FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1920

Date Filmed 8/14/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing slips, Duplicates, Documents pertaining to conciliation, BAD RFAIs, BAD telecon

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):

___	(1) Classified Information	___	(6) Personal privacy
✓	(2) Internal rules and practices	___	(7) Investigatory files
✓	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Beverly B. Kramer

date 7/25/85

FEC 9-21-77

8504054283 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Atoka County Supper Committee	)	MUR 1920
Barbara H. McDaniel, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 19, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1920:

1. Accept the conciliation agreement attached to the General Counsel's Report signed June 14, 1985.
2. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

6-19-85
Date

Marjorie W Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 6-14-85, 4:11
Circulated on 48 hour tally basis: 6-17-85, 11:00

8504054283 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1985

Diane E. Burkley
Pierson, Ball & Dowd
1200 18th Street, N.W.
Washington, D.C. 20036

Re: MUR 1920
Atoka Country Supper Committee
Barbara H. McDaniel, as
treasurer

Dear Ms. Burkley:

On June 19 , 1985, the Commission accepted the concilation agreement signed by you in settlement of a violation of 2 U.S.C. § 434(a)(4)(A), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advises us in writing.

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

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8504054283 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Atoka Country Supper Committee	)	MUR 1920
Barbara H. McDaniel, as treasurer	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Atoka Country Supper Committee and its treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(A) by failing to timely file the 1983 Year End, 1984 July Quarterly and 30 Day Post-General Election reports.

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

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

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

1. Atoka Country Supper Committee (the "Committee") is a political committee pursuant to 2 U.S.C. § 431(4)(A).

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2. On April 18, 1985, the Committee filed an amended statement of organization naming Barbara H. McDaniel as treasurer.

3. The Committee filed its 1983 Year End Report, which was due January 31, 1984, on March 13, 1984.

4. The Committee filed its July Quarterly Report, which was due July 15, 1984, on August 27, 1984.

5. The Committee filed its 30 Day Post-General Election Report, which was due December 6, 1984, on January 30, 1985.

V. Pursuant to 2 U.S.C. § 434(a)(4)(A), a political committee is required, through its treasurer, to file, in a year in which a regularly scheduled general election is held, certain quarterly reports no later than the 15th day after the last day of each calendar quarter and a post-general election report no later than the 30th day after the general election. Pursuant to that same secton, in any other calendar year, a report covering the period beginning July 1 and ending December 31 is required to be filed no later than January 31 of the following calendar year.

VI. By failing to timely file the 1983 Year End, 1984 July Quarterly and 30 Day Post-General Election reports, Respondents violated 2 U.S.C. § 434(a)(4)(A).

VII. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of two hundred and seventy-five dollars ($275), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

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

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

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

8504283 7

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

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ June 26, 1985
Kenneth A. Gross
Associate General Counsel
Date

FOR THE RESPONDENTS:

Diane E. Burkley
(Name)
(Position) Counsel of Record

June 10, 1985
Date

8504280338

RECEIVED BY THE FEC
GLC# 7974
85 JUL 9 AM :

PIERSON, BALL & DOWD
ATTORNEYS AT LAW
1200 18TH STREET, N. W.
WASHINGTON, D. C. 20036

(202) 331-8566
CABLE ADDRESS "PIERBALL"
TELEX NO. 64711

OKLAHOMA OFFICE
FIRST OKLAHOMA TOWER
210 W. PARK AVENUE
OKLAHOMA CITY, OKLA. 73102
(405) 235-7686

DIANE E. BURKLEY

July 1, 1985

RECEIVED
85 JUL 10 P3:26
OFFICE OF THE
GENERAL COUNSEL

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

Certified Mail

Attn: Beverly Kramer

Re: Atoka Country Supper Committee, MUR 1920

Dear Ms. Kramer:

In accordance with the Conciliation Agreement entered into on behalf of the Federal Election Commission and the Atoka Country Supper Committee, enclosed is a check in the amount of Two Hundred and Seventy-Five Dollars ($275.00) in payment of the civil penalty imposed on the Atoka Committee.

Sincerely,

PIERSON, BALL & DOWD

Diane E Burkley

Diane E. Burkley

DEB:cce
Enclosure

8504054283 9

ATOKA COUNTRY SUPPER
P. O. BOX 2342
MERRIFIELD, VA. 22116

1002

June 7 19 85

PAY TO THE ORDER OF TREASURER OF THE UNITED STATES $ 275.00

Two hundred seventy-five and 00/100..... DOLLARS

SOVRAN BANK
Sovran Bank, N.A. Northern Virginia 22203

Barbara H McDaniel

⑈0000 1002⑈ ⑆056007387⑆ 0095 5771⑈

DELUXE CHECK PRINTERS

GCC# 7974

RECEIVED
GENERAL COUNSEL

MEMORANDUM

TO: Retha Dixon [redacted]

FROM: JOAN HARRIS

85 JUL 10 P 3:40

TO: JOAN HARRIS
Retha Dixon

FROM: [redacted]

CHECK NO. 1002 (a copy of which is attached) RELATING TO MUR 1920 AND NAME Atoka County Dupper WAS RECEIVED ON July 10, 1985. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

/ / BUDGET CLEARING ACCOUNT (#95F3875.16)

/X/ CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER _____

SIGNATURE Retha L. Dixon DATE 7-12 85

8504054284 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1920
Atoka Country Supper Committee	)	
Barbara H. McDaniel, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 7, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1920:

1. Enter into conciliation with the Atoka Country Supper Committee and Barbara H. McDaniel, as treasurer, prior to a finding of probable cause to believe.

2. Approve the conciliation agreement submitted with the General Counsel's Report signed May 2, 1985.

3. Approve the letter attached to the General Counsel's Report signed May 2, 1985.

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

Attest:

5-8-85
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 5-2-85, 4:33
Circulated on 48 hour tally basis: 5-3-85, 2:00

8504054284 2

SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Atoka Country Supper Committee) MUR 1920
Barbara H. McDaniel, as treasurer)

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was referred to the Office of the General Counsel by the Reports Analysis Division ("RAD"). On March 6, 1985, the Commission voted to open a MUR and found reason to believe that the Atoka Country Supper Committee (the "Committee") and its treasurer,*/ violated 2 U.S.C. § 434(a)(4)(A) by failing to timely file the 1983 Year End, 1984 July Quarterly and 1984 30 Day Post-General Election reports. On March 19, 1985, notification of the reason to believe finding was sent to the Committee. Subsequently, this Office received several telephone calls from counsel for the Respondents and on April 22, 1985, counsel filed a response and a request for pre-probable cause conciliation. See Attachment 1.

II. ANALYSIS

In the response, counsel claims that the Committee's 1983 Year End Report was mailed to the Commission via first class mail on January 27, 1984, however, the report was apparently never received by the Commission. In response to a non-filing notice from RAD, a copy of that report was filed with the Commission

*/ On April 18, 1985, the Committee filed an amended statement of organization naming Barbara H. McDaniel as the new treasurer. The former treasurer was MaryEllen McInnis.

8504054284 3

on March 13, 1984. Although counsel admits to the late filing of the other reports in question, counsel claims that none of the prior notices or non-filing notices sent by RAD were received by the former treasurer due to, in part, a problem with the Committee's mail handling procedures.

In light of counsel's request and the apparent violations of 2 U.S.C. § 434(a)(4)(A), the Office of the General Counsel recommends that the Commission enter into conciliation with the Respondents, prior to a finding of probable cause ot believe.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

8504054284

IV. RECOMMENDATIONS

1. Enter into conciliation with the Atoka Country Supper Committee and Barbara H. McDaniel, as treasurer, prior to a finding of probable cause to believe.
2. Approve the attached conciliation agreement.
3. Approve the attached letter.

Charles N. Steele
General Counsel

May 2, 1985
Date

By: Kenneth A. Gross
Associate General Counsel

Attachments
1. Response from counsel
2. Proposed Conciliation Agreement
3. Proposed letter

8504054284 5

FED
85 APR 22 P5:09
APR 23 A10:40

PIERSON, BALL & DOWD
ATTORNEYS AT LAW
1200 16TH STREET, N.W.
WASHINGTON, D.C. 20036

(202) 331-8566
CABLE ADDRESS "PIERBALL"
TELEX NO. 64711

DIANE E BURKLEY

April 22, 1985

Mr. John Warren McGarry
Chairman, Federal Election
Commission
1325 K Street, N.W.
Washington, D.C. 20463

HAND-DELIVERY

Attention: Ms. Marybeth Tarrant

Re: Atoka Country Supper Committee, MUR No. 1920

Dear Mr. McGarry:

Enclosed is the Atoka Country Supper Committee's response to your letter dated March 19, 1985, and to the accompanying factual and legal analysis with respect to MUR No. 1920. In order to effect a prompt and equitable resolution of this matter, we hereby request pre-probable cause conciliation of MUR No. 1920. Toward that end, we will be happy to meet with you at your earliest convenience.

Sincerely,

PIERSON, BALL & DOWD

Diane E. Burkley

Diane E. Burkley

Enclosure

DEB:pcs

Attachment 1 (1)

8504054284 5

AFFIDAVIT OF DIANE E. BURKLEY

City of Washington)
District of Columbia) SS:
)

Diane E. Burkley, being duly sworn, deposes and states that she has personal knowledge of the matters stated below:

1. I am an attorney in the law firm of Pierson, Ball & Dowd and am admitted to practice law in the District of Columbia and the Commonwealth of Virginia. Since March 30, 1985, I have served as General Counsel to the Atoka Country Supper Committee ("Atoka Committee" or "Committee"). Along with T. Timothy Ryan, Jr., I have been authorized by the Atoka Committee to represent it before the Federal Election Commission ("FEC") with reference to MUR 1920. This affidavit responds to the FEC's determination that there is reason to believe the Atoka Committee violated 2 U.S.C. § 434(a)(4)(A) because the Committee allegedly filed three reports -- the 1983 Year End, the 1984 July Quarterly, and the 1984 30 Day Post-General Election Reports -- after the dates on which filing was required.

2. The statements made in this affidavit are the result of a factual, legal and equitable analysis of MUR 1920. As to factual matters, it is based on a review of the file and discussions with Mary Ellen McInnis, former Treasurer for the Atoka Committee, as well as other individuals involved in and/or responsible for Atoka Committee matters.

8504054284 7

3. As to the 1983 Year End Report, based on information and belief, the report, which is dated January 24, 1984, was mailed to the FEC on January 27, 1984, by then-Treasurer Robert H. Zehner. Affiant was unable to verify this personally with Mr. Zehner because he has left the area and his whereabouts are unknown. In response to the FEC's February 28, 1984 letter notifying the Atoka Committee of the FEC's non-receipt of that document, the Atoka Committee submitted another copy of the 1983 Year End Report to the FEC.

4. As to the 1984 July Quarterly and the 1984 30 Day Post-General Election Report, the Atoka Committee concedes that these reports, while filed, were not timely filed. On information and belief, the bases for the late filings were a misunderstanding on the part of Ms. McInnis as to the reporting requirements, and the fact that Ms. McInnis did not receive either advance notice from the FEC on the need to file such reports or the notices of late or nonfiling with respect to these reports cited in the FEC General Counsel's Summary of Allegations (viz, the September 18, 1984 Chronic Late Filing Notice and December 28, 1984 NonFiler Notice). In part, this was due to difficulties in the Atoka Committee's mail handling procedures. Upon oral notification of Ms. McInnis by the Reports Analysis Division on January 18, 1985, as to the nonfiling of the 30 Day Post-General Election Report, Ms. McInnis

8504054284 8

promptly prepared and submitted the documents. The course of conduct by the then-Treasurer thus demonstrates there was no deliberate or intentional effort to fail to file timely reports.

5. The Atoka Committee regrets the oversight and has taken measures to ensure it does not happen in the future. Tickler and tracking systems are being implemented to ensure that all future reports are timely filed. Moreover, a new mailing address has been established and a new internal mail system has been implemented to ensure that the responsible person receives all notices as soon as possible. The Committee is confident that these measures will prevent reoccurrence of the past difficulties.

6. Because the past late filings were inadvertant and because new procedures to ensure timely compliance have been put in place, the Committee suggests that it should not be further penalized for these actions. This is all the more appropriate because the Committee has not previously been found to have violated the Act.

8504054284 2

7. The Atoka Committee requests pre-probable conciliation of MUR 1920.

April 22, 1985
Date

Diane E. Burkley
Diane E. Burkley

Subscribed and sworn to before me this 22nd day of April, 1985.

Lisa M. Ellis
Notary Public

My Commission expires: My Commission Expires January 14, 1988

8504054285O

(5)

RECEIVED BY THE FEC
85 APR 22 P 5:11

PIERSON, BALL & DOWD
ATTORNEYS AT LAW
1200 18TH STREET, N. W.
WASHINGTON, D. C. 20036

(202) 331-8566
CABLE ADDRESS "PIERBALL"
TELEX NO. 64711

OKLAHOMA OFFICE
FIRST OKLAHOMA TOWER
210 W. PARK AVENUE
OKLAHOMA CITY, OKLA. 73102
(405) 235-7686

DIANE E. BURKLEY

April 22, 1985

HAND-DELIVERY

Mr. John Warren McGarry
Chairman, Federal Election
Commission
1325 K Street, N.W.
Washington, D.C. 20463

Attention: Ms. Marybeth Tarrant

Re: Atoka Country Supper Committee, MUR No. 1920

Dear Mr. McGarry:

Enclosed is the Atoka Country Supper Committee's response to your letter dated March 19, 1985, and to the accompanying factual and legal analysis with respect to MUR No. 1920. In order to effect a prompt and equitable resolution of this matter, we hereby request pre-probable cause conciliation of MUR No. 1920. Toward that end, we will be happy to meet with you at your earliest convenience.

Sincerely,

PIERSON, BALL & DOWD

Diane E. Burkley

Diane E. Burkley

Enclosure

DEB:pcs

8504028511

AFFIDAVIT OF DIANE E. BURKLEY

City of Washington)
District of Columbia) SS:
)

Diane E. Burkley, being duly sworn, deposes and states that she has personal knowledge of the matters stated below:

1. I am an attorney in the law firm of Pierson, Ball & Dowd and am admitted to practice law in the District of Columbia and the Commonwealth of Virginia. Since March 30, 1985, I have served as General Counsel to the Atoka Country Supper Committee ("Atoka Committee" or "Committee"). Along with T. Timothy Ryan, Jr., I have been authorized by the Atoka Committee to represent it before the Federal Election Commission ("FEC") with reference to MUR 1920. This affidavit responds to the FEC's determination that there is reason to believe the Atoka Committee violated 2 U.S.C. § 434(a)(4)(A) because the Committee allegedly filed three reports -- the 1983 Year End, the 1984 July Quarterly, and the 1984 30 Day Post-General Election Reports -- after the dates on which filing was required.

2. The statements made in this affidavit are the result of a factual, legal and equitable analysis of MUR 1920. As to factual matters, it is based on a review of the file and discussions with Mary Ellen McInnis, former Treasurer for the Atoka Committee, as well as other individuals involved in and/or responsible for Atoka Committee matters.

8504028

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9504028357

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5. The Atoka Committee regrets the oversight and has taken measures to ensure it does not happen in the future. Tickler and tracking systems are being implemented to ensure that all future reports are timely filed. Moreover, a new mailing address has been established and a new internal mail system has been implemented to ensure that the responsible person receives all notices as soon as possible. The Committee is confident that these measures will prevent reoccurrence of the past difficulties.

6. Because the past late filings were inadvertant and because new procedures to ensure timely compliance have been put in place, the Committee suggests that it should not be further penalized for these actions. This is all the more appropriate because the Committee has not previously been found to have violated the Act.

3504284

7. The Atoka Committee requests pre-probable conciliation of MUR 1920.

April 22, 1985
Date

Diane E. Burkley
Diane E. Burkley

Subscribed and sworn to before me this 22nd day of April, 1985.

Lisa M. Ellis
Notary Public

My Commission expires: My Commission Expires January 14, 1988

8504028555

John Warren McGarry
Chairman, Federal
Election Commission
1325 K Street, NW
Wash., D.C 20463

IRST CLASS MAIL

8 5 0 4 0 5 4 2 8 5 6

MUR 1920
RECEIVED BY THE FEC
HAND DELIVERED
85 APR 2 A9:03

PIERSON, BALL & DOWD
ATTORNEYS AT LAW
1200 18TH STREET, N.W.
WASHINGTON, D.C. 20036

(202) 331-8566
CABLE ADDRESS "PIERBALL"
TELEX NO. 64711

OKLAHOMA OFFICE
FIRST OKLAHOMA TOWER
210 W. PARK AVENUE
OKLAHOMA CITY, OKLA. 73102
(405) 235-7686

DIANE E. BURKLEY

April 1, 1985

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
85 APR 2 A11:44

HAND-DELIVERED

Ms. Marybeth Tarrant
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1920

Dear Ms. Tarrant:

As mentioned in my letter of March 29, 1985, I am enclosing the Statement of Designation of Counsel regarding the above-referenced matter.

If you have any questions concerning this matter, please do not hesitate to call.

Sincerely,

PIERSON, BALL & DOWD

Diane E. Burkley

Diane E. Burkley

Enclosure

DEB:pcs

8504028037

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1920

NAME OF COUNSEL: Diane E. Burkley

ADDRESS: Pierson, Ball & Dowd
1200 18th Street, N.W.
Washington, D.C. 20036

TELEPHONE: 202/331-8566

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

3-30-85
Date

Mary Ellen McInnis
Signature

RESPONDENT'S NAME: MARY ELLEN McINNIS

ADDRESS: 6700 WEMBERLY WAY
McLEAN, VA. 22101

HOME PHONE: (703) 356-9091

BUSINESS PHONE: (703) 356-1925

8504054285 8

GCG/1085
85 APR 2 P1:06

PIERSON, BALL & DOWD
ATTORNEYS AT LAW
1200 18TH STREET, N. W.
WASHINGTON, D. C. 20036

(202) 331-8566
CABLE ADDRESS "PIERBALL"
TELEX NO. 64711

OKLAHOMA OFFICE
FIRST OKLAHOMA TOWER
210 W. PARK AVENUE
OKLAHOMA CITY, OKLA. 73102
(405) 235-7886

March 29, 1985

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
85 APR 2 P4:10

Ms. Marybeth Tarrant
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1920

Dear Ms. Tarrant:

The purpose of this letter is to notify you that the undersigned represent the Atoka Country Supper Committee with regard to the above-referenced matter under review; all future correspondence should be with us. The Statement of Designation of Counsel will be sent to you under separate cover within 3-4 days.

As soon as we have had an opportunity to review this matter with the Atoka Country Supper Committee, we will forward comments to the Commission regarding the allegations set forth in Chairman McGarry's letter of March 19, 1985.

Should you have any questions, or desire any additional information, please call.

Sincerely,

PIERSON, BALL & DOWD

T. Timothy Ryan, Jr.

Diane E. Burkley

Diane E. Burkley

8504054283 9

PIERSON, BALL & DOWD
1200 18TH STREET, N. W.
WASHINGTON, D. C. 20036

Ms. Marybeth Tarrant
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEC SECRETARY

85 MAR 18 P1:57

SENSITIVE

March 18, 1985

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

SUBJECT: RAD Referral 85NF-44

On March 6, 1985 the Commission approved the recommendation that RAD Referral 85NF-44 should become a MUR. Therefore, all documents which had previously been contained in RAD Referral 85NF-44 should now become MUR 1920.

Attachment
Copy of Certification

3504028561

BEFORE THE FEDERAL ELECTION COMMISSION MUR 1920
Tarrant

In the Matter of	)	
	)	RAD Referral 85NF-44
Atoka Country Supper Committee	)	
Mary Ellen McInnes, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 6, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-44:

1. Open a MUR.
2. Find reason to believe that the Atoka Country Supper Committee and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A).
3. Approve the letter attached to the First General Counsel's Report signed March 4, 1985.
4. Approve the General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 4, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-7-85
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-4-85, 11:48
Circulated on 48 hour tally basis: 3-4-85, 4:00

8504042862

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral 85NF-44
Atoka Country Supper Committee	)	
Mary Ellen McInnes, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 6, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 85NF-44:

1. Open a MUR.
2. Find reason to believe that the Atoka Country Supper Committee and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A).
3. Approve the letter attached to the First General Counsel's Report signed March 4, 1985.
4. Approve the General Counsel's Factual and Legal Analysis attached to the First General Counsel's Report signed March 4, 1985.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

3-7-85
Date

Marjorie W. Emmons
Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-4-85, 11:48
Circulated on 48 hour tally basis: 3-4-85, 4:00

8504054286 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 19, 1985

Mary Ellen McInnes, Treasurer
Atoka Country Supper Committee
Atoka Farm, Box 1320
Middleburg, VA 22117

RE: MUR 1920

Dear Ms. McInnes:

On March 6 , 1985, the Federal Election Commission determined that there is reason to believe the Atoka Country Supper Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

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stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE March, 1985

MUR NO. 1920
STAFF MEMBER & TEL. NO.
Marybeth Tarrant
(202)523-4143

RESPONDENTS Atoka Country Supper Committee
Mary Ellen McInnes, as treasurer

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

It is alleged that the Atoka Country Supper Committee ("Committee") and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A) by failing to timely file the 1983 Year End, 1984 July Quarterly and 1984 30 Day Post-General Election Reports in a timely fashion.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(A), a political committee, other than an authorized committee of a candidate, is required, through its treasurer, to file certain quarterly reports, in a calendar year in which a regularly scheduled election is held, which are to be filed no later than the 15th day after the last day of each calendar quarter, and a post-general election report which is to be filed no later than the 30th day after the general election and which is to be complete as of the 20th day before the election. In any other calendar year, a report covering the period beginning July 1 and ending December 31 is to be filed no later than January 31 of the following calendar year.

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On January 7, 1984, the Committee was sent prior notice concerning the filing of a 1983 Year End Report. On February 28, 1984, the Committee was sent notice that it had failed to file the report. On March 13, 1984, the Committee filed a 1983 Year End Report, which was due January 31, 1984.*/

On June 21, 1984, the Respondents were sent prior notice concerning the filing of a 1984 July Quarterly Report. On August 8, 1984, the Respondents were sent notice that the report had not yet been filed. On August 27, 1984, the Respondents filed a 1984 July Quarterly Report, which was due July 15, 1984.

On September 18, 1984, a Chronic Late Filing Notice was sent to the Respondents for failing to file the 1983 Year End and 1984 July Quarterly Reports in a timely manner. The notice advised the Respondents than any additional late filing of reports may result in legal enforcement action.

On October 1, 1984, the Respondents were sent prior notice concerning the filing of a 30 Day Post-General Election Report. On December 28, 1984, a Non-Filer Notice was sent to the Respondents for failure to file the 30 Day Post-General Election Report. The Reports Analysis Division called the treasurer, Mary Ellen McInnes, on January 18, 1985. Ms. McInnes stated that she had not received prior notice that the report was due and also mentioned that the Committee had never been required to file the

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*/ Attached to the report was a cover letter claiming that the Year End Report had been mailed on January 27, 1984. As the Commission apparently never received the report, a copy of the report was enclosed.

report in prior years. The analyst stated that the Committee was under the obligation to file the report which was filed on January 30, 1985. The report was due December 6, 1984.

In light of these late filings, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Respondents violated 2 U.S.C. § 434(a)(4)(A).

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DESCRIPTION OF PRELIMINARY PROCEDURES FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE FEDERAL ELECTION COMMISSION

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of General Counsel where they are assigned a MUR (Matter Under Review) number, and assigned to a staff member.

Following review of the information which generated the MUR, a recommendation on how to proceed on the matter, which shall include preliminary legal and factual analysis, and any information compiled from materials available to the Commission shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act (FECA) may have occurred or is about to occur and that the Commission conduct an investigation of the matter; or (b) that the Commission find no reason to believe that a possible violation of the FECA has occurred and that the Commission close the file on the matter.

Thereafter, if the Commission decides by an affirmative vote of four (4) Commissioners that there is reason to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed, the Office of the General Counsel shall open an investigation into the matter. Upon notification of the Commission's finding(s), within 15 days a respondent(s) may submit any factual or legal materials relevant to the allegations. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission in its investigation.

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STATEMENT OF DESIGNATION OF COUNSEL

MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

_____

_____

TELEPHONE: _____

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

_____ _____

Date Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

_____

_____

HOME PHONE: _____

BUSINESS PHONE: _____

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

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
85 MAR 4 A11 : 48

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 3/4/85-11:45

RAD REFERAL 85NF-44
STAFF MEMBER
Marybeth Tarrant

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAMES: Atoka Country Supper Committee
Mary Ellen McInnes, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)

INTERNAL REPORTS CHECKED: Reports filed by Respondents

FEDERAL AGENCIES CHECKED: None

SENSITIVE

GENERATION OF MATTER

This matter was referred to the Office of the General Counsel by the Reports Analysis Division ("RAD").

SUMMARY OF ALLEGATIONS

It is alleged that the Atoka Country Supper Committee ("Committee") and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A) by failing to timely file the 1983 Year End, 1984 July Quarterly and 1984 30 Day Post-General Election Reports in a timely fashion.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(A), a political committee, other than an authorized committee of a candidate, is required, through its treasurer, to file certain quarterly reports, in a calendar year in which a regularly scheduled election is held, which are to be filed no later than the 15th day after the last day of each calendar quarter, and a post-general election report

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which is to be filed no later than the 30th day after the general election and which is to be complete as of the 20th day before the election. In any other calendar year, a report covering the period beginning July 1 and ending December 31 is to be filed no later than January 31 of the following calendar year.

On January 7, 1984, the Committee was sent prior notice concerning the filing of a 1983 Year End Report. On February 28, 1984, the Committee was sent notice that it had failed to file the report. On March 13, 1984, the Committee filed a 1983 Year End Report, which was due January 31, 1984.*/

On June 21, 1984, the Respondents were sent prior notice concerning the filing of a 1984 July Quarterly Report. On August 8, 1984, the Respondents were sent notice that the report had not yet been filed. On August 27, 1984, the Respondents filed a 1984 July Quarterly Report, which was due July 15, 1984.

On September 18, 1984, a Chronic Late Filing Notice was sent to the Respondents for failing to file the 1983 Year End and 1984 July Quarterly Reports in a timely manner. The notice advised the Respondents than any additional late filing of reports may result in legal enforcement action.

On October 1, 1984, the Respondents were sent prior notice concerning the filing of a 30 Day Post-General Election Report.

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*/ Attached to the report was a cover letter claiming that the Year End Report had been mailed on January 27, 1984. As the Commission apparently never received the report, a copy of the report was enclosed.

On December 28, 1984, a Non-Filer Notice was sent to the Respondents for failure to file the 30 Day Post-General Election Report. The Reports Analysis Division called the treasurer, Mary Ellen McInnes, on January 18, 1985. Ms. McInnes stated that she had not received prior notice that the report was due and also mentioned that the Committee had never been required to file the report in prior years. The analyst stated that the Committee was under the obligation to file the report which was filed on January 30, 1985. The report was due December 6, 1984.

In light of these late filings, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Respondents violated 2 U.S.C. § 434(a)(4)(A).

RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Atoka Country Supper Committee and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A).
3. Approve attached letter.
4. Approve the General Counsel's Factual and Legal Analysis.

Charles N. Steele
General Counsel

March 4, 1985
Date

BY: Kenneth A. Gross
Associate General Counsel

Attachment
1. RAD Referral
2. Proposed Letter
3. General Counsel's Factual and Legal Analysis

8504054287 3

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REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: 6 February 1985

ANALYST: Lisa Stolaruk

I. COMMITTEE: Atoka Country Supper Committee
C00155648
Mary Ellen McInnes, Treasurer
(5/14/84 to Present)
Robert H. Zehner, Treasurer
(Prior to 1/1/83 to 5/14/84)
Atoka Farm, Box 1320
Middleburg, VA 22117

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i), (iii) and (iv)
11 CFR 104.5(c)(1)(i)(A)
11 CFR 104.5(c)(1)(iii)(A)
11 CFR 104.5(c)(2)(i)(B)

III. BACKGROUND:

Non-Filing and Chronic Late Filing of Reports

The Atoka Country Supper Committee ("the Committee") failed to file the 1983 Year End, 1984 July Quarterly and 1984 30 Day Post-General Reports in a timely manner during the 1983-1984 election cycle (see Chart on page 3). The reports were filed between 42 and 54 calendar days late.

On September 18, 1984, a Chronic Late Filing Notice was sent to the Committee for failing to file the 1983 Year End and 1984 July Quarterly Reports in a timely manner (Attachment 8). The notice advised the Committee that any additional late filing of reports may result in legal enforcement action.

On December 28, 1984, a Non-Filer Notice was sent to the Committee for failure to file the 30 Day Post-General Report. The Reports Analysis Division ("RAD") analyst called the treasurer, Mary Ellen McInnes, on January 18, 1985. Ms. McInnes stated that she had not received prior

Attachment 1 (1)

notice that the report was due and also mentioned that the Committee had never been required to file the report in prior years. The analyst stated that the Committee was nevertheless under the obligation to file the report (Attachment 11). The 30 Day Post-General Report was filed on January 30, 1985 (Attachment 12).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

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LATE FILING HISTORY

REPORT TYPE	PRIOR NOTICE	DATE DUE	NON-FILER NOTICE	DATE FILED
1983 Year End (7/1/83-12/31/83)	1/7/84 (Attachment 2)	1/31/84	2/28/84 (Attachment 3)	3/13/84 (Attachment 4)
1984 July Quarterly (4/1/84-6/30/84)	6/21/84 (Attachment 5)	7/15/84	8/8/84 (Attachment 6)	8/27/84 (Attachment 7)
1984 30 Day Post-General (10/1/84-11/26/84)	10/1/84 (Attachment 9)	12/6/84	12/28/84 (Attachment 10)	1/30/85 (Attachment 12)

(W)

8 5 0 4 0 5 4 2 8 7 7

FEDERAL ELECTION COMMISSION
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C) (83-84)

DATE 5FEB85
PAGE 1

NON-PARTY RELATED

COMMITTEE	DOCUMENT		RECEIPTS		DISBURSEMENTS	TYPE OF FILER COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
ATOKA COUNTRY SUPPER COMMITTEE						NON-PARTY NON-QUALIFIED JOINT FUNDRAISING		ID #C00155648
1983	MID-YEAR REPORT		1,801		376	1JAN83 -30JUN83	6	83FEC/280/1959
	MID-YEAR REPORT	- AMENDMENT	-		-	1JAN83 -30JUN83	3	83FEC/282/1943
	YEAR-END		91,445		93,506	1JUL83 -31DEC83	17	84FEC/299/1429
	NOTICE OF FAILURE TO FILE					1JUL83 -31DEC83	1	84FEC/297/3901
	REQUEST FOR ADDITIONAL INFORMATION					1JUL83 -31DEC83	1	84FEC/312/2328
	REQUEST FOR ADDITIONAL INFORMATION 2ND					1JUL83 -31DEC83	2	84FEC/314/3[illegible]
1984	STATEMENT OF ORGANIZATION - AMENDMENT					22MAY84	3	84FEC/315/1825
	MISCELLANEOUS NOTICE FROM FEC					18SEP84	1	84FEC/328/3399
	APRIL QUARTERLY		0		0	1JAN84 -31MAR84	2	84FEC/311/0289
	JULY QUARTERLY		2,695		673	1JAN84 -30JUN84	4	84FEC/327/1063
	JULY QUARTERLY	- AMENDMENT	-		-	1JAN84 -30JUN84	4	84FEC/348/1283
	NOTICE OF FAILURE TO FILE					1APR84 -30JUN84	1	84FEC/325/0617
	1'ST LETTER INFORMATIONAL NOTICE					1APR84 -30JUN84	3	84FEC/329/5437
	OCTOBER QUARTERLY		91,801		38,506	1JUL84 -30SEP84	18	84FEC/340/2738
	POST-GENERAL		19,714		73,687	1OCT84 -26NOV84	20	85FEC/363/3675
	NOTICE OF FAILURE TO FILE					1OCT84 -26NOV84	1	84FEC/357/4950
	YEAR-END		-		0	27NOV84 -31DEC84	2	85FEC/363/3696
	TOTAL		207,456	0	206,748	0	89	TOTAL PAGES

All reports listed have been reviewed with the exception of the 30 Day Post General and 1984 Year End Reports.

Ending cash-on hand balance as of 12/31/84: $1610

Debt and obligations owed by the committee as of 12/31/85: $0

ATTACHMENT 1

(h)

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 7, 1984

JANUARY 31 YEAR-END REPORT NOTICE

WHO MUST FILE
ALL POLITICAL COMMITTEES currently registered with the Commission must file a year-end report by January 31, 1984.

WHAT MUST BE REPORTED
All financial activity must be disclosed from the last report filed through December 31, 1983. Registered committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration* through December 31, 1983.

FILING DATE
Reports sent by registered or certified mail must be postmarked no later than midnight January 31, 1984. Reports hand delivered or mailed first class must be received no later than close of business January 31, 1984.

WHERE TO FILE
Committees should consult the instructions on the enclosed form for details.

COMPLIANCE
Political committees are fully liable for failure to file any report required under the Act. Furthermore, failure to file in a timely fashion is a serious violation and an offending committee is subject to enforcement action. Committees must also submit legible reports which can be clearly reproduced. Illegible reports and reports submitted on non-FEC forms will not be accepted and committees filing such documents will be required to refile.

1984 FILING REQUIREMENTS
See the January 1984 issue of the FEC Record for filing requirements during 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

FOR INFORMATION CALL: Office of Public Communications
202/523-4068 or 800/424-9530

(5)

8504012873

ATTACHMENT 3

FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

FEB 28 1984

RQ-7

Robert H. Zehner, Treasurer
Atoka Country Super Committee
Atoka Farm Box 1320
Middleburg, VA 22117

Identification Number: C00155648

Reference: 1983 Year End Report (7/1/83-12/31/83)

Dear Mr. Zehner:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Lisa J. Stolaruk on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson

John D. Gibson
Assistant Staff Director
Reports Analysis Division

(6)

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ATTACHMENT 4 (1 of 2)

FEC

84 MAR 13 AM 11:46

8360 Greensboro Drive
Apartment 409
McLean, Virginia 22102
March 12, 1984

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

Dear Mr. Gibson:

I just received your February 28, 1984 letter (copy attached).

The year-end report was completed and mailed by first class mail from Orlando, Florida on January 27, 1984. A copy of our report is enclosed.

Please call me if you have any questions. My office telephone number is (703) 893-3744.

Very truly yours,

Robert E. Zehner

Enclosures

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(7)

ATTACHMENT 4 (2 of 2)

FEC Form 3P, Page 1
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

REPORT OF RECEIPTS AND DISBURSEMENTS BY AN AUTHORIZED COMMITTEE OF A CANDIDATE FOR THE OFFICE OF PRESIDENT

FEC
'84 MAR 13 AM : 46

NOTE: *This report is to be used by an authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.*

1. NAME OF COMMITTEE IN FULL: ATOKA COUNTRY SUPPER COMMITTEE
2. IDENTIFICATION NUMBER: C00155648
ADDRESS (Number and Street): ATOKA FARM . BOX 1320
CITY: MIDDLEBURG
STATE: VA
ZIP CODE: 22117
☐ Check if name or address is changed
3. IS THIS REPORT OF RECEIPTS AND DISBURSEMENTS FOR: ☐ Primary ☐ General

4. TYPE OF REPORT ("X" appropriate box and complete, if applicable)
☐ Amendment for (Report) _____
☐ Monthly Report (month) _____
☐ April 15 Quarterly Report
☒ January 31 Year-end Report
☐ July 15 Quarterly Report
☐ Termination Report
☐ October 15 Quarterly Report
☐ Twelfth Day Before Election
☐ Thirtieth Day After Election
TYPE OF ELECTION
STATE
ELECTION DATE

COMMITTEE SUMMARY OF RECEIPTS AND DISBURSEMENTS

5. COVERING PERIOD — FROM 7-1-83 — THROUGH 12-31-83

SUMMARY	6. CASH ON HAND AT BEGINNING OF THE REPORTING PERIOD	2,329.29
	7. TOTAL RECEIPTS THIS PERIOD (From Line 22 Column A)	91,445.39
	8. SUBTOTAL (Add Line 6 and 7)	93,774.68
	9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30 Column A)	93,506.89
	10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	267.79
	11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C or Schedule D)	0
	12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C or Schedule D)	0
	13. EXPENDITURES SUBJECT TO LIMITATION (From FEC Form 3P, Page 4)	0
NET YEAR-TO-DATE CONTRIBUTIONS AND EXPENDITURES	14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d Column B from 17e Column B)	89,848.04
	15. NET OPERATING EXPENDITURES (Subtract Line 20e Column B from 23 Column B)	42,548.20

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: ROBERT H. ZEHNER

SIGNATURE OF TREASURER: Robert H. Zehner
DATE: 1-24-84

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. § 437g.
All previous versions of FEC Form 3P are obsolete and should no longer be used.

For further information, contact:
Federal Election Commission
Toll Free 800-424-9530
Local 523-4068

FEC Form 3P (2/83)

8

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 21, 1984

JULY REPORTING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE
ALL unauthorized political committees, except those that file monthly, must file a quarterly report by July 15, 1984. (See below.)

WHAT MUST BE REPORTED
All financial activity must be disclosed from the last report filed through June 30, 1984. Political committees which have not previously filed a financial disclosure report should report all financial activity from the date of registration,* through June 30, 1984.

WHEN TO FILE
Reports sent by registered or certified mail must be postmarked no later than midnight July 15, 1984. Reports hand delivered or mailed first class must be received no later than close of business July 15, 1984.

WHERE AND HOW TO FILE
Committees should consult the instructions on the enclosed FEC Form 3X for details.

MONTHLY FILERS
Committees that file on a monthly schedule must file their next report by July 20, 1984, and disclose all financial activity of their committee from June 1 through June 30, 1984. Monthly reports are due by the twentieth of each month and should cover all financial activity of the previous month.

COMPLIANCE
Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

(9)

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A REMINDER FOR QUARTERL FILERS

All committees that have made contributions or expenditures (including independent expenditures) in connection with a primary election which have not previously been reported must file a pre-election report.

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ATTACHMENT 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

AUG 8 1984

Mary Ellen McInnis, Treasurer
Atoka Country Supper Committee
Atoka Farm Box 1320
Middleburg, VA 22117

Identification Number: C00155648

Reference: July Quarterly Report (4/1/84-6/30/84)

Dear Ms. McInnis:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Lisa Stolaruk on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson

John D. Gibson
Assistant Staff Director
Reports Analysis Division

(11)

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ATTACHMENT 7

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

RECEIVED AT THE FEC

84 AUG 27 [illegible]

ALIGN AREA

1. Name of Committee (In Full)

ATOKA COUNTRY SUPPER COMMITTEE

Address (Number and Street)

ATOKA FARM BOX 1320

City, State and ZIP Code

MIDDLEBURG VA 22117

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C 00155648

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

4. TYPE OF REPORT (Check appropriate boxes)

(a) ☐ April 15 Quarterly Report ☐ October 15 Quarterly Report
☒ July 15 Quarterly Report ☐ January 31 Year End Report
☐ July 31 Mid Year Report (Non Election Year Only)
☐ Monthly Report for _____
☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
☐ Thirtieth day report following the General Election on _____ in the State of _____
☐ Termination Report

(b) Is this Report an Amendment?
☐ YES ☒ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 1-1-84 through 6-30-84		
6 (a) Cash on hand January 1, 19____		$ 267.79
(b) Cash on Hand at Beginning of Reporting Period	$ 267.79	
(c) Total Receipts (from Line 18)	$ 2,695.00	$ 2,695.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 2,962.79	$ 2,962.79
7 Total Disbursements (from Line 28)	$ 673.95	$ 673.95
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 2,288.84	$ 2,288.84
9 Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ -0-	
10 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ 0-	

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

MARY ELLEN McINNIS
(Name of Treasurer)

Mary Ellen McInnis
SIGNATURE OF TREASURER

Date

For further information contact

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

(12)

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21035-11943

ATTACHMENT 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SEP 18 1984

MB-L

Mary Ellen McInnis, Treasurer
Atoka Country Supper Committee
Atoka Farm Box 1320
Middleburg, VA 22117

Identification Number: C00155648

Reference: 1983-1984 Election Cycle Reports

Dear Ms. McInnis:

This letter is prompted by the Commission's review of the reports required to be filed by your committee. The following is a list of reports your committee apparently has failed to file in a timely manner.

Report Type	Due Date	Date Filed
Year End (7/1/83-12/31/83)	1/31/84	3/13/84
July Quarterly (4/1/84-6/30/84)	7/15/84	8/27/84

Timely filing is a specific requirement of the Federal Election Campaign Act and is essential to fulfilling the public disclosure concept embodied in that law. The Commission views failure to timely file reports as a serious violation of the Act. This communication is to advise you that, notwithstanding any matters which may be pending with the Commission, any additional failure to timely file a required report by your committee may result in the Commission initiating legal enforcement or audit action.

If you need assistance or have any questions regarding this matter, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Michael B. Piller
Chief
Party/Non-Party Branch

(13)

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FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

October 1, 1984

GENERAL ELECTION FILING NOTICE FOR UNAUTHORIZED COMMITTEES

WHO MUST FILE THE PRE-GENERAL ELECTION REPORT
All committees that file monthly reports must file the pre-general election report due October 25, 1984.

In addition all quarterly filing committees that have made contributions or expenditures (including independent expenditures) in connection with the general election must file a pre-election report, if such activity has not previously been reported. See below for post-general filing information.

WHAT MUST BE REPORTED
The report must disclose all financial activity of the committee from the later of, the last report filed or the date of registration* through October 17, 1984. (Monthly filers must disclose all financial activity from the later of October 1 or the date of registration* through October 17, 1984.)

WHEN TO FILE
Pre-general election reports sent registered or certified mail must be postmarked no later than October 22, 1984. Reports hand delivered or mailed first class must be received no later than close of business October 25, 1984.

* * * * *

WHO MUST FILE THE POST-GENERAL ELECTION REPORT
All committees must file the post-general election report due December 6, 1984, regardless of election activity.

WHAT MUST BE REPORTED
The post-general election report must cover all financial activity of the committee from either the date of the last report filed or the date of registration, whichever is later* through November 26, 1984.

WHEN TO FILE
Post-general election reports sent by registered or certified mail must be postmarked no later than December 6, 1984. Reports hand delivered or mailed first class must be received no later than close of business December 6, 1984.

*The first report filed by a committee shall include all amounts received or disbursed prior to becoming a political committee, even if such amounts were not received during the current reporting period. See 11 CFR 104.3(a) and (b).

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WHERE AND HOW TO FILE
Committees should consult the instructions on the enclosed FEC form 3X, for details.

QUARTERLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
3rd Q-Report	07/01* - 09/30	10/15/84	10/15/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General**	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

*Or from date of registration, or the close of books of the last report filed, whichever is later.

**Reports filed by committees that did not file the pre-General report should cover all financial activity from the last report filed through November 26, 1984.

* * *

MONTHLY FILERS

Name of Report	Period Covered	Reg./Cert. Mailing Date	Filing Date
Oct. Monthly	09/01 - 09/30	10/20/84	10/20/84
Pre-General	10/01 - 10/17	10/22/84	10/25/84
Post-General	10/18 - 11/26	12/06/84	12/06/84
Year-end	11/27 - 12/31	01/31/85	01/31/85

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COMPLIANCE
Political committees are fully liable for failure to file any report required under the Act. Failure to file in a timely fashion is a serious violation. Committees are subject to enforcement action for late filing. Illegible reports which can not be clearly reproduced and reports submitted on non-FEC forms will not be accepted. Committees filing such documents will be required to refile.

FOR INFORMATION CALL: Office Of Public Communications
800/424-9530 or 202/523-4068

ATTACHMENT 10

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-7

December 28, 1984

Mary Ellen McInnis, Treasurer
Atoka Country Supper Committee
Atoka Farm Box 1320
Middleburg, VA 22117

Identification Number: C00155648

Reference: 30 Day Post-General Report (10/01/84-11/26/84)

Dear Ms. McInnis:

It has come to the attention of the Federal Election Commission that you may have failed to file the above referenced Report of Receipts and Disbursements as required by the Federal Election Campaign Act. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 1325 K Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 108.2, 108.3, 108.4).

The failure to file this report may result in an audit or legal enforcement action.

If you have any questions regarding this matter, please contact Lisa Stolaruk on our toll-free number (800) 424-9530. Our local number is (202) 523-4048.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

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ATTACHMENT 12 (1 of 3)

REPORT OF RECEIPTS AND DISBURSEMENTS
For a Political Committee Other Than an Authorized Committee

(Summary Page)

ALIGN AREA

1. Name of Committee (In Full)

ATOKA County Supervisor Committee

Address (Number and Street)

ATOKA FARM

BOX 1320

City, State and ZIP Code

Middleburg, VA 22117

☐ Check here if address is different than previously reported.

2. FEC Identification Number

C00155648

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

4. TYPE OF REPORT (Check appropriate block)

(a)
- ☐ April 15 Quarterly Report
- ☐ October 15 Quarterly Report
- ☐ July 15 Quarterly Report
- ☐ January 31 Year End Report
- ☐ July 31 Mid Year Report (Non-Election Year Only)
- ☐ Monthly Report for _____
- ☐ Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- ☒ Thirtieth day report following the General Election on Nov 6, 1984 in the State of Virginia
- ☐ Termination Report

(b) Is this Report an Amendment?

☐ YES ☒ NO

SUMMARY	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period 10/1/84 through 11/26/84		
6. (a) Cash on hand January 1, 19 84		$ 267.79
(b) Cash on Hand at Beginning of Reporting Period	$ 55,513.78	
(c) Total Receipts (from Line 18)	$ 19,714.12	$ 114,210.50
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	$ 75,297.90	$ 114,478.29
7. Total Disbursements (from Line 28)	$ 73,687.83	$ 112,868.22
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	$ 1,610.07	$ 1,610.07
9. Debts and Obligations Owed TO The Committee (Itemize all on Schedule C or Schedule D)	$ — 0 —	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C or Schedule D)	$ — 0 —	

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

MARY ELLEN McINNIS
Type or Print Name of Treasurer

Mary Ellen McInnis 1-29-85
SIGNATURE OF TREASURER Date

For further information contact:
Federal Election Commission
Toll Free 800-424-9530
Local 202-523-4068

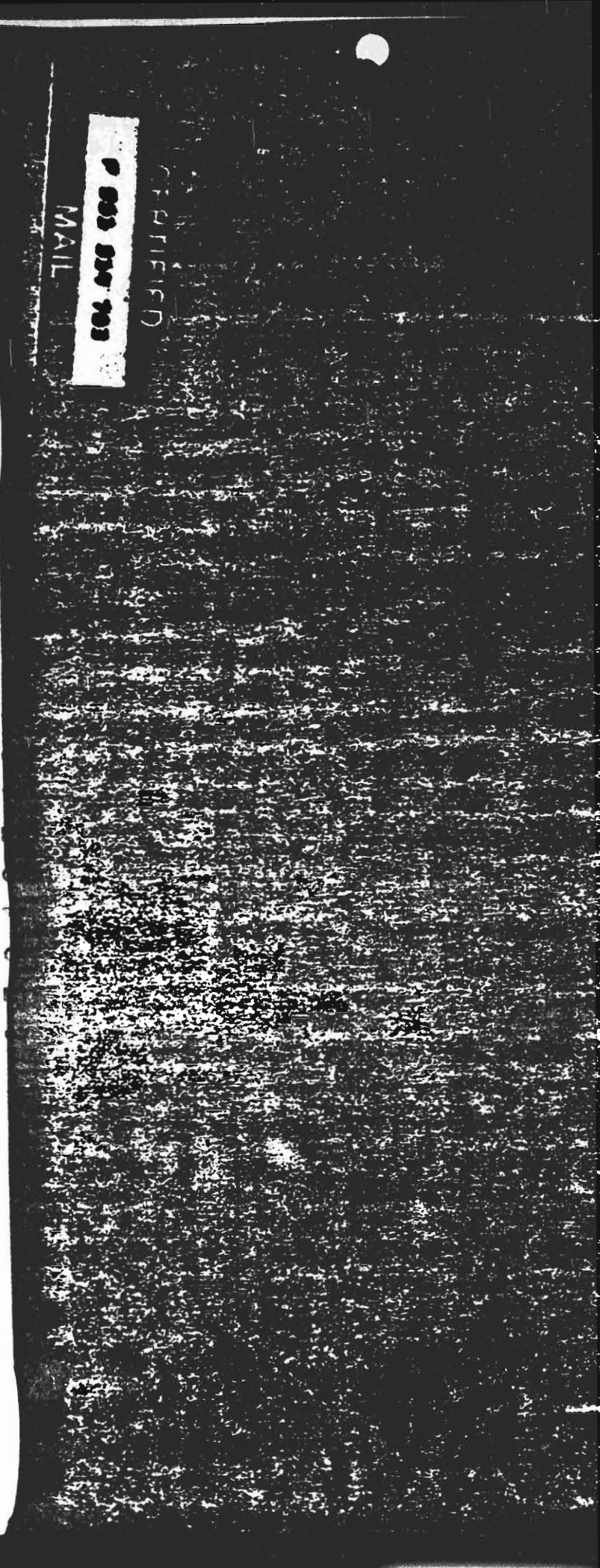
NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this report to the penalties of 2 U.S.C. § 437g.

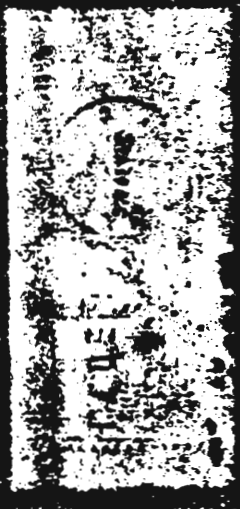
All previous versions of FEC FORM 3 and FEC FORM 3a are obsolete and should no longer be used.

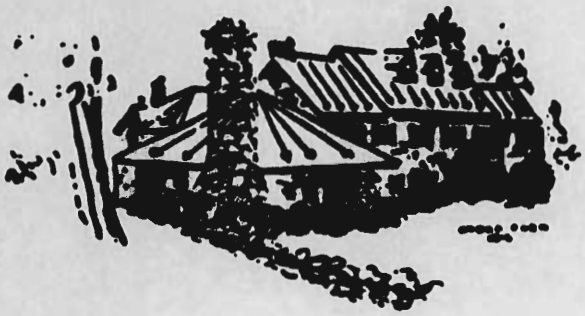
FEC FORM 3X (3/80)

(18)

ATTACHMENT 12 (2 of 3)







Atoka Country Supper FEB 1 P1:38

January 29, 1985

6700 Wemberly Way
McLean, Virginia 22101

Federal Election Commission
Washington, D.C. 20463

Identification Number: C00155648

Reference (a) F.E.C. Letter Rq-7 dated Dec.28, 1984

Dear Sir:

The 30-day report of this committee, Atoka Country Supper, is enclosed in response to reference (a). This report is late in submission due to oversight and late receipt of reference (a) delayed in the mail.

Sincerely,

Mary Ellen McInnis

Mary Ellen McInnis, Treasurer
Atoka Country Supper

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mary Ellen McInnes, Treasurer
Atoka Country Supper Committee
Atoka Farm, Box 1320
Middleburg, VA 22117

RE: MUR

Dear Ms. McInnes:

On March , 1985, the Federal Election Commission determined that there is reason to believe the Atoka Country Supper Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation. Of course, this does not preclude the settlement of this matter through conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

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Attachment 2 (21)

stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Marybeth Tarrant, the staff member assigned to this matter, at (202) 523-4143.

Sincerely,

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO._____
STAFF MEMBER & TEL. NO.
Marybeth Tarrant
(202)523-4143

RESPONDENTS Atoka Country Supper Committee
Mary Ellen McInnes, as treasurer

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

It is alleged that the Atoka Country Supper Committee ("Committee") and Mary Ellen McInnes, as treasurer, violated 2 U.S.C. § 434(a)(4)(A) by failing to timely file the 1983 Year End, 1984 July Quarterly and 1984 30 Day Post-General Election Reports in a timely fashion.

FACTUAL AND LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 434(a)(4)(A), a political committee, other than an authorized committee of a candidate, is required, through its treasurer, to file certain quarterly reports, in a calendar year in which a regularly scheduled election is held, which are to be filed no later than the 15th day after the last day of each calendar quarter, and a post-general election report which is to be filed no later than the 30th day after the general election and which is to be complete as of the 20th day before the election. In any other calendar year, a report covering the period beginning July 1 and ending December 31 is to be filed no later than January 31 of the following calendar year.

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Attachment 3 (23)

On January 7, 1984, the Committee was sent prior notice concerning the filing of a 1983 Year End Report. On February 28, 1984, the Committee was sent notice that it had failed to file the report. On March 13, 1984, the Committee filed a 1983 Year End Report, which was due January 31, 1984.*/

On June 21, 1984, the Respondents were sent prior notice concerning the filing of a 1984 July Quarterly Report. On August 8, 1984, the Respondents were sent notice that the report had not yet been filed. On August 27, 1984, the Respondents filed a 1984 July Quarterly Report, which was due July 15, 1984.

On September 18, 1984, a Chronic Late Filing Notice was sent to the Respondents for failing to file the 1983 Year End and 1984 July Quarterly Reports in a timely manner. The notice advised the Respondents than any additional late filing of reports may result in legal enforcement action.

On October 1, 1984, the Respondents were sent prior notice concerning the filing of a 30 Day Post-General Election Report. On December 28, 1984, a Non-Filer Notice was sent to the Respondents for failure to file the 30 Day Post-General Election Report. The Reports Analysis Division called the treasurer, Mary Ellen McInnes, on January 18, 1985. Ms. McInnes stated that she had not received prior notice that the report was due and also mentioned that the Committee had never been required to file the

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*/ Attached to the report was a cover letter claiming that the Year End Report had been mailed on January 27, 1984. As the Commission apparently never received the report, a copy of the report was enclosed.

report in prior years. The analyst stated that the Committee was under the obligation to file the report which was filed on January 30, 1985. The report was due December 6, 1984.

In light of these late filings, the Office of the General Counsel recommends that the Commission open a MUR and find reason to believe that the Respondents violated 2 U.S.C. § 434(a)(4)(A).

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FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 1920

Date Filmed 8/14/85 Camera No. --- 2

Cameraman AS