



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 852

Date Filmed 1/11/79 Camera No. --- 2

Cameraman BPC



FEDERAL ELECTION COMMISSION

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

December 8, 1978

J.H. Creekmore, President
Houston Endowment, Inc.
801 Texas Avenue
Houston, Texas 77002

Re: MUR 852(78)

Dear Mr. Creekmore:

I am forwarding for your information the enclosed complaint which was received by the Commission.

The Commission has determined that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission intends to close its file on this matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over the word "Sincerely,".

William C. Oldaker
General Counsel

Enclosure

Complaint



FEDERAL ELECTION COMMISSION

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

December 8, 1978

Robert L. Hutchings
201 Wilcrest #1407
Houston, Texas 77042

Re: MUR 852

Dear Mr. Hutchings:

The Federal Election Commission has reviewed the allegations of your complaints dated November 6, and November 9 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 852(78).

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over a large, stylized circular flourish.

William C. Oldaker
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Houston Chronicle Publishing) MUR 852
Company)
Houston Endowment Incorporated)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 5, 1978, the Commission determined by a vote of 6-0 to adopt the following recommendations, as set forth in the First General Counsel's Report dated December 1, 1978, regarding the above-captioned matter:

1. Find no reason to believe respondents have violated the Act.
2. Close the file.
3. Send the letters attached to the above-named report.

Attest:

12/5/78

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 12-1-78, 10:27
Circulated on 48 hour vote basis: 12-1-78, 2:30

December 1, 1978

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Carr
SUBJECT: MUR 852

Please have the attached First General Counsel's
Report on MUR 852 distributed to the Commission on a
48 hour tally basis.

Thank you.

79040083094

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION

DEC 1 1978

NOV 31 AIO: 27
MUR # 852

DATE COMPLAINT RECEIVED
BY OGC 11/13/78, 11/14/78

STAFF MEMBER Tarrant

COMPLAINANT'S NAME: Robert L. Hutchings

RESPONDENT'S NAME: Houston Chronicle Publishing Company
Houston Endowment Incorporated

RELEVANT STATUTE: 2 U.S.C. §431(f)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

Robert L. Hutchings, defeated Democratic nominee to the U.S. Congress from District Seven, Texas, submitted two notarized complaints dated November 6, 1978 and November 9, 1978 respectively. He alleges that the Houston Chronicle Publishing Company and Houston Endowment Incorporated violated 11 C.F.R. 114.2(b) by issuing to the general public two communications expressly advocating the re-election of Bill Archer as Representative for U.S. Congressional District Seven. These communications, according to the complainant, are prohibited expenditures. The complainant adds that these communications did not clearly or conspicuously state whether or not they were authorized by Bill Archer, nor do they state the name of the person who made or financed the expenditures for these communications which, according to the complainant, constitutes a violation of 11 C.F.R. 110.11(a).

PRELIMINARY ANALYSIS

Section 431(f)(4)(A) of the Act excludes from the definition of expenditure, "Any news story, commentary or editorial distributed through the facilities of any ...newspaper, ... unless such facilities are owned or controlled by any political party, political committee, or candidate."

Since the complainant does not include in his complaints any allegations as to the political ownership or control by the Houston Chronicle Publishing Company, nor is there any other indication that such ownership or control exists, and the communications in question are clearly of an editorial nature, they cannot be considered expenditures under the Act.

Therefore, 2 U.S.C. 441b (see also 11 C.F.R. 114.2(b)) prohibiting corporate contributions does not apply. Accordingly, a statement as to who authorized and financed these communications, as required in 2 U.S.C. 441d (see also 11 C.F.R. 110.11(a)) would not be needed.

RECOMMENDATIONS

1. Find no reason to believe respondents have violated the Act;
2. Close the file;
3. Send the attached letters.

ATTACHMENTS:

1. Complaints (2)
2. Proposed letters

Robert L. Hutchings

Democratic Nominee
District 7, Texas
201 Wilcrest #1407
Houston, Texas 77042
783-6864 / 472-2463

CX 5585
Congress of the United States

House of Representatives
Washington, D.C.

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

NOV 13 P2:55

307308

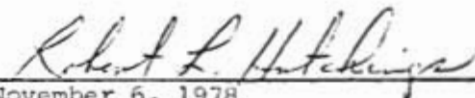
Attachment 1

I, Robert L. Hutchings, Democratic Party nominee to the United States House of Representatives from District Seven, Texas, do complain that the Houston Chronicle Publishing Company, Houston Endowment Incorporated, and the editorial staff of the Houston Chronicle (Chronicle) with offices at 801 Texas Avenue, Houston, Texas 77002 violated the Federal Election Campaign Act of 1971 as amended.

Specifically, on Thursday, November 2, 1978 the Chronicle issued to the general public a communication expressly advocating the re-election of Bill Archer as Representative for U.S. Congressional District Seven. I complain that this communication is a prohibited expenditure under FEC Regulation 114.2(b).

In addition this communication does not clearly or conspicuously state whether or not it was authorized by Bill Archer, Republican Party nominee. And it does not state the name of the person who made or financed the expenditure for the communication which constitutes a violation of FEC Regulation 110.11(a).


Enclosed is a copy of this communication.

7 3 0 4 0 7 3 : 0 7

November 6, 1978

State of Texas
County of Harris

I, Eva Henry, a Notary Public, do hereby certify that on this Sixth day of November, 1978, personally appeared before me, Robert L. Hutchings, who being by me first duly sworn, severally declared that he is the person who signed the foregoing document as complainant.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.


Notary Public in and for
Harris County, Texas

My commission expires: 5-19-79

Bill Archer for Congress

U.S. Rep. Bill Archer of Houston has served well the interests of the state of Texas and the people of Congressional District 7 in west Harris County since taking office in 1971.

He has consistently fought for fair taxation, a reasonable energy program that addresses the needs of this country without penalizing the people of Texas, a balanced federal budget, fiscal responsibility on the part of Congress and a cutback in costly and time-consuming federal regulation and paperwork.

Rep. Archer has served on the Republican Task Force on Energy and Resources, House Ways and Means Committee, Social Security

and trade subcommittees, as chairman of the Republican Study Committee Task Force on Regulatory Reform and as official congressional trade adviser.

A Houston native and an Air Force veteran of the Korean War, he holds bachelor's and law degrees from the University of Texas. He has been a businessman and banker here and served this area four years in the Texas House of Representatives.

Rep. Archer has provided the sort of responsible congressional leadership this country so badly needs. The Chronicle urges his re-election as representative for Congressional District 7 in Tuesday's general election.

Robert L. Hutchings
Democratic Nominee
District 7, Texas
201 Wilcrest #1407
Houston, Texas 77042
781-6864 / 472-2461

Congress of the United States

House of Representatives
Washington, D.C.

5588

NOV 14 AM 11:22

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

667020

I, Robert L. Hutchings, Democratic Party nominee to the United States House of Representatives from District Seven, Texas, do complain that the Houston Chronicle Publishing Company and Houston Endowment Incorporated (Chronicle) with offices at 801 Texas Avenue, Houston, Texas 77002, violated the Federal Election Campaign Act of 1971 as amended.

Specifically, on Monday, November 6, 1978 the Chronicle issued to the general public a communication expressly advocating the election of Bill Archer as Representative for U.S. Congressional District Seven. I complain that this communication is a prohibited expenditure under FEC Regulation 114.2(b).

In addition this communication does not clearly or conspicuously state whether or not it was authorized by Bill Archer, Republican Party nominee. And it does not state the name of the person who made or financed the expenditure for the communication which constitutes a violation of FEC Regulation 110.11(a).

Enclosed is a copy of this communication.

Robert L. Hutchings
November 9, 1978

State of Texas
County of Harris

I, Eva Henry, a Notary Public, do hereby certify that on this Ninth Day of November, 1978, personally appeared before me, Robert L. Hutchings, who being by me first duly sworn, severally declared that he is the person who signed the foregoing document as complainant.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

[Signature]
Notary Public in and for
Harris County, Texas

My commission expires: 5-19-79

The Chronicle recommends

Polls in the general election Tuesday open at 7 a.m. and close at 7 p.m. The Chronicle urges all voters to cast their ballots.

The Chronicle recommends the following candidates (D : Democrat; R is Republican):

For U.S. senator: **John Tower, R.**
For U.S. representative, Dist. 7: **Bill Archer, R.**
For U.S. representative, Dist. 22: **Bob Gammage, D.**
For governor: **John Hill, D.**
For attorney general: **Mark White, D.**
For railroad commissioner: **John H. Poerner, D.**
For state representative, Dist. 82: **John Whitmire, D.**
For state representative, Dist. 83: **Chase Untermeyer, R.**
For state representative, Dist. 90: **Brad Wright, R.**
For state representative, Dist. 100: **Bill Caraway, D.**
For judge, 263rd judicial district: **Charles J. Hearn, D.**
For county judge: **Jon Lindsay, R.**
For district clerk: **Ray Hardy, D.**
For county clerk: **Anita Rodeheaver, D.**
For county treasurer: **Henry Kriegel, R.**
For county commissioner, Pct. 4: **E. A. "Squatty" Lyons, D.**

On the proposed constitutional amendments, the Chronicle recommends voting **FOR** the Tax Relief Amendment, **AGAINST** Amendments No. 1, 2 and 3, and **FOR** the remaining amendments, 4 through 8.

7 0 0 3 0 3 3 1 0 1

Houston Chronicle

AND HERALD

J. H. CREEKMORE, President, Houston Enrichment Inc., Publisher
JESSE H. JONES, Publisher 1926-1954
RICHARD J. V. JOHNSON, President

J. A. JOHNSTON, Vice President
Sales and Marketing
G. E. McDAVID, Vice President
Operations
W. J. BURTON, Secretary-Treasurer
AUGUST GALIANO, Research Manager
CHARLES HAMMANN
Circulation Director
ROBERT L. HOLT, Marketing Director
D. E. NISSELY, Production Manager
D. F. WHITMIRE, Employee Relations
Director
R. W. YOUNG, S. DOD, Controller
VERN ZASLOWA, Advertising Director

EVERETTO COLLIER, Vice President
and Editor
PHILIP G. WARNER, Assistant
Editor
DON PICKELS, Managing Editor
LES BENNETT, Senior Associate Editor
HUGH POWERS, Associate Editor
DORIS COBB, Executive Managing
Editor-News
CHARLES MURRAY, Assistant Managing
Editor-Production
JACK LOFTIS, Assistant Managing
Editor-Features
FERNANDO DOVALINA, News Editor
BOB TUTT, City Editor

"Mass Classified" 224-6666—Circulation Service: 225-7211—Other Depts. 225-7171

Washington Bureau—Suite 320, 1750 Pennsylvania Ave., N.W.

McMAN BAXTER, Chief of Bureau

JACK CLELAND, CRAIG HINES, JUDY WEISLER, Correspondents

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FEDERAL ELECTION COMMISSION

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

Robert L. Hutchings
201 Wilcrest #1407
Houston, Texas 77042

Re: MUR 852

Dear Mr. Hutchings:

The Federal Election Commission has reviewed the allegations of your complaints dated November 6, and November 9 and determined that on the basis of the information provided in your complaint, there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended, ("the Act") has been committed.

Accordingly, upon my recommendation the Commission has decided to close the file in this matter.

Should additional information come to your attention which you believe establishes a violation of the Act, please contact me. The file reference number for this matter is MUR 852(78).

Sincerely,

William C. Oldaker
General Counsel

70040083102



FEDERAL ELECTION COMMISSION

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

J.H. Creekmore, President
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801 Texas Avenue
Houston, Texas 77002

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William C. Oldaker
General Counsel

Enclosure

Complaint

Robert L. Hutchings

Democratic Nominee
District 7, Texas

201 Wilcrest #1407
Houston, Texas 77042
783-6864 / 472-2461

Congress of the United States

House of Representatives
Washington, D.C.

November 17, 1978

BCC#
5646

18 NOV 20 AM 2:09

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

807928

Dear Sir:

Attached is a copy of a complaint dated November 6, 1978 which was sent certified mail (877136) to the General Counsel on November 6. The return receipt has not been received. Please determine if this complaint was received by your office and notify me if it was not.

A similar complaint was mailed on November 9. Therefore, I should have two complaints against the Houston Chronicle on file with you.

Thank you for your assistance.

Sincerely yours,



FEDERAL ELECTION COMMISSION

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

No. 877136
RECEIPT FOR CERTIFIED MAIL
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NOT FOR INTERNATIONAL MAIL
(Block for meter)

General Federal Election Comm.
1325 K St. N.W.
Washington, D.C. 20463

POSTAGE	\$ 15
CERTIFIED MAIL	80
OPTIONAL SERVICES	
REGISTERED MAIL	
RETURN RECEIPT SERVICE	15
INSURANCE	
POSTNET	
POSTMASTER'S OFFICE	
TOTAL POSTAGE	\$1.40

POSTMARK: NOV 9 1978

PS Form 3800, Apr. 1976



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

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

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November 6, 1978

State of Texas
County of Harris

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IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

Eva Henry
Notary Public in and for
Harris County, Texas

My commission expires: 5-19-79

same type of problems many other metropolitan areas have, there is sometimes a tendency to forget that the same forces which cause the problems are at work here as elsewhere. There is growth and growth by practical definition involves expansion. The expanded area here, however, generally becomes part of the city and thus the city does not decline. Such is not the case with the schools since the expansion is necessarily into areas in which there have been established school districts for decades. There is nothing strange about the situation of the schools: it just becomes more noticeable in contrast to the city's situation.

On the other hand, taxpayers in the Houston school district may find it somewhat strange that the district's spending does not decrease. It would seem reasonable to assume that as enrollment continues to decline,

circumstances are not normal, however, and this needs to be taken into consideration to prevent an oversimplification of the district's problems.

The district operates under desegregation edicts which can be quite costly and can become increasingly so as it tends to a larger proportion of minority enrollment. Regulatory mandates other than for desegregation have become a major financial factor and some of them fall heavier on an inner city type school district.

The district needs to put forth every effort under its control to achieve some rational relationship between enrollment and spending. Realistically — and unfortunately — it is probable that factors beyond its control will continue to face taxpayers with the contradiction of declining enrollment without commensurate decline in spending.

Thomson Nov. 2

Bill Archer for Congress

U.S. Rep. Bill Archer of Houston has served well the interests of the state of Texas and the people of Congressional District 7 in west Harris County since taking office in 1971.

He has consistently fought for fair taxation, a reasonable energy program that addresses the needs of this country without penalizing the people of Texas, a balanced federal budget, fiscal responsibility on the part of Congress and a cutback in costly and time-consuming federal regulation and paperwork.

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and trade subcommittees, as chairman of the Republican Study Committee Task Force on Regulatory Reform and as official congressional trade adviser.

A Houston native and an Air Force veteran of the Korean War, he holds bachelor's and law degrees from the University of Texas. He has been a businessman and banker here and served this area four years in the Texas House of Representatives.

Rep. Archer has provided the sort of responsible congressional leadership this country so badly needs. The Chronicle urges his re-election as representative for Congressional District 7 in Tuesday's general election.

Starting from behind

If Houston freeways give the impres-

that 72 percent of Houston commuters drive with no passengers. In percent

voters went to the polls, but now two-thirds of them won't. And the paradox of this, he thinks, is that most of the non-voters are likely to be among the people who are hit hardest by the rising inflation.

Many explanations are given for this declining interest in the vote, none of them very encouraging to believers in the democratic process. For example:

- The issues up for decision, it is said, are highly complicated and confusing to the average voter these days — inflation, the declining value of the dollar, alarming budget and trade deficits — all things that seem beyond control of the individual citizen.

- In the last generation, and especially since Vietnam and Watergate, there has been a growing cynicism about political leadership — "what difference does it make?" — a blurring of party philosophies and therefore a decline in party loyalty.

- Perhaps more important, with the pressure of inflation, rising interest rates and prices for food, shelter and education, concern for private economic and personal safety has taken precedence in many people's minds over issues of public policy.

Government, economic and voting statistics don't quite explain the indifference of the voters. They tell us what is happening but not why, but there are some clues. Most American families are living these days beyond their means, in debt or on welfare. They have to deal with their children, whose expectations and expenses are not excessively modest.

The Carter administration is very proud of the fact that there are now

Dismal forecast for GOP at

by James J. Kilpatrick

THE CONVENTIONAL wisdom says the Republican Party is in for another dismal licking next Tuesday, but I have a notion the conventional wisdom is wide of the mark. Republican candidates will do better, on the whole, than the forecasts have indicated, but except in one critical area, it won't make much difference anyhow.

By this I mean to suggest that party labels count for less and less all the

In New Jersey, for one example, Republican Jeffrey Bell may yet overtake Democrat Bill Bradley in the senatorial race. Considering the state's lopsided Democratic registration, and also considering Bradley's name recognition as a former basketball star, a Bell victory would have to be classed as an astounding upset. But Jeff Bell is a superlative candidate — a keenly intelligent, articulate, gifted young conservative who has waged an excellent campaign.

Across the continent, in Colorado, the Republican overhauled another

Warner looks v

The conventional forecast is that the GOP is in for a very close fight in the South Carolina North Carolina looks good to closing fast in even cannot a four

On the Hot five-GOP came Or. Maryland



...trend of decreasing
...ston will have scored a
...victory, in fact, if
...se its 4 percent mass
...up to the 10 percent that
...e now of other cities in

I kids who always lived in rented housing, braced ourselves for the Great Commitment: We decided to buy a house!

As the ritual day approached, we got increasingly nervous — \$18,000 was a lot of money even if only 20 percent was up front. Just for internal security I signed up with an insurance company for a family income policy which would cover the mortgage payments in the event I was lynched by students.

About 10 years later we needed more room. With stacks of books and magazines all over the place, the home resembled a disorganized public library. This time, much less nervously, we scouted the housing market and found a home about double the size of our initial one in a nearby suburb. It was practically brand new, sat on an acre and a half and cost about \$45,000. The timing was propitious: We got a 5 percent mortgage.

However, others were busy in our underdeveloped neighborhood, putting up chateaux, huge deck houses and architectural experiments that defy description. I figured if somebody wanted to live in a bowling alley, an hourglass or a goldfish tank, it was none of my business. Was I wrong? Like the Iceman, the assessor cometh and, lo, our home had practically doubled in value. Up went the property tax zap!

This touched off a series of exchanges with the authorities that almost constituted a comedy routine. First I asked if they knew something I didn't. Was there oil under my acre and a half of hillside scrub? If so, would it violate the zoning laws if I put up an oil rig? A nice woman, obviously convinced she was dealing with a madman, informed me it would require a zoning variance and doubted if one

Bible verse

CAN ANY HIDE himself in secret places that I shall not see him? saith the Lord. Do not I fill the heaven and earth? saith the Lord. — Jeremiah 23:24.

various a lion was born in town, was, in a sense, forthcoming. He asked me if I realized a nearby house, roughly the twin of ours, had just sold for \$110,000, and that another one of the bowling alley(s) for over \$200,000? I said I hadn't bought either of them and thought their purchasers were wacky.

He then shifted to cupidity, inquiring whether I realized what a profit I would make by selling our house. Told I was not a real estate operator, he cheerily noted what an asset it would be to my "heirs and assigns." On this mordant note we parted, my only satisfaction being the chagrin of the bank which, in terms of 1965 dollars and 5 percent, is getting belted harder than I am.

Against this background of imposed affluence, I read a recent story in the Christian Science Monitor which was mind-bending. According to their correspondent, Ed Townsend, the average cost of a new house today is \$51,700! And the inflation also affects older houses: The house we bought for \$18,000 in 1955, essentially a two-bedroom expandable Cape on maybe a third of an acre, recently went for almost \$50,000. Townsend points out that, despite prices, the market is booming. "homes are being sold as fast as they can be built." However, "first-time home buyers, low-income families, the elderly and others on fixed incomes already have been largely priced out of the market" and the worst is yet to come.

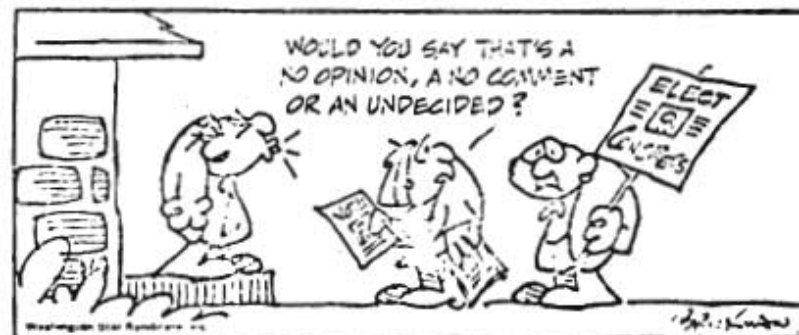
Because I am not on the housing market I have noticed the social rather than economic impact of this whipsaw. When we moved into our \$45,000 home, we obeyed the Depression rule: Don't buy a house that costs more than four years wages. Our then neighbors, before the development metastasized, were from the same tradition. It was a nice but not ritzy section with kids all over the place. Now that whole generation of youngsters has grown up and, as the chateaux have appeared, few young families have moved in. An associate professor of medicine in his 30s with three children can't buy a \$110,000 house unless he has private dough.

mortgages at 10 percent plus, monthly carrying charges are enormous and on top are local property taxes. In our case about \$300 a month. Anyone making less than \$20,000 a year who would play by these rules must have the nerves of an astronaut, be insane or both. And less than 5 percent of the population make over \$30,000.

I know it's old-fashioned — I should

young folks at a time when the population bulge is at age 30 infatuates me. Present public policy seems to be making the rich richer, throwing food stamps and welfare to the poor, while ignoring the basic needs of the middle class.

Roche, who was an adviser to President Johnson, is a historian and syndicated columnist.



Houston Chronicle

AND HERALD

J. H. CREEKMORE, President, Houston Endowment Inc., Publisher

J. H. C. H. JONES, Publisher 1925-1954

RICHARD J. V. JOHNSON, Pres. Cont.

J. A. JOHNSON, Vice-President
Sales and Marketing
G. E. McDAVID, Vice-President
Operations
W. J. BURTON, Secretary-Treasurer
AUGUST GALIANO, Research Manager
CHARLES HAYESMAN
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D. E. NISBETH, Production Manager
D. E. WHITAKER, Employee Relations
Director
R. W. YOUNG, Controller
VERN ZASTROW, Advertising Director

EVERETT COLLIER, Vice-President
and Editor
PHILIP G. WAPNER, Assistant
Editor
DON PICKELS, Managing Editor
LESLIE BENNETT, Senior Associate Editor
HUGH POWERS, Associate Editor
DAN COPE, Executive Managing
Editor News
CHARLES MURRAY, Assistant Managing
Editor, Pre-Production
JACK LOFF, Assistant Managing
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FERNANDO DOVALINA, News Editor
BOB TUTT, City Editor

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NORMAN BAXTER, Chief of Bureau

JACK CLELAND, FRANK HINES, JUDY WIESSLER, Correspondents

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see
1-11-2

ylvia Hutchings
est #1407
TX 77042



NOV 2 1970

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

FEDERAL ELECTION COMMISSION

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

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Robert L. Hutchings
Congress of the United States
House of Representatives
Washington, D.C.

"NOT U.S. HOUSE OF REPRESENTATIVES"



Recent
11-27



FEDERAL ELECTION COMMISSION

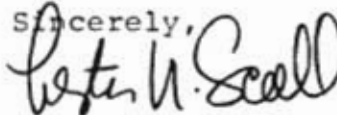
1125 K STREET N.W.
WASHINGTON, D.C. 20463

November 16, 1978

Robert L. Hutchings
Congress of the United States
House of Representatives
Washington, D.C.

Dear Congressman Hutchings:

This is to acknowledge receipt of your complaint of November 6, 1978, alleging violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. 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 handling complaints.

Sincerely,


Lester N. Scall
Assistant General
Counsel

Enclosure

Robert L. Hutchings
Democratic Nominee
Electoral College
201 Webster #1407
Houston, Texas 77042
HSA 6864 - 472-2461

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

EXC#
5585

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

NOV 13 P 2:55

867308

I, Robert L. Hutchings, Democratic Party nominee to the United States House of Representatives from District Seven, Texas, do complain that the Houston Chronicle Publishing Company, Houston Endowment Incorporated, and the editorial staff of the Houston Chronicle (Chronicle) with offices at 801 Texas Avenue, Houston, Texas 77002 violated the Federal Election Campaign Act of 1971 as amended.

Specifically, on Thursday, November 2, 1978 the Chronicle issued to the general public a communication expressly advocating the re-election of Bill Archer as Representative for U.S. Congressional District Seven. I complain that this communication is a prohibited expenditure under FEC Regulation 114.2(b).

In addition this communication does not clearly or conspicuously state whether or not it was authorized by Bill Archer, Republican Party nominee. And it does not state the name of the person who made or financed the expenditure for the communication which constitutes a violation of FEC Regulation 110.11(a).

Enclosed is a copy of this communication.

Robert L. Hutchings
November 6, 1978

State of Texas
County of Harris

I, Eva Henry, a Notary Public, do hereby certify that on this Sixth day of November, 1978, personally appeared before me, Robert L. Hutchings, who being by me first duly sworn, severally declared that he is the person who signed the foregoing document as complainant.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

Notary Public in and for
Harris County, Texas

My commission expires: 5-19-79

Bill Archer for Congress

U.S. Rep. Bill Archer of Houston has served well the interests of the state of Texas and the people of Congressional District 7 in west Harris County since taking office in 1971.

He has consistently fought for fair taxation, a reasonable energy program that addresses the needs of this country without penalizing the people of Texas, a balanced federal budget, fiscal responsibility on the part of Congress and a cutback in costly and time-consuming federal regulation and paperwork.

Rep. Archer has served on the Republican Task Force on Energy and Resources, House Ways and Means Committee, Social Security

and trade subcommittees, as chairman of the Republican Study Committee Task Force on Regulatory Reform and as official congressional trade adviser.

A Houston native and an Air Force veteran of the Korean War, he holds bachelor's and law degrees from the University of Texas. He has been a businessman and banker here and served this area four years in the Texas House of Representatives.

Rep. Archer has provided the sort of responsible congressional leadership this country so badly needs. The Chronicle urges his re-election as representative for Congressional District 7 in Tuesday's general election.

Robert L. Hutchings
201 Wilcrest #140/
Houston, Texas 77042

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

Return Receipt Requested

CERTIFIED

No. 877136

MAIL

Robert L. Hutchings
Democratic Nominee
District 7, Texas
201 Wilcrest #1407
Houston, Texas 77042
781-4864 / 472-2463

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

GC# 5588

18 NOV 14 AM 11:22

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

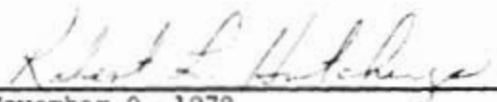
667020

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Specifically, on Monday, November 6, 1978 the Chronicle issued to the general public a communication expressly advocating the election of Bill Archer as Representative for U.S. Congressional District Seven. I complain that this communication is a prohibited expenditure under FEC Regulation 114.2(b).

In addition this communication does not clearly or conspicuously state whether or not it was authorized by Bill Archer, Republican Party nominee. And it does not state the name of the person who made or financed the expenditure for the communication which constitutes a violation of FEC Regulation 110.11(a).

Enclosed is a copy of this communication.


November 9, 1978

State of Texas
County of Harris

I, Eva Henry, a Notary Public, do hereby certify that on this Ninth Day of November, 1978, personally appeared before me, Robert L. Hutchings, who being by me first duly sworn, severally declared that he is the person who signed the foregoing document as complainant.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year above written.

Notary Public in and for
Harris County, Texas

My commission expires: 5-19-79

Houston Chronicle

AND HERALD

J. H. CREEKMORE, President, Houston Enclave Inc., Publisher
JESSE H. JONES, Publisher 1926-1956
RICHARD J. V. JOHNSON, President

J. A. JOHNSTON, Vice-President
Sales and Marketing
G. E. McDAVID, Vice-President
Operations
W. J. BURTON, Secretary-Treasurer
AUGUST GALIANO, Research Manager
CHARLES B. HARMAN
Circulation Director
ROBERT L. HOLT, Marketing Director
D. E. NISSEN, Production Manager
D. F. WHITMIRE, Employee Relations
Director
R. W. YOUNG, Controller
VERN ZASLAVSKY, Advertising Director

EVERETT D. COLLIER, Vice-President
and Editor
PHILIP G. WARNER, Assistant
Editor
DON PICKELS, Managing Editor
L. F. RICHETT, Senior Associate Editor
HUGH POWERS, Associate Editor
DAN COLE, Executive Managing
Editor, News
CHARLES MURRAY, Assistant Managing
Editor, Production
JACK COFFIN, Assistant Managing
Editor, Features
FERNANDO DOMALINA, News Editor
BOB TUTT, City Editor

Miss Cleveland - 224-8888 - Circulation Service - 229-7211 - Other Dept. - 229-7171

Washington Bureau - Suite 320, 1750 Pennsylvania Ave., N.W.

NORMAN BAXTER, Chief of Bureau

JACK CLELAND, CRAIG HINES, JUDY WIESSLER, Correspondents

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Washington Post, Washington Star, Newhouse News Service, Newsday

Agence France Presse

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The Chronicle recommends

Polls in the general election Tuesday open at 7 a.m. and close at 7 p.m. The Chronicle urges all voters to cast their ballots.

The Chronicle recommends the following candidates (D is Democrat; R is Republican):

For U.S. senator: **John Tower, R.**

For U.S. representative, Dist. 7: **Bill Archer, R.**

For U.S. representative, Dist. 22: **Bob Gammage, D.**

For governor: **John Hill, D.**

For attorney general: **Mark White, D.**

For railroad commissioner: **John H. Poerner, D.**

For state representative, Dist. 82: **John Whitmire, D.**

For state representative, Dist. 83: **Chase Untermeyer, R.**

For state representative, Dist. 90: **Brad Wright, R.**

For state representative, Dist. 100: **Bill Caraway, D.**

For judge, 263rd judicial district: **Charles J. Hearn, D.**

For county judge: **Jon Lindsay, R.**

For district clerk: **Ray Hardy, D.**

For county clerk: **Anita Rodeheaver, D.**

For county treasurer: **Henry Kriegel, R.**

For county commissioner, Pct. 4: **E. A. "Squatty" Lyons, D.**

On the proposed constitutional amendments, the Chronicle recommends voting **FOR** the Tax Relief Amendment, **AGAINST** Amendments No. 1, 2 and 3, and **FOR** the remaining amendments, 4 through 8.

Robert L. Hutchings
201 Wilcrest #1407
Houston, Texas 77042



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



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 852

Date Filmed 1/11/79 Camera No. --- 2

Cameraman GPC



FEDERAL ELECTION COMMISSION

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

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 852.



79040114600



FEDERAL ELECTION COMMISSION

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

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 852.



Robert L. Hutchings

Democratic Nominee
District 7, Texas

201 Wilcrest #1407
Houston, Texas 77042
783-6804 / 440-0077

Congress of the United States

House of Representatives

Washington, D.C.

RECEIVED
FEDERAL ELECTION
COMMISSION

July 2, 1979

79 JUL 9 AM 9:17

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

Re: MUR 852(78)

Dear Mr. Oldaker:

I am not satisfied with the initial determination of the Commission concerning my complaint dated November 9, 1978. I believe that the front page endorsement of several candidates for federal office by a commercial newspaper is not a news story, is not a commentary, and is not an editorial. Therefore, I contend that this corporate expenditure is not excluded under FEC Regulation 100.7(b)(3). Consequently, this expenditure should constitute a violation of FEC Regulation 114.2(b).

I desire to appeal the decision of the Commission. I request that the Commission inform me as to my rights to appeal and instruct me in the procedure for filing a formal appeal.

Thank you and the Commission for your help and understanding.

Sincerely yours,

R.L. Hutchings
R.L. Hutchings

903002

6 JUL 9 2:44

6 JUL 9 10:13

79040114602

79 JUL 9 AM 9:17

RECEIVED
FEDERAL ELECTION
COMMISSION

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



Robert L. Hutchings
Democratic Nominee
District 7, Texas
201 Wilcrest #1407
Houston, Texas 77042
783-6864 / 472-2461

Copy to President
6600#
10030

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

May 1, 1979

79 MAY 2 AM 11:56

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

902235

Re: MUR 852 (78)

Dear Mr. Oldaker:

After reviewing FEC Regulation 100.4(b)(8) I agree that my complaint dated November 6, 1978 was unfounded since the media article was an editorial. However, the subject of the complaint dated November 9, 1978 was not a news story, was not a commentary, and was not an editorial. Consequently, I fail to understand why the front page endorsement of a candidate for federal office by the Houston Chronicle Publishing Company and Houston Endowment Incorporated was not a prohibited expenditure under FEC Regulation 114.2(b). Therefore, I respectfully the General Counsel to explain to me why this expenditure of corporate funds was not a violation of the Act.

Thank you for your time and consideration.

Sincerely,


Robert L. Hutchings



Robert L. Hutchings
Congressional Candidate

201 Wilcrest #1407
Houston, Texas 77042
783-6864 / 472-2461

Paid for by the Hutchings for Congress Campaign Committee, Sylvia Hutchings, Treasurer. A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C. 20463

19 MAY 2 PM 4:11

RECEIVED
GENERAL COUNSEL
MAY 10 1979
FEDERAL ELECTION COMMISSION

Paid for by the Hutchings for Congress Campaign Committee, Sylvia Hutchings, Treasurer. A copy of our report is filed with and is available for purchase from the Federal Election Commission, Washington, D.C. 20463.

Monday
Nov. 6, 1978

Houston Chronicle

Houston's Family News

Vol. 78

No. 21

25 Cents

Houston, Texas 77002

Shah declares Iran under

Chronicle News Services

Shah Mohammed Reza Pahlavi of Iran, in what was believed to be a last-ditch effort to save his monarchy, today formed a military government. Within hours, army troops reportedly opened fire at several points in downtown Tehran, the scene Sunday of the worst anti-government riots in 15 years.

The shah appointed Gen. Gholam Reza Azhari prime minister after Jaafar

Sharif-Emami, a civilian, resigned Sunday while mobs pillaged and burned sections of Tehran. Azhari appointed a Cabinet containing two civilians and seven generals, including the chiefs of the army, navy and air force.

Within hours after Azhari took over, tanks moved into the streets of Tehran, martial law authorities banned four of five newspapers and the government radio repeatedly broadcast martial law regulations warning that any gathering of

more than three persons will be "smashed by force."

Sporadic anti-shah violence continued. Authorities said troops dispersed rioting protesters near Tehran University and in a town just outside Tehran. One person was reported killed and two were reported wounded.

The United States expressed support for the shah's decision and the State Department said it does not believe the wave of protests poses a threat to the monarchy.

State Department spokesman Philip Schuler said it came apparent the government could not

Although it pressed, could suppress the uprisings, Schuler said it will be able to handle the situation.

She said the reported that it was more than on Sunday.

Earlier, however, advised American citizens to leave Iran unless they can be there. The

The Chronicle recommends

Polls in the general election Tuesday open at 7 a.m. and close at 7 p.m. The Chronicle urges all voters to cast their ballots.

The Chronicle recommends the following candidates (D is Democrat; R is Republican):

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For governor: John Hill, D.

For attorney general: Mark White, D.

For railroad commissioner: John H. Poerner, D.

For state representative, Dist. 82: John Whitmire, D.

For state representative, Dist. 83: Chase Untermeyer, R.

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For county judge: Jon Lindsay, R.

For district clerk: Ray Hardy, D.

For county clerk: Anita Rodeheaver, D.

For county treasurer: Henry Kriegel, R.

For county commissioner, Pct. 1: E. A. "Squatty" Lyons, D.

On the proposed constitutional amendments, the Chronicle recommends voting FOR the Tax Relief Amendment, AGAINST Amendments No. 1, 2 and 3, and FOR the remaining amendments, 4 through 8.

Turmoil in Iran - how it got that way

BY JAY ROSS

© 1978, Los Angeles Times-Washington Post News Service

WASHINGTON — Until this year, Iran appeared to most Americans to be a model of stability headed by an iron-fisted monarch determined to use his oil wealth and authoritarian leadership to modernize the country. There were sporadic student demonstrations, mostly overseas, against Shah Mohammed Reza Pahlavi, but that was a minor irritant for a country bordering on Iraq, Turkey and Pakistan, where unrest or coups have been the order of the day.

For the last 10 months, though, Iran has been the scene of almost daily riots, strikes or protests with a real potential for civil war in the offing. All this is destined to overshadow the shah — the man who had provided herd, much of it through his people and a 1941 woman and was portrayed by many, including himself, as the Great Modernizer of a backward land.

How did all this happen, and how could the perceptions of the country have been so different?

Some of the answer lies in the nature of

A View
of
The News

7 2 2 4 9 1 4 6 0

Bob & Sylvia Hutchings
201 Wilcrest #1407
Houston, TX 77042



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

95 : 11 : 27 : 201 62



FEDERAL ELECTION COMMISSION

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

July 19, 1979

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert L. Hutchings
201 Wilcrest #1407
Houston, TX 77042

Re: MUR 852

Dear Mr. Hutchings:

This is in response to your letter of July 2, 1979. Under 2 U.S.C. §437g(a)(9)(B)(i) any party aggrieved by an order of the Commission dismissing a complaint filed by such party may file a petition with the United States District Court for the District of Columbia, no later than 60 days after such dismissal. For your information, the file on MUR 852 was closed on December 5, 1978, therefore, your sixty days to petition has elapsed.

While we note your disagreement with the Commission's finding in this matter, the Commission has determined it would not change this finding.

If you have any further questions, please contact Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4175.

Sincerely,

A handwritten signature in dark ink, appearing to read "William C. Oldaker", is written over a horizontal line.

William C. Oldaker
General Counsel

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert L. Hutchings
201 Wilcrest #1407
Houston, TX 77042

Re: MUR 852

Dear Mr. Hutchings:

This is in response to your letter of July 2, 1979. Under 2 U.S.C. 5437g(a)(9)(B)(i) any party aggrieved by an order of the Commission dismissing a complaint filed by such party may file a petition with the United States District Court for the District of Columbia, no later than 60 days after such dismissal. For your information, the file on MUR 852 was closed on December 5, 1978, therefore, your sixty days to petition has elapsed.

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Sincerely,

William C. Oldaker
General Counsel

MT
1/9/79

72040114607

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 852
Houston Chronicle Publishing)
Company)
Houston Endowment Incorporated)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on July 19, 1979, the Commission determined by a vote of 5-0 to approve the letter, attached to the General Counsel's Memorandum dated July 16, 1979, to Mr. Robert L. Hutchings, complainant in MUR 852.

Voting for this determination were Commissioners Aikens Tiernan, McGarry, Thomson and Harris.

Attest:

7/19/79
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary to the Commission

Received in Office of Commission Secretary: 7-16-79, 4:52
Circulated on 48 hour vote basis: 7-17-79, 11:00

790401:4603

July 16, 1979

MEMORANDUM TO: Marge Emmons
FROM: Elissa T. Garr
SUBJECT: MUR 852

Please have the attached Memo distributed to the
Commission on a 48 hour tally basis.

Thankyou.

790401-4609



FEDERAL ELECTION COMMISSION

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

79 JUL 16 P 4: 52

July 16, 1979

MEMORANDUM

TO: The Commission
FROM: William Oldaker *W. Oldaker*
RE: MUR 852

Attached is a letter from Robert L. Hutchings, complainant in MUR 852. Mr. Hutchings disagrees with the Commission's finding of no reason to believe in this matter, however he has provided no information which would warrant the Commission changing its finding.

Therefore, the Office of General Counsel recommends the sending of the following letter to Mr. Hutchings.

ATTACHMENTS

Letter from Mr. Hutchings
Proposed letter to Mr. Hutchings

72040114610

Robert L. Hutchings
Democratic Nominee
District 7, Texas
201 Wilcrest #1407
Houston, Texas 77042
781-6864 / 466-9977

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

RECEIVED
FEDERAL ELECTION
COMMISSION

July 2, 1979

79 JUL 9 AM 9:17

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

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Thank you and the Commission for your help and understanding.

Sincerely yours,

R.L. Hutchings
R.L. Hutchings

903062

79 JUL 9 P 2:44

RECEIVED
GENERAL COUNSEL
FEDERAL ELECTION COMMISSION

79040114611



FEDERAL ELECTION COMMISSION

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

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert L. Hutchings
201 Wilcrest #1407
Houston, TX 77042

Re: MUR 852

Dear Mr. Hutchings:

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While we note your disagreement with the Commission's finding in this matter, the Commission has determined it would not change this finding.

If you have any further questions, please contact Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4175.

Sincerely,

William C. Oldaker
General Counsel



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 852.



79040114613