents feared that in the event the Commission did not accept the conciliation agreement, the Loose Group's admission of guilt would be used in a court as admission against interest. They, therefore, added the proviso, "and the statements contained herein" into the General Conditions paragraph C. Since the language of paragraph C implicitly includes that safeguard, the added explicit language does not affect the overall agreement.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

THE HOUSE GROUP

W. H. Smith, Jr.

1111 North Main Street, Atlanta, Georgia 30303

Smith, John, Daniel, Walter,
Atlanta, Georgia

Attorney

W. H. Smith, Jr.

1111 North Main Street, Atlanta, GA 30303

W. H. Smith, Jr.
Atlanta, GA

Attorney

Retal and Transfer for Line Numbers 15, 16, 17 and/or 18 of FEC Form 3

(This space is left blank for the use of the reporting person)

(See Instructions)

(See Instructions)

Name of the organization or committee in full

THE BOARD OF CP

Name of the reporting person

Edward E. Nille

P. O. Box 19451, 3553 Peachtree Rd., NE, Atlanta, GA 30326

Occupation

Executive, Inc.

Atlanta, Georgia

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Name of the reporting person

Edward E. Nille

1111 Peachtree St., NE, Atlanta, GA 30340

Occupation

Executive, Inc.

Atlanta, GA

Signature

President

(See Instructions)

Amount of contribution \$-5,000.00

Date (month, day, year)

10-28-76

Amount of each contribution (in dollars)

150.00

Rebate, and Transfers for Line Numbers 15, 16, 17 and/or 18 of FEC Form 3

(The date is actual date for each
numbered line)

Name of Corporation or Committee in full

THE LOOSE GROUP

Name and address of ZIP code

Robert L. Gargus
1824 Northeast Poplar Way, NE, Atlanta, GA 30329

Date (month,
day, year)

Amount of each
contribution

10-28-76 150.00

Name of contributor

Position

John B. Daniel, Inc.
Atlanta, Georgia

President

10-28-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

10-28-76 150.00

Name and address of ZIP code

William B. Gandy
P.O. Box 1000, Marietta Station, Atlanta, Georgia 30138

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

11-11-76 150.00

Name and address of ZIP code

William B. Gandy Company, NE, Atlanta, Georgia

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

11-11-76 150.00

Name and address of ZIP code

William B. Gandy Company, NE, Atlanta, Georgia

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

11-11-76 150.00

Name and address of ZIP code

William B. Gandy Company, NE, Atlanta, Georgia

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

11-11-76 150.00

Name and address of ZIP code

William B. Gandy Company, NE, Atlanta, Georgia

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

Date (month,
day, year)

Amount of each
contribution

11-11-76 150.00

Name and address of ZIP code

William B. Gandy Company, NE, Atlanta, Georgia

Name of contributor

Position

William B. Gandy Company
Atlanta, Georgia

President

11-11-76 \$150.00

RECEIVED
OFFICE OF GENERAL INVESTIGATIONS
U.S. DEPARTMENT OF JUSTICE

Name of Candidate or Committee in full

THE LOOSE GROUP

For the meeting address and ZIP code

William Alexander
14 Nida Blvd., Smyrna, Georgia 30080

William Alexander
W. D. Alexander Company
Smyrna, Georgia

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

-

-0-

William Alexander
14 Nida Blvd., S.W., Atlanta, GA 30310

William Alexander
W. D. Inc.
Atlanta, Georgia

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

10-25-76

150.00

William Alexander
W. D. Inc.
14 Nida Blvd., S.W., Atlanta, GA 30310

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

William Alexander
W. D. Inc.
Atlanta, GA

President
10-25-76

Date (month, day, year)

Amount of each receipt for period

11-11-76

10.00

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

• • • • •

As a result of the conversation it was agreed that he will see Mr. Perry would again discuss the matter with his clients and would try to obtain their permission to go directly on to the consular office. If he receives their permission, he will write shortly and include all pertinent references. I will then endeavor to learn from Consul General at New Orleans would find acceptable. I will then write Mr. Perry and Mr. Perry appeared to be satisfied with the arrangement. The following day, 25th, Mr. Perry called on me and told me that he had been out in the morning and had been in the office and had just received a letter from the consular office and that he had been told that the consular office would not be able to act on the matter at this time.

REGIONAL ELECTION COMMISSION
OFFICIAL FILE COPY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)
)

MUR 403 (77)

The Loose Group

CONCILIATION AGREEMENT

This matter having been initiated by the Respondents, the Loose Group, Post Office Box 276, Doraville, Georgia 30362, desiring voluntary compliance with the Federal Election Campaign Act of 1971, as amended (hereinafter, "the Act") pursuant to 2 U.S.C. §437g(a)(5)(A), and after the Federal Election Commission has found Reason to Believe that the Loose Group violated 2 U.S.C. §431a(a).

NOW, THEREFORE, THE PARTIES HERIN AGREE TO THE FOLLOWING:

1. That the Federal Election Commission, ("the Commission") has jurisdiction over the respondents and the subject matter of this proceeding;

2. That the Loose Group has had a reasonable opportunity to demonstrate that no action should be taken in this matter;

3. That the Loose Group enters voluntarily into this agreement with the Commission;

4. That the pertinent facts in this matter are as follows:

(a) During the calendar year 1976, the Loose Group gave \$13,000 in political contributions to the following named principal campaign committee:

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

<u>DATE</u>	<u>CANDIDATE OR PRINCIPAL CAMPAIGN COMMITTEE</u>	<u>AMOUNT</u>
Aug 10	Billy Adams for Congress Committee	\$ 3,000
Aug 10	Newt Gingrich for Congress Committee	, 3,000
Sep 7	Ed Gairix for Congress Committee	2,000
Sep 7	Quincy Collins for Congress Committee	3,000
Oct 28	Ed Gairix for Congress Committee	1,000
Oct 28	Newt Gingrich for Congress Committee	1,000
	<u>TOTAL</u>	<u>\$13,000</u>

WHEREFORE, THE RESPONDENTS AGREE:

1. That the respondent's contributions violated the contribution limitations of 2 U.S.C. §441a(a);

2. That the respondents at all times will adhere to the requirements of the Federal Election Campaign Act of 1971, as amended;

3. That the respondents will pay a civil penalty in the amount of Five Hundred (\$500.00) Dollars pursuant to 2 U.S.C. §437g(a)(6)(B).

GENERAL CONDITIONS:

A. That the Federal Election Commission retain jurisdiction over this matter for three (3) years subsequent to the general election of November 2, 1976, to assure compliance with the Act. 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.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this agreement shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this agreement.

C. It is mutually agreed that this agreement* shall become effective as of the date that all parties have executed same and the Commission has approved the entire agreement. This agreement made and entered into this
day of _____ 1977.

DATE: _____

WILLIAM C. OLDAKER,
General Counsel
Federal Election Commission
1313 E Street, N.W.
Washington, D.C.

DATE: _____

9/30/77

THOMAS W. PATTON,
Treasurer
The Loose Group
Post Office Box 276
Doraville, Georgia 30362

* This agreement was contained in an

**FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL**

LAW OFFICES

ALSTON, MILLER & GAINES

CITIZENS & SOUTHERN
NATIONAL BANK BUILDING
35 BROAD STREET
ATLANTA, GEORGIA 30303
404 588-0300

14.
1001 M STREET, N.W. SUITE 1000
WASHINGTON, D.C. 20006
202-223-1000

ATLANTA, GEORGIA

October 7, 1977

Ms. Biz Van Gelder
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Re: MUR #403(77)


Dear Biz:

Enclosed please find an executed copy of the proposed Conciliation Agreement with The Loose Group. You will note that the last paragraph of the agreement has been modified as per our conversation to insert the words "and the statements contained herein".

I understand the next step is for the Commission to consider and approve this agreement. After that has happened and we have received an executed copy of the agreement as approved, I will ask The Loose Group to forward directly to you a check in the amount of \$500 made payable to the Federal Election Commission.

Thank you again for your assistance. If there is anything we can do to help move this along please let me know.

Cordially,


TIMOTHY S. PERRY

TSP/jb
Enclosure
cc: Mr. Thomas Patton

LAW OFFICES
ALSTON, MILLER & GAINES

CITIZENS & SOUTHERN
NATIONAL BANK BUILDING
35 BROAD STREET
ATLANTA, GEORGIA 30303
404 588-1111

1800 M STREET, N.W., SUITE 1000
WASHINGTON, D.C. 20036
202-223-1100

ATLANTA, GEORGIA

September 8, 1977

Ms. Biz Van Gelder
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463


Re: MUR #403(77)

Dear Biz:

As I mentioned to you on the phone yesterday, the Loose Group is now circulating to its membership the materials to resolve this matter. We hope to hear back from the members of that organization shortly.

I will contact you as soon as we have received the final decision.

Cordially.


TIMOTHY S. PERRY

TSP/jb

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1200 K STREET NW
WASHINGTON, D.C. 20463

August 11, 1977

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Timothy Perry
ALSTON, MILLER & GAINES
Citizens and Southern National Bank Building
35 Broad Street
Atlanta, Georgia 30303

Re: MUR #403(77)

Dear Mr. Perry:

This is to notify you that the Federal Election Commission has found Reason to Believe that your clients, the Loose Group, have violated the contribution limits of 2 U.S.C. §441a(a). We have numbered this matter MUR #403(77).

Enclosed is a copy of a draft conciliation agreement. Pursuant to 2 U.S.C. §437g(5)(A), the Commission is mandated to enter into informal methods of conference, conciliation, and persuasion in order to reach a final conciliation agreement.

Should you have any questions or suggestions regarding the Commission's draft conciliation agreement, please do not hesitate to contact Ms. Biz Van Gelder, (telephone: 202/523-4175), the attorney assigned to this case, to arrange any future discussions concerning this matter.

Sincerely yours,

A handwritten signature in dark ink, appearing to read "W. C. Oldaker", is written over the typed name.

William C. Oldaker,
General Counsel

WCO:jot

1 Enclosure a/s



PS Form 3811, Mar. 1976

11-463 Van Gelder

● 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:
Timothy Perry
Alston, Miller + Gaines
Citizens + S. Natl. Bank Bldg

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	253-789	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

John W. Barth

DATE OF DELIVERY 8.16.77

POSTMARK

5. ADDRESS (Complete only if requested)
1200 C + S
BANK BUILDING

6. UNABLE TO DELIVER BECAUSE

CLERK'S INITIALS

☆ GOP 1174-O-203-486

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

In the Matter of)
)
The Loose Group)

MUR 403 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 8, 1977, the Commission determined by a vote of 5-0 to find reason to believe that a violation of 2 U.S.C. Section 441a(a) had been committed by the respondent in the above-captioned matter. Commissioner Tiernan was not present at the time of the vote.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
The Loose Group)

MUR 403 (77)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on August 8, 1977, the Commission determined by a vote of 5-0 to find reason to believe that a violation of 2 U.S.C. Section 441a(a) had been committed by the respondent in the above-captioned matter. Commissioner Tiernan was not present at the time of the vote.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1325 K STREET NW
WASHINGTON, DC 20463

August 1, 1977

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS
SUBJECT: MUR 403 (77)

MWE

On July 27, 1977 your office was notified by memorandum that Commissioner Tiernan had objected to MUR 403. Since the meeting date was uncertain at that time no date was given for MUR 403 (77) to be considered by the Commission.

MUR 403 (77) will be placed on the Executive Session agenda for Monday, August 8, 1977.

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION
Washington, D. C.

48 HOUR GENERAL COUNSEL REPORT

MUR NO. 403 (77)

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

DATE COMPLAINT RECEIVED
BY OGC June 27, 1977

ATTORNEY Riz Van Gelder

Complainant's Name: Internally Generated

Respondent's Name: The Loose Group

Relevant Statute: 2 U.S.C. §441a(a)

Internal Reports Checked: Respondent's Federal Agencies Checked None

SUMMARY OF ALLEGATION

The Loose Group has been registered as a political committee since December, 1972. During 1976, it contributed more than \$1,000 to four federal candidates. The Loose Group is not a registered multi-candidate committee, nor does it fulfill the requirements of one (it only has 20-26 members). Therefore, the Loose Group's contributions to these candidates is in violation of 2 U.S.C. §441a(a)'s contribution limitation.

PRELIMINARY LEGAL ANALYSIS

During 1976, the Loose Group contributed \$3,000 to the Billie Adams for Congress Committee; \$4,000 to the Newt Gingrich for Congress Committee; \$3,000 to the Ed Gadrax for Congress Committee; and \$3,000 to the Quincy Collins for Congress Committee. The Loose Group, not being a registered multicandidate committee is therefore in violation of 2 U.S.C. §441a(a) by making \$9,000 in excessive contributions. Informal conversations between counsel for the Loose Group and this office reveal a willingness on the part of the Loose Group to enter into conciliation for what, they believe, is a negligent violation of the Act.

RECOMMENDATION

Find Reason to Believe, and Reasonable Cause to Believe; enter into Conciliation and send attached letter.

Date of Next Commission Review:

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Timothy Perry
ALSTON, MILLER & GAINES
Citizens and Southern National Bank Building
35 Broad Street
Atlanta, Georgia 30303

Re: MUR #403(77)

Dear Mr. Perry:

This is to notify you that the Federal Election Commission has found Reason to Believe that your clients, the Loose Group, have violated the contribution limits of 2 U.S.C. §441a(a). We have numbered this matter MUR #403(77).

Enclosed is a copy of a draft conciliation agreement. Pursuant to 2 U.S.C. §437g(5)(A), the Commission is mandated to enter into informal methods of conference, conciliation, and persuasion in order to reach a final conciliation agreement.

Should you have any questions or suggestions regarding the Commission's draft conciliation agreement, please do not hesitate to contact Ms. Biz Van Gelder, (telephone: 202/523-4175), the attorney assigned to this case, to arrange any future discussions concerning this matter.

Sincerely yours,

William C. Oldaker,
General Counsel

WCO:jet

1 Enclosure a/s



FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE OF GENERAL COUNSEL

In the Matter of

The Loose Group

MUR 403 (77)

CONCILIATION AGREEMENT

This matter having been initiated by the Respondents, the Loose Group, Post Office Box 276, Doraville, Georgia 30362, desiring voluntary compliance with the Federal Election Campaign Act of 1971, as amended (hereinafter, "the Act") pursuant to 2 U.S.C. §437g(a)(5)(A), and after the Federal Election Commission has found Reason to Believe that the Loose Group violated 2 U.S.C. §431a(a).

NOW, THEREFORE, THE PARTIES HEREIN AGREE TO THE FOLLOWING:

1. That the Federal Election Commission, ("the Commission") has jurisdiction over the respondents and the subject matter of this proceeding;

2. That the Loose Group has had a reasonable opportunity to demonstrate that no action should be taken in this matter;

3. That the Loose Group enters voluntarily into this agreement with the Commission;

4. That the pertinent facts in this matter are as follows:

(a) During the calendar year 1976, the Loose Group gave \$13,000 in political contributions to the following named candidates/principal campaign committee:

**FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL**

<u>DATE</u>	<u>CANDIDATE OR PRINCIPAL CAMPAIGN COMMITTEE</u>	<u>AMOUNT</u>
Aug 10	Billy Adams for Congress Committee	\$ 3,000
Aug 10	Newt Gingrich for Congress Committee	3,000
Sep 7	Ed Gadrix for Congress Committee	2,000
Sep 7	Quincy Collins for Congress Committee	3,000
Oct 28	Ed Gadrix for Congress Committee	1,000
Oct 28	Newt Gingrich for Congress Committee	1,000
	<u>TOTAL</u>	<u>\$13,000</u>

WHEREFORE, THE RESPONDENTS AGREE:

1. That the respondent's contributions violated the contribution limitations of 2 U.S.C. §441a(a);

2. That the respondents at all times will adhere to the requirements of the Federal Election Campaign Act of 1971, as amended;

3. That the respondents will pay a civil penalty in the amount of Five Hundred (\$500.00) Dollars pursuant to 2 U.S.C. §437g(a)(6)(B).

GENERAL CONDITIONS:

A. That the Federal Election Commission retain jurisdiction over this matter for three (3) years subsequent to the general election of November 2, 1976, to assure compliance with the Act. 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.

B. It is further agreed that this Conciliation Agreement is entered into in accordance with 2 U.S.C. §437g(a)(5)(A), and that this agreement shall constitute a complete bar to any further action by the Commission with regard to the matter set forth in this agreement.

C. It is mutually agreed that this agreement shall become effective as of the date that all parties have executed same and the Commission has approved the entire agreement. This agreement made and entered into this
day of 1977.

DATE: _____

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

DATE: _____

THOMAS E. PATTON,
Treasurer
The Loose Group
Post Office Box 276
Doraville, Georgia 30362

FEDERAL ELECTION COMMISSION
OFFICIAL FILE
OFFICE OF FEDERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

July 27, 1977

MEMORANDUM TO: CHARLES STEELE
FROM: MARJORIE W. EMMONS *pure*
SUBJECT: MUR 403 (77)

The above-mentioned document was transmitted to the Commissioners on July 26, 1977 at 12:30 p.m.

Commissioner Tiernan has objected for the reasons listed on the copy of his circulation sheet.

Since there is a possibility that the Commission Meetings scheduled for next week may be cancelled, your office will be informed as to the date MUR 403 (77) will be placed on the agenda.





FEDERAL ELECTION COMMISSION

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

DATE AND TIME OF TRANSMITTAL 12:30 JUL 26 1977

Commissioner Thomas G. Lewis

RETURN TO OFFICE OF COMMISSION SECRETARY BY: JULY 27-1230

MUR No. 47-15-104-2

☒ I object to the recommendation in the attached report.

COMMENTS: A question of Compliance Procedure
is raised by truncating RTB, RLTB, and
a Conciliation agreement into a 48 Hour General
Counsel Report.

Date 7/27/77 Signature Robert O. Turnan

OBJECTIONS, SIGNED AND DATED, MUST BE RECEIVED IN THE COMMISSION SECRETARY'S OFFICE NO LATER THAN THE DATE AND TIME SHOWN ABOVE OR THE MATTER WILL BE DEEMED APPROVED. PLEASE RETURN ALL PAPERS TO THE OFFICE OF THE SECRETARY TO THE COMMISSION.

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL



100-682

LAW OFFICES

ALSTON, MILLER & GAINES

CITIZENS & SOUTHERN
NATIONAL BANK BUILDING
35 BROAD STREET
ATLANTA, GEORGIA 30303
4-4 5800 0000

1000 M STREET, N.W. SUITE 1001
WASHINGTON, D.C. 20006
2-2 221 1000

ATLANTA, GEORGIA

June 15, 1977

BY CERTIFIED MAIL

Mr. David L. Anderson, Esquire
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463

Re: The Loose Group - MUR 403
Identification No. C00010793

Dear Dave:

I am writing this letter to you as special counsel for
The Loose Group with regard to the Matter Under Review 403.

This investigation was commenced by letter to Thomas V.
Patton, Treasurer of The Loose Group from Mr. Orlando Potter
dated November 24, 1976 and received November 30, 1976. This
letter had attached to it a portion of The Loose Group's
October 10, 1976 report which disclosed the following contributions:

<u>Candidate Committee</u>	<u>Contribution</u>
Billie Adams for Congress Committee	\$ 3,000
Newt Gingrich for Congress Committee	\$ 3,000
Ed Gadrin for Congress Committee	\$ 2,000
Quincy Collins for Congress Committee	\$ 3,000.

The Loose Group's report for the 30th day following the
general election on November 2, 1976 indicated an additional
contribution by The Loose Group of \$1,000 each to the Ed Gadrin
for Congress Committee and the Newt Gingrich for Congress
Committee (contributions made before receipt of the November 24,
1976 letter from the Federal Election Commission).

Upon receipt of the November 24, 1976 letter, The Loose
Group retained our firm to assist in resolving the questions
raised by that letter. The Loose Group responded

FEDERAL ELECTION COMMISSION
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OFFICE OF GENERAL COUNSEL

Page Two
June 15, 1977
Mr. David L. Anderson, Esquire

that letter and requested that the matter be referred to the Office of General Counsel for conciliation.

With this background in mind and in the interest of expediting conciliation, The Loose Group, without admitting or denying that a violation has in fact occurred, hereby waives the right to require the Commission to establish that it has reason to believe that a violation has occurred and also waives the right to require the Commission to determine there is reasonable cause to believe a violation has occurred, and hereby requests the Office of General Counsel to enter into conciliation negotiations with The Loose Group, all with regard to the possible exceeding of contribution limitations by The Loose Group in its contribution to the four committees mentioned above.

The Loose Group is an organization of twenty to twenty-five business and civic leaders in the Metropolitan Atlanta area. It filed a Registration Form and Statement of Organization for a Committee with the Comptroller General of the United States which was received by him on December 19, 1972. As its name suggests, The Loose Group is not a typical political action committee sponsored by an employer with all of the resources available to that kind of political action committee. Instead, The Loose Group is a loosely structured organization of individuals who have an active and continuing interest in public affairs, both state and federal.

If any violation of federal law has occurred here, it would be a violation of the \$1,000 contribution limit applicable to most political committees other than political committees which qualify as multicandidate political committees (Regulations Section 100.14(a)(3)).

This \$1,000 limitation on contributions is a new aspect of federal law since the establishment of The Loose Group. At the time of the possible violation The Loose Group was not represented by counsel who could have explained the changes in

Page Three

June 15, 1977

Mr. David L. Anderson, Esquire

federal law since its inception and made sense of the sometimes bewildering complexity in this area.

The possible violation is certainly an innocent one. There has been no concealment. The possible violation appears routinely upon properly filed reports of The Loose Group. The response of The Loose Group to inquiries has been prompt and complete.

In short, the possible violation would be the result of a simple misunderstanding of the definition of "multicandidate political committee" arising from the fact that a literal reading of that phrase would justify a layman's reasonable interpretation that any political committee making contributions to many candidates was entitled to a \$5,000 limitation.

This kind of innocent possible violation is difficult to remedy where the candidates in question have been defeated and have remaining campaign debts. It is my understanding that even if The Loose Group could obtain a refund of the possible excess contributions, the Commission would nevertheless require a conciliation agreement. Certainly The Loose Group is willing to seek refunds from these candidates if the Commission considers that course to be advisable.

It is my hope that The Loose Group and the Commission can enter into a conciliation agreement, based upon affidavits of fact if these are required, providing that The Loose Group will not in the future contribute in excess of \$1,000 to any candidate for federal office with regard to any election unless The Loose Group qualifies as a multicandidate political committee.

It is my understanding that even in the context of a perfectly innocent violation of the statute, the Commission has nevertheless followed a practice of fining potential violators. Though I do not believe this possible violation warrants or deserves such sanctions, The Loose Group would be willing, if required, to pay a civil fine in the range of \$100.00 to demonstrate

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OFFICE OF GENERAL COUNSEL

ALSTON, MILLER & GAINES

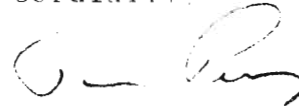
Page Four
June 15, 1977
Mr. David L. Anderson, Esquire

its awareness of the importance to comply with federal statutes in this area.

It is my hope that we can reach an agreement on conciliation within this general framework without the need for extensive negotiation. In particular, I hope we can avoid the need for a conference in Washington, D. C. with the attendant expenses, and can simply work out this conciliation agreement by correspondence or telephone.

We appreciate your assistance and look forward to your response.

Cordially,



TIMOTHY S. PERRY

TSP/jb
cc: Mr. Thomas V. Patton
The Loose Group
P. O. Box 276
Doraville, Georgia 30362

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

LAW OFFICES
ALSTON, MILLER & GAINES

CITIZENS & SOUTHERN
NATIONAL BANK BUILDING
38 BROAD STREET
ATLANTA, GEORGIA 30303
404-588-0300

FEDERAL ELECTION COMMISSION
1800 M STREET, N.W., SUITE 1000
WASHINGTON, D. C. 20036
77 JAN 14 1977 4:16

ATLANTA, GEORGIA

January 13, 1977

Mr. Steve Mims
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: RADO126SM

Dear Steve:

I hope you have had a chance to talk with the office of General Counsel to see if they can assign a staff member to assist us in analyzing the situation presented in our previous correspondence. We are eager to resolve this question promptly.

Give me a call if we can be of any further help.

Cordially,



TIMOTHY S. PERRY

TSP/pmd

cc: Marie B. Haygood

FEDERAL ELECTION COMMISSION
JAN 14 1977

LAW OFFICES
ALSTON, MILLER & GAINES

CITIZENS & SOUTHERN
NATIONAL BANK BUILDING
35 BROAD STREET
ATLANTA, GEORGIA 30303
404-588-0300

1800 M STREET, N.W., SUITE 1000
WASHINGTON, D. C. 20036
202-223-1300

17 JAN 4 10:09

ATLANTA, GEORGIA

December 20, 1976

Mr. Steve Mims
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: RAD0126SM

Dear Steve:

I appreciated the chance to talk with you about the inquiry made into the reports by The Loose Group which we now represent in connection with your inquiry.

As we discussed by phone, I have asked our client to gather materials necessary to prepare a summary of facts for discussion with representatives of the Commission. It is my understanding that a member of the General Counsel's staff will be assigned to this inquiry shortly so that we may proceed with analyzing the situation.

If a violation has occurred, I am certain that it is an inadvertent, innocent one. We hope that the resolution of this problem can be addressed in a practical fashion and in context.

I wish to thank you and your associates for your cooperation and understanding.

Cordially,



TIMOTHY S. PERRY

TSP/pmd
CERTIFIED MAIL - RETURN RECEIPT

cc: Marie B. Haygood

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

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

December 15, 1976

MEMORANDUM FOR: BILL OLDAKER

THROUGH: NANCY DAVIS *ND* / AL KEEMA *AK*

FROM: STEVE MIMS *SM*

SUBJECT: THE LOOSE GROUP / RAS #17-76

RAS currently has an outstanding surface violation on this above committee concerning excessive contributions made by them to Federal candidates. It appears that the committee registered prior to 1974, but that they have supported only four Federal candidates and received contributions from only about 35 individuals. In speaking with the committee's attorney, Mr. Tim Perry (404-588-0300), this analysis of the committee's multicandidate status is upheld.

The question at this point seems to be what the committee should do to comply with the Act. It appears that there is little possibility of the committee being successful in obtaining refunds of the excessive contributions from the candidates involved since they lost the election and have no money left. Mr. Perry needs assistance from OGC in determining the Commission's position for conciliation. I advised him that someone from OGC would be in contact with him concerning the matter. I do not know whether or not you may wish for the matter to get into the "Reasonable Cause To Believe" stage before you make any further decisions on this matter.

Please advise us as soon as possible of your determination of this matter.



TRANSMITTALS TO WORD PROCESSING

2nd Notice, Surface Violations

NO RESPONSE

Appendix XIII

Report of Receipts and Expenditures

TO: T. V. Patton
(full name of treasurer)
The Loose Group
(full name of committee)
P. O. Box 276
(address)
Doraville, Georgia 30081
(city, state, zip)
DATE FIRST LETTER WAS SENT: November 24, 1976
TYPE OF REPORT: October 10 Quarterly
SECTION IN VIOLATION: 434
NAME OF ANALYST HANDLING THE VIOLATION: Steve Mims
IN REPLY PLEASE REFER TO RAO 0126SM

CODED BY RJE/D
DATE 12/14/76

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
U.S. DEPARTMENT OF JUSTICE



FEDERAL ELECTION COMMISSION

1100 K STREET, N.W.
WASHINGTON, D.C. 20463

12/9/76
T.2/ocom

November 24, 1976

T. V. Patton, Treasurer
The Loose Group
Post Office Box 276
Doraville, Georgia 30081

Dear Mr. Patton:

This letter is prompted by the Commission's interest in assisting candidates and committees who wish to comply with the Federal Election Campaign Act, as amended. This law has, as you know, many and sometimes complex provisions. One such provision precludes individuals and political committees, other than qualified multicandidate political committees, from making political contributions to a candidate for Federal office in excess of \$1,000 per election. The Act defines a multicandidate committee as one which has been registered with the Commission for a period of not less than six months; has received contributions from more than fifty persons; and has made contributions to five or more candidates for Federal office.

During the review of the October 10 Quarterly Report of Receipts and Expenditures filed with the Federal Election Commission, we noticed an entry indicating that you may have made a contribution which exceeds the limits noted above. A copy of that portion of your report is attached so that a review of your records can be made.

If you find that the entry in question is incomplete or incorrect, please submit a statement which would clarify this particular matter for the public record. You may do so by amending your original report by letter.

If you find that your contribution was in excess of the limits set forth in the Act, the Commission recommends that you notify the recipient and request a refund of the amount in excess of \$1,000. This return should be reported immediately by letter and should be reflected as a refund on your next report of receipts and expenditures.

Please notify the Commission within ten (10) days of receipt of this letter of the determination made on this matter. If you have any questions, please do not hesitate to contact Steve Mims (202/382-3484) our reports analyst assigned to you.

Sincerely,

Orlando B. Potter

Orlando B. Potter
Staff Director

OFFICE OF GENERAL COUNSEL



Enclosure
Return Receipt
Requested: Certified

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY

Itemized Expenditures

Campaign Fundraising, Loans, and Transfers for Lines 20, 21, 22, and/or 23 of FEC Form 3

(see instructions on back)

Page 1 of 1 for

LINE NUMBER 23(b)

(Use separate schedule(s) for each numbered line).

Name of Candidate or Committee in full

THE LOOSE GROUP

Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
BILLY ADAMS FOR CONGRESS COMMITTEE c/o Timothy K. Adams, Finance Chrm. First National Bank Bldg. Macon, Georgia 31201	Transfer of funds to another Committee	8/10/76	3,000.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
NEWT GINGRICH FOR CONGRESS COMMITTEE 3450 International Blvd.- Room 209 Hapeville, Georgia 30354	Transfer of funds to another Committee	8/10/76	3,000.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
ED GADRIX FOR CONGRESS COMMITTEE Suite 600 - 3300 Buckeye Road Atlanta, Georgia 30341	Transfer of funds to another Committee	9/7/76	2,000.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
QUINCY COLLINS FOR CONGRESS COMMITTEE P. O. Box 1068 Smyrna, Georgia 30081	Transfer of funds to another Committee	9/7/76	3,000.00
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period
Full Name, mailing address and ZIP code	Purpose of Expenditure	Date (month, day, year)	Amount of each expenditure this period

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OFFICE OF GENERAL COUNSEL

Subtotal of expenditures this page (optional) \$ 11,000.00

Total of expenditures for this schedule \$ 11,000.00



Telegram

LLC102 WAC158(1537)(2-033898E343)PD 12/08/76 1537:45
ICS IPMMTZZ CSP 76 DEC 9 AM 11:20
4044577271 TDMT DORAVILLE GA 51 12-08 0337P EST
PMS ORLANDO B POTTER FEDERAL ELECTION COMMISSION, DELIVER
1325 K ST NORTHWEST
WASHINGTON DC 20463
DUPE OF TELEPHONED TELEGRAM
2-011395E343 47 12-08 1031A EST

THIS ACKNOWLEDGES YOUR LETTER NOVEMBER 24 1976 REFERENCE RADO
126SM-JUST BROUGHT TO MY ATTENTION. THIS MATTER HAS BEEN FORWARDED
OUR ATTORNEYS FOR RECOMMENDATIONS REGARDING OUR COMPLIANCE. THIS IS
TO REQUEST AN EXTENSION OF 30 DAYS TO ADVISE YOU OF OUR CONCLUSIONS
REGARDING THIS QUESTION

I V PATTON TREASURER THE LOOSE GROUP

8F-1201 (RS-69)

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

1155 E STREET NW
WASHINGTON, DC 20463

THIS IS THE END OF MUR # 403

