



Jefferson County Democratic Party

RECEIVED
FEDERAL ELECTION
COMMISSION

JUL 8 12 23 PM '97

July 3, 1997

Mr. John D. Gibson
Assistant Staff Director
Reports Analysis Division
Federal Election Commission
Washington, D.C. 20463

Re: ID# C00253880
Reference 12-Day Pre-Runoff Report (10/17/96 - 11/20/96)

Dear Mr. Gibson:

I am writing in response to your letter dated June 19, 1997.

First, in regard to the alleged disclosure of transfers from our non-federal account which occurred outside the permissible transfer period. The 12 Day Pre-General Report (10/1/96 - 10/16/96) was amended to reflect certain disbursements that were allocable which resulted in the transfers shown on the 10/17/96 - 11/20/96 report. A copy of the Report and Receipts and Disbursements (amended) is enclosed. It is our understanding that this explanation is sufficient response to and resolve this transfer issue.

Secondly, this letter also response to your request for additional information contained in your June 19, 1997 letter.

Under Texas law and the State Democratic Party rules, the state party Officers and State Executive Committee have no authority or control over, and no responsibility for, financial activities of the county party. Likewise, the Jefferson County Chair and Executive Committee have no authority or control over and no responsibility for the financial activity of either the Texas Democratic Party or the National Democratic Party.

The Jefferson County Executive Committee, is the controlling and managing body of the Jefferson County Democratic Party. This authority to geographic to Jefferson County, Texas. The members of this committee are elected every two years at the primary election which is conducted under the auspices of the Secretary of State's office. The county executive committee is established by state law, the Texas Election Code, which is statutory law passed by the Texas Legislature. This committee is financially independent of State Democratic Party as well as the National Democratic Party.

The Texas Election Code provides that the county party executive committee is composed of a Chairman who is elected countywide. The chair is the presiding officer. The Precinct Chairs are elected from each of the 99 county election precincts. The precinct chairs are publically elected in the primary election by the registered voters who chose to vote in the party primary on each even numbered year. The County Chair and the Precinct Chairs hold office and are eligible to hold office all as is prescribed by the Texas Election Code. Vacancies on the executive committee are filled by members of the executive committee. The State and National parties have nothing to do with the election process. They have, for instance, no power to elect or remove the county precinct chairs. Meetings of the executive committee are open to the public.

The State Party Executive Committee's existence, membership composition, eligibility, term of office, and manner of election are also controlled by state law. However, members of the State Party Executive Committee are not elected at a public election conducted by the Secretary of State. Members and officers of the State Party Executive Committee are elected during the State Convention by the delegates to the convention. The members of the Texas Democratic Party Executive Committee and its officers are not selected or approved by the county party executive committee. Same is true for the county chair and precinct chairs of the Jefferson County Democratic Party. That is, they are not selected are subject to approval by the State Democratic Party.

The Texas Democratic Party convention delegate selection process is complex and begins with a precinct convention on the evening of the primary election. Any person who voted in the democratic primary may participate and elect delegates to the county and state convention. The delegates who are directly elected by eligible voters then elect delegates to the state convention but they are not elected in a public election in a sense that precinct chairs of a county executive committee are elected.

The Jefferson County Democratic Party is free to establish rules and procedures and does not have to even submit a copy of its rules to the state party or to the national party.

Neither the national party nor the state party have any authority to interfere with the financial affairs of the Jefferson County Democratic Party. The Jefferson County Democratic Party has established its own bank accounts and able to hire and fire its own employees and incur its own liabilities, fundraise and make its own contracts without any permission or reporting to either the state or national democratic party. Likewise, I know of no state or federal law or national or state party rule that makes the county party executive committee responsible for the action of a state or national party organization.

I know of no state or federal law or regulation which prohibits county parties from establishing and controlling their own non-federal political committees which are not affiliated with state parties non-federal committees.

County parties are responsible for funding 100% of their own operations. No provision or

party rules or state law requires that the county parties support the state party or the national party in a financial way. Likewise, I know of no Democratic party national or state rule or practice of providing any general or ongoing financial support for county parties and certainly that is true for Jefferson County.

I am at a complete loss to understand the facts which demonstrate that the Jefferson County Democratic Party federal committee has been subjected to or is under the authority or is controlled by state or national democratic political committees and if you know of any such facts which support the notion that the Jefferson County Democratic Party committee is not independent of the state and national organizations then I would appreciate it if you would provide those to me and I will immediately respond.

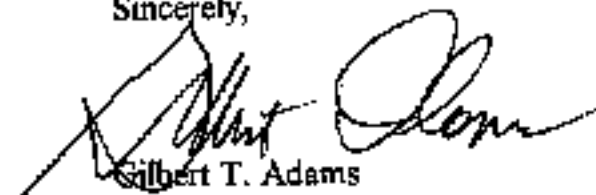
Under Texas law and the state party rules, the state party has no authority or control over, and no responsibility for the finances or actions of, the county party organizations. Therefore, any presumption of affiliation under the regulation would be overcome by a demonstration of the actual relationship of the state and county parties. I trust that this response as well as the previous responses and those that I understand are being made by the State Democratic Party, which are incorporated for that purpose, are sufficient responses.

We are not aware of any requirement to seek an advisory opinion to demonstrate the autonomy of the Jefferson County Democratic Party and the non-affiliation of the state and county organizations. The regulations set forth the circumstances under which the presumption does not apply and we believe that we have demonstrated that these conditions have been satisfied. However, if we are mistaken, which I trust we are not, please advise of the specific requirement and how one goes about obtaining an advisory opinion.

We also wish to stress that we have never knowingly accepted an excessive or prohibited contribution and do not believe we have done so in the instances referenced in your letter.

Hopefully, this letter adequately demonstrates the separateness between State and County Party organizations. We will appreciate any information or guidance you can provide regarding our further demonstration of our separateness from the state party organization and look forward to cooperating with the Commission in any way possible.

Sincerely,



Gilbert T. Adams

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

RECEIVED
FEDERAL ELECTION COMMISSION
(AMENDED)
JUL 8 12 23 PM '97

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full) JEFFERSON COUNTY DEMOCRATIC PARTY	
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 1855 CALDER AVE.	2. FEC IDENTIFICATION NUMBER 000253880
CITY, STATE and ZIP CODE BEAUMONT, TEXAS 77701	3. <input checked="" type="checkbox"/> This committee has qualified as a multicandidate committee. (see FEC FORM 1M)

4. TYPE OF REPORT


- (a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report

- Monthly Report Due On:
 February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31
- Twelfth day report preceding GENERAL
(Type of Election)
election on 11/5/96 in the State of TEXAS
- Thirtieth day report following the General Election on _____
in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period <u>10/1/96</u> through <u>10/16/96</u>		
6. (a) Cash on Hand January 1, 19 <u>96</u>		\$ <u>1,208.67</u>
(b) Cash on Hand at Beginning of Reporting Period	\$ <u>305.69</u>	
(c) Total Receipts (from Line 19)	\$ <u>5,074.98</u>	\$ <u>9,537.23</u>
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ <u>5,378.67</u>	\$ <u>10,745.90</u>
7. Total Disbursements (from Line 30)	\$ <u>2,802.44</u>	\$ <u>8,169.67</u>
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ <u>2,576.23</u>	\$ <u>2,576.23</u>
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ <u>- 0 -</u>	For further information contact: Federal Election Commission 900 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-218-3420
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ <u>- 0 -</u>	

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

Type or Print Name of Treasurer	Date
	<u>4/3/97</u>

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

(AMENDED)

DETAILED SUMMARY PAGE

OF RECEIPTS AND DISBURSEMENTS

PAGE 2, FEC FORM 3X

(revised 1/1/81)

NAME OF COMMITTEE: <u>JEFFERSON COUNTY DEMOCRATIC PARTY</u>		REPORT COVERING PERIOD		
		FROM: <u>10/1/96</u>	TO: <u>10/16/96</u>	
		COLUMN A Total This Period	COLUMN B Calendar Year	
I. Receipts				
11.	Contributions (other than loans) From:			
a.	Individuals/Persons Other Than Political Committees			
i.	Itemized (use Schedule A)	- 0 -	250.00	11(a)
ii.	Unitemized	60.00	931.00	11(b)
iii.	Total (add i and ii) >	60.00	1,181.00	11(c)
b.	Political Party Committees	- 0 -	500.00	11(d)
c.	Other Political Committees (such as PACs)	5,000.00	5,000.00	11(e)
d.	Total Contributions (add a ii, b and c) >	5,060.00	6,681.00	11(f)
12.	Transfers From Affiliated/Other Party Committees	- 0 -	- 0 -	12
13.	All Loans Received	- 0 -	- 0 -	13
14.	Loan Repayments Received	- 0 -	- 0 -	14
15.	Offsets To Operating Expenditures (Refunds, Rebates, etc.)	14.98	14.98	15
16.	Refunds of Contributions Made to Federal Candidates and Other Political Committees	- 0 -	- 0 -	16
17.	Other Federal Receipts (Dividends, Interest, etc.)	- 0 -	- 0 -	17
18.	Transfers from Nonfederal Account for Joint Activity	- 0 -	2,844.25	18
19.	Total Receipts (add 11d, 12, 13, 14, 15, 16, 17, and 18) >	5,074.98	9,537.23	19
20.	Total Federal Receipts (subtract line 18 from line 19) >	5,074.98	6,695.98	20
II. Disbursements				
21.	Operating Expenditures:			
a.	Shared Federal/Non-Federal Activity (from Schedule H4)			
i.	Federal Share	805.37	2,007.87	21(a)
ii.	Non-Federal Share	1,635.12	4,040.14	21(b)
b.	Other Federal Operating Expenditures	361.95	1,181.66	21(c)
c.	Total Operating Expenditures (add a i, a ii, and b) >	2,802.44	7,919.67	21(d)
22.	Transfers to Affiliated/Other Party Committees	- 0 -	- 0 -	22
23.	Contributions to Federal Candidates/Committees and Other Political Committees	- 0 -	250.00	23
24.	Independent Expenditures (use Schedule E)	- 0 -	- 0 -	24
25.	Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F)	- 0 -	- 0 -	25
26.	Loan Repayments Made	- 0 -	- 0 -	26
27.	Loans Made	- 0 -	- 0 -	27
28.	Refunds of Contributions To:			
a.	Individuals/Persons Other Than Political Committees	- 0 -	- 0 -	28(a)
b.	Political Party Committees	- 0 -	- 0 -	28(b)
c.	Other Political Committees (such as PACs)	- 0 -	- 0 -	28(c)
d.	Total Contribution Refunds (add a, b and c) >	- 0 -	- 0 -	28(d)
29.	Other Disbursements	- 0 -	- 0 -	29
30.	Total Disbursements (add 21c, 22, 23, 24, 25, 26, 27, 28d, and 29) >	2,802.44	8,169.67	30
31.	Total Federal Disbursements (subtract line 21 a & from line 30) >	1,167.32	4,129.53	31
III. Net Contributions/Operating Expenditures				
32.	Total Contributions (other than loans) (from line 11d)	5,060.00	6,681.00	32
33.	Total Contribution Refunds (from line 28d)	- 0 -	- 0 -	33
34.	Net Contributions (other than loans) (subtract line 33 from 32)	5,060.00	6,681.00	34
35.	Total Federal Operating Expenditures (add 21 a i and 21 b) >	1,167.32	3,879.53	35
36.	Offsets to Operating Expenditures (from line 15)	14.98	14.98	36
		1,182.30	3,894.51	

(AMENDED)

SCHEDULE B

ITEMIZED DISBURSEMENTS

Any information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (in Full)

JEFFERSON COUNTY DEMOCRATIC PARTY

A. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement	Date (month, day, year)	Amount of Each Disbursement This Period
PARKER LUMBER CO. 2948 GOLFWAY DR. PORT ARTHUR, TX 77643	1,500 YARD SIGN STAKES Disbursement for: <input type="checkbox"/> Primary <input checked="" type="checkbox"/> General <input type="checkbox"/> Other (specify)	10/3/96	211.09
B. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
C. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
D. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
E. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
F. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
G. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
H. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period
I. Full Name, Mailing Address and ZIP Code	Purpose of Disbursement Disbursement for: <input type="checkbox"/> Primary <input type="checkbox"/> General <input type="checkbox"/> Other (specify)	Date (month, day, year)	Amount of Each Disbursement This Period

SUBTOTAL of Disbursements This Page (optional)

211.09

(AMENDED)

NAME OF COMMITTEE
JEFFERSON COUNTY Democratic Party

A. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
MANNING'S SCHOOL SUPPLY 711 N. 11th ST. BEAUMONT, TX 77702	OFFICE SUPPLIES - COORDINATED CAMPAIGN OFFICE	10/3/96	233.93	77.20	156.73
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 3,841.45 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
MARKET BASKET 4055 CALDER AVE. BEAUMONT, TX 77706	FOOD/BASKETS MEETINGS - COORDINATED CAMPAIGN	10/11/96	82.80	27.32	55.48
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 3,924.25 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
TEXAS WORKFORCE COMM. AUSTIN, TX 78714	3rd QTR STATE UNEMPLOYMENT TAX DUE.	10/11/96	6.72	2.22	4.50
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 3,930.97 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
GUSTAFSON FEDERAL BANK 304 PEARL BEAUMONT, TX 77701	3rd QTR FEDERAL UNEMPLOYMENT TAX	10/11/96	19.20	6.34	12.86
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 3,950.17 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
LAW OFFICE OF GILBERT ADAMS 1855 CALDER AVE. BEAUMONT, TX 77701	Reimb. Fed OFFICE/ADM. EXPENSES - copies, phone, postage	10/11/96	911.52	300.80	610.72
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 4,861.69 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
STAR GRAPHICS 4785 EASTEX Fwy BEAUMONT, TX 77706	COPIER RENTAL 9/11/96 - 11/1/96	10/11/96	225.23	74.33	150.90
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: \$ 5,086.92 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
SUBTOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			1,479.40	488.21	991.19
TOTAL THIS PERIOD (last page for each line only)(Fed. share to 21 a i and non-Fed. share to 21 a ii)					

(AMENDED)

NAME OF COMMITTEE

JEFFERSON COUNTY Democratic Party

A. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
BEAUMONT FIRE EXTINGUISHER 2180 SABINE PASS BEAUMONT, TX 77701	FIRE EXTINGUISHER POL H.Q. OFFICE	10/11/96	33.25	10.97	22.28
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 5,170.17 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
B. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
R. D. MARTIN ELECTRIC 890 GOLF BEAUMONT, TX 77701	REPAIR LIGHTS Party H.Q. OFFICE	10/11/96	89.04	29.38	59.66
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 5,209.21 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
C. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
M. C. I. P.O. BOX 4644 IOWA CITY, IA 52244-4644	LONG DISTANCE @ Party H.Q.	10/11/96	181.51	59.90	121.61
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 5,390.72 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
D. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
GILBERT T. ADAMS 1855 CALDER AVE BEAUMONT, TX 77701	REMB. FOR FOOD FOR MEETING - "back AT CHAIRS" - 10/10/96	10/15/96	11.39	3.76	7.63
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 5,402.11 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
E. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
CHRISTINA DELGADILLO 1690 E. KITCHEN FT. NECHES, TX 77651	Payroll - Party H.Q. ADMINISTRATIVE	10/16/96	512.33	169.07	343.26
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 5,914.44 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
F. FULL NAME, MAILING ADDRESS & ZIP CODE	PURPOSE/EVENT	DATE	TOTAL AMOUNT	FEDERAL SHARE	NON-FEDERAL SHARE
QUALITY FEDERAL BANK 304 PEARL BEAUMONT, TX 77701	Payroll TAX EXPENSE - Party H.Q. ADMINISTRATIVE Payroll	10/16/96	133.57	44.08	89.49
CATEGORY: <input checked="" type="checkbox"/> ADMINISTRATIVE/VOTER DRIVE <input type="checkbox"/> FUNDRAISING <input type="checkbox"/> EXEMPT EVENT YEAR-TO-DATE: 6,048.01 <input type="checkbox"/> DIRECT CANDIDATE SUPPORT					
SUBTOTAL OF JOINT FEDERAL AND NON-FEDERAL ACTIVITY THIS PAGE			961.09	317.16	643.93
TOTAL THIS PERIOD (last page for each line only) (Fed. share to 21 a i and non-Fed. share to 21 a ii)			2,440.49	805.37	
TOTAL THIS PERIOD FOR THE NON-FEDERAL SHARE (used for line 31 of the detailed summary page)					1,635.12

Federal Election Commission
**ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

First Class Mail

POSTMARKED

7-3-97

Registered/Certified Mail

POSTMARKED

No Postmark

Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

SL
PREPARER

7-8-97
DATE PREPARED